

AGENDA
GULFPORT CITY PLANNING COMMISSION MEETING
CITY HALL COUNCIL CHAMBERS
THURSDAY, FEBRUARY 23, 2023 AT 4:30 PM

- A. Prayer**
- B. Pledge of Allegiance**
- C. Call to Order**
- D. Determination of a Quorum**
- E. Confirmation of Agenda**
- F. Adoption of Minutes**

F1. Planning Commission Meeting - January 26, 2023

G. Announcements

G1. If you are aggrieved by a vote of the Planning Commission, see below.

DECISION ITEMS: Except as noted below, items listed on this agenda as “Decision Items” may be appealed to the Gulfport City Council as follows: Any person or any officer, department or agency of the City aggrieved by a decision of the Planning Commission may, within fifteen (15) days thereafter, appeal therefore to the Gulfport City Council by submitting to the Planning Commission (Department of Urban Development – Planning Division) a written notice of appeal specifying the decision from which the appeal is taken. In the case of such appeal, the Planning Commission shall cause a transcript of the proceedings in the case to be certified to the City Council, and the matter will be heard on said transcripts. The filing fee for an appeal is based on the actual cost of the required official transcript and any related miscellaneous charges.

Exception: The disapproval of a general subdivision plan may be appealed by the subdivider by submitting to the Planning Commission and the Mayor and City Council a written notice of appeal. Upon receipt of notice of appeal, the planning commission shall transmit to the City Council a certified copy of the proceedings upon which the appeal is taken. The City Council may overrule such disapproval by a recorded vote of not less than 2/3 of its entire membership. No other right of appeal exists as to action taken by the Planning Commission on a general subdivision plan. The City Council hearing is not limited to the record created before the Planning Commission.

RECOMMENDATION ITEMS: As to items listed on this agenda as “Recommendation

Items”, the recommendation of the Planning Commission, whether to approve (with or without condition) or disapprove, will automatically be submitted to the City Council by the Department of Urban Development – Planning Division, and the item (except recommendations on Final Plats which are not so limited) will be considered by the City Council on the record created before the Planning Commission. It is not necessary to file anything with the Planning Commission in order to have the matter heard by the City Council.

G2. Anyone speaking today is asked to complete a "Speaker's Card".

Please provide the completed card at the time you speak to the Planning Commission. City staff personnel can assist in any questions you may have or in completing the card. This public meeting is open to all for comment.

H. Hearing of Cases

H1. Planning Commission Decision

H11. Hearing of Cases

Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 0810O-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

2. Planning Commission Approval 2302PC012:

Planning Commission Approval 2302PC012, by agent Kristine Greb, tax parcel 0910B-01-046.000, Requests approval for a home occupation of a mobile provider for LED light facial treatments, 4800 Kendall Ave, Zoned R-1-7.5 (Single family district), Ward 4

3. Special Exception 2302SE015:

Withdrawn by Applicant:

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business), Ward 3

H2. Planning Commission Recommendation

H21. Hearing of Cases

Zoning Text Amendment 2301PC008 by City of Gulfport, Amendments to the Accessory Building Ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

2. Zoning Map Amendment 2302PC014:

Zoning Map Amendment 2302PC014, by owner Jeanette Ladner, tax parcel 0711P-01-002.000, Requests to rezone from T5 (Urban center zone) from T4+(General Urban Zone "Plus"), Ward 2

3. Zoning Text Amendment 2302PC016:

Postponed to March Meeting:

Zoning Text Amendment 230202PC016, by agent David P. Sullian, Amendments to the Comprehensive Zoning Ordinance, as amended Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

4. Zoning Text Amendment 2302PC023:

Postponed to March Meeting:

Zoning Text Amendment 2302PC023, by the City of Gulfport, Amendments to the SmartCode Zoning Article 3, Section 3.1, to vacate the SmartCode Community Regulating Plans for Westside and Florence Gardens.

5. Zoning Text Amendment 2209PC171:

Postponed to February Meeting:

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

I. Reports

J. Unfinished Business

K. Other Business

L. Adjournment

MINUTES
GULFPORT CITY PLANNING COMMISSION
Thursday, January 26, 2023, 4:30 P.M.
CITY HALL COUNCIL CHAMBERS

- A. **Prayer**: The Planning Commission led a prayer.
- B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.
- C. **Call to Order**: The meeting of the Planning Commission was called to order at **4:30 p.m.**
- D. **Determination of a Quorum**: A roll call was performed and a quorum was determined.

BOARD MEMBERS PRESENT:

WM. PRINCE JONES
KEITH WILLIAMS
HAROLD SPANN
BJ SELLERS
TIM DAIGLE JR.
CHARLIE HEWES
VIRGINIA ADOLPH
GARLON PEMBERTON
BRYAN JACOBS
CHRIS ROMANO

BOARD MEMBERS ABSENT:

DOUG HANCOCK

STAFF MEMBERS PRESENT:

GREG HOLMES
CORY LONG
MATILDA WELCH
KEVIN BROWN
RHONDA GADDIS

COURT REPORTER:

NORMA SOROE

E. **Confirmation of Agenda**:

F. **Adoption of Minutes**:

A motion by **Mr. Pemberton** to approve Minutes of the **December 15, 2022**, meeting was **seconded by Mr. Jones** and carried.

G. **Hearing of Cases**:

G1. The PUBLIC DECLARATION OF APPEAL PROCESS was read by the Chairperson: Any person or any officer, department or agency of the City aggrieved by any decision of the Planning Commission may within fifteen (15) days thereafter appeal there from to the mayor and City Council by filing with the Planning Commission a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Planning Commission shall cause a transcript of the proceedings in the case to be certified to the mayor and City Council, and the matter will be heard on said transcripts. The filing fee for an appeal is based on the actual cost of the required official transcript and any related miscellaneous charges. Any appeal shall be in writing and submitted to the Department of Urban Development–Planning Division stating what decision is being appealed and detailing how you are aggrieved.

G2. The Chairperson asked for anyone speaking at the meeting to complete a Speaker’s Card.

G3. Routine Agenda

H. Planning Commission Decisions

1. Planning Commission Approval 2301PC002:
(Postponed to February meeting)

Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 0810O-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

KEITH WILLIAMS	– Chairman
HAROLD SPANN	–
VIRGINIA ADOLPH	–
CHARLIE HEWES	–
BJ SELLERS	–
WM. PRINCE JONES	–
DOUG HANCOCK	–
BRYAN JACOBS	–
TIM DAIGLE JR	–
GARLON PEMBERTON	–
CHRIS ROMANO	–

Action: Motion carried

2. Special Exception 2301SE006:

Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

Speaking for the Petition: Austin Keith

Speaking against the Petition: None

Motion: Mr. Hewes – To approve request.

Second: Mr. Pemberton

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

3. Planning Commission Approval 2211PC194:

Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Seeking approval for an outdoor entertainment venue at 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

Speaking for the Petition: Daniel Conwill IV, Ryan Nugent

Speaking against the Petition: Kelly Rogers, Greg Smith

Motion: Mr. Hewes – To approve request contingent on City Council approval.

Second: Mr. Sellers

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Yea
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

I. Planning Commission Recommendations

1. Zoning Text Amendment 2209PC171:

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

Speaking for the Petition: Lauren Illing, David Brown, Leah Simon, Ida Henly, Brandi Miles, Johnathan Brown, Mathew Wells, Natalie Bonner, Jordan Lane Giluore, Larry Vaughn, Farris Colton, Stephanie Dreuer, Samantha Case.

Speaking against the Petition: Sandra Wyche, Jim Foster, Jo Tappan, William J. McCown

**Motion: Mr. Hewes – To deny request for the following: (1) There are currently five locations that have met City of Gulfport requirements.
(2) Request too premature for this magnitude.**

Second: Mr. Sellers

Action: Motion died for lack of a positive vote.

Second Motion: Mrs. Adolph – Motion to table case to allow a workshop within the next 45 days.

Second: Mr. Spann

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Nay
BJ SELLERS	– Nay
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

2. Zoning Map Amendment 2211PC195:
(Postponed from December 15th Meeting)

Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

Speaking for the Petition: Daniel Conwill IV, Ryan Nugent

Speaking against the Petition: None

Motion: Mr. Daigle – To approve request.

Second: Mr. Ramono

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Absent (Left meeting early)
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

3. Zoning Text Amendment 2212PC225:

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a) , 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; these amendments are to reflect how unspecified uses of property as processed in these zoning districts.

Speaking for the Petition: Cory Long, Jim Foster, William J. McCown

Speaking against the Petition: None

Motion: Mrs. Adolph – To approve request.

Second: Mr. Spann

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Absent

BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

5. Zoning Map Amendment 2301PC001:

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Speaking for the Petition: Greg Smith

Speaking against the Petition: None

Motion: Mr. Jones – To approve request.

Second: Mr. Ramono

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Absent
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

6. Zoning Map Amendment 2301PC003:

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Speaking for the Petition: Ian Nuschke

Speaking against the Petition: None

Motion: Mr. Sellers – To deny request

Action: Motion failed for lack of a second.

Second Motion: Mr. Daigle – To deny request.

Second: Mr. Jones

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Absent
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea

DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

7. Zoning Text Amendment 2301PC007:

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Speaking for the Petition: Freddie Fountain, Rob Stinson, Rick Camarena

Speaking against the Petition: None

Motion: Mr. Pemberton – To approve request.

Second: Mr. Romano

KEITH WILLIAMS	– Chairman
HAROLD SPANN	– Yea
VIRGINIA ADOLPH	– Yea
CHARLIE HEWES	– Absent
BJ SELLERS	– Yea
WM. PRINCE JONES	– Yea
DOUG HANCOCK	– Absent
BRYAN JACOBS	– Yea
TIM DAIGLE JR	– Yea
GARLON PEMBERTON	– Yea
CHRIS ROMANO	– Yea

Action: Motion carried unanimously.

J. Other Business

I. Adjournment

There being no further business, a Motion was made by Mr. Sellers to adjourn, seconded by Mrs. Adolph and carried unanimously. The meeting adjourned at 7:13pm .

WILLIAM PRINCE JONES, Secretary

Date: _____

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: Planning Commission Decision

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: Planning Commission Approval 2301PC002:
(Postponed to February Meeting)

Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 0810O-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

Technical Report

PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2301PC002

Hearing Date: February 23, 2023

Current Zoning/Use: B-2 / Commercial

Legal: Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

TECHNICAL DETAILS

The applicant request to convert portion of the existing mobile home park into RV use located at 2800 19th Ave zoned B-2 (General Business). The applicant further states that their intent is to modify the park to support RV guests. A portion of the park will be segmented off and reserved for mobile homes, but the majority of the park will be used to support RV guest. The existing site have water, sewer and electric to support RV use.

In addition, the applicant states that they will provide trash collection with onsite dumpsters. A park manager will be on site to ensure routine maintenance is completed. This includes mowing, tree trimming, road repairs, building repairs, trash pickup, etc. Furthermore, the applicant will add additional fire hydrants within the park as required by the city and will have onsite professional management to assist with guest's needs.

However, even though the use of a RV park would be in harmony with the existing neighborhood, the applicant must be approved by the City of Gulfport Zoning Board for several required variances. 1) An entrance cannot be closer than 120-feet to an intersection. A variance will be required. 2) The turnaround by the office is a concern. As proposed, it is currently unacceptable. A variance will be required. 3) A variance will need to be applied for to allow for only one dumping station instead of the required one per one hundred sites. These items cannot be waived by this board. Therefore, if approved, conditions of approval should state that all variances must be approved by the City of Gulfport Zoning Board before moving forward.

EXECUTIVE SUMMARY

The staff recommendation is to approve the request with conditions. All required variances for site shall be approved by the City of Gulfport Zoning Board before moving forward.

Any approval should consider these conditions:

1. Subject to all codes and regulations.
2. All required variances for site shall be approved by the City of Gulfport Zoning Board before moving forward.
3. Must meet all current building codes and City of Gulfport Ordinances.
4. Contingent on Fire Mains/Fire Hydrants as previously discussed.

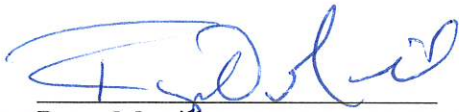
Technical Report
PLANNING COMMISSION APPROVAL

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 01/11/23
<u>Public Works:</u>	No conditions. Memo dated 01/11/23.
<u>Traffic and Safety:</u>	No conditions. Memo dated 01/05/23.
<u>Building Code Services:</u>	Must meet all current building codes and City of Gulfport Ordinances. Memo dated 01/05/23.
<u>GIS:</u>	No conditions. Memo dated 01/11/23.
<u>Police Department:</u>	No conditions. Memo dated 01/06/23.
<u>Fire Department:</u>	Contingent on Fire Mains/Fire Hydrants as previously discussed. Memo dated 01/05/23.
<u>City Arborist:</u>	No conditions. Memo dated 01/05/23.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department

Meeting Minutes
2800 19th Ave – Mobile Homes & RV's (2nd Meeting)

I. Urban Development:

- Mobile homes in the floodway need to be 3-feet above the highest adjacent grade and have 1-foot of freeboard for a total of 4-feet.
- An 8-foot by 10-foot minimum porch or patio is required with a 3-foot by 3-foot minimum landing for mobile homes.
- Exterior doors must swing in.
- RV sites must be a minimum of 1500-square feet. The proposed plan from today looks to meet that requirement.
- Lot width must be a minimum of 30-feet wide. Submit a separate sheet with lots and sizes for the RV's when officially submitting for permits.
- 10-feet of separation is needed between RV's.
- An entrance cannot be closer than 120-feet to an intersection. A variance can be applied for.
- The turnaround by the office is a concern. As proposed, it is currently unacceptable, however a variance can be applied for this as well.
- Add landscaping between the bayou bank and the recreational trail/maintenance road to screen in the site. Must stay 25-feet away from the maintenance road to leave room for the maintenance crews.
- The RV pad that is proposed in the setback will need to be shortened.
- Parking existing in the setback is okay.
- A variance will need to be applied for to allow for only one dumping station instead of the required one per one hundred sites.



- 
- One 20-gallon trash container is required every 300-feet of any camp site. A separate sheet dictating where all of the dumpsters, cans, and doggy waste locations are is required.

II. Engineering/Public Works:

- An access agreement with the city to take care of the canal was done by the seller in 2016 or 2017.
- A master meter is required.
- Sewer will be all gravity, no grinder.
- The dump station on the opposite side of the road is believed to be 18-inches horizontally and 10-inches vertically.
- Have your engineer contact Jeremy Harrison with the city's engineering department to discuss flow of 100-gallons per minute.

III. Fire:

- Currently proposed hydrant layout is acceptable.
- 6-inch minimum drain line size.

IV. Leisure Services:

- N/A

V. Police:

- N/A
- 



Attendees

Kaitlyn Klingenberg	City of Gulfport Urban Development
Greg Holmes	City of Gulfport Urban Development
Cory Long	City of Gulfport Urban Development
Alan Featherston	City of Gulfport Leisure Services
Greg Marks	City of Gulfport Fire
Jeremy Harrison	City of Gulfport Engineering
Owen Gates	Kaliber Management
Bryce McMurry	Kaliber Management



Meeting Minutes

2800 19th Avenue – Mobile Home's & RV's

I. Urban Development:

- It is proposed to move the existing mobile homes to the south side of the property and bring in RVs to the north side. It is also proposed to renovate the pool house and add bathrooms as well as create storage and an office.
- The proposed location of the RVs is in an AE flood zone. They are limited to 400-square feet per MEMA. The city will require an evacuation plan. The RVs must remain on wheels. Sewer caps are required and the electrical needs to be marine grade or able to be disconnected and secured.
- The mobile homes that are in the AE flood zone cannot be dry stacked. They must be permanently secured; concrete base, core filled and steel tie ins. They must be a minimum of 1-foot above base flood elevation.
- Nothing is allowed in a floodway.
- Mobile homes must be Zone 2. If the mobile homes being moved from their existing locations are not Zone 2, they must be replaced. If you do not move the existing mobile homes from their existing location, they do not have to be replaced.
 - A permit is required to move the existing mobile homes.
- Planning Commission approval is required for this project due to the property currently being non-conforming.
- The renovated pool house will require shower facilities.
- A packet was given to the developers regarding parking requirements.
- Some of the proposed pads near 19th Avenue may be too close to the setbacks.
- If the pool house is in a flood zone you are limited to 50% of the value of the building in renovations. If it exceeds 50%, you must bring the whole structure up to current codes. An appraisal (or tax assessors valuation) and contractor estimate is required for this determination.



- 
- Stop signs must be shown on plans.
 - Due to the project being visible from 28th Street, it is subject to Architectural Review Committee standards.
 - CMU nor metal is allowed for the pool house.
 - You may be required to build sidewalks.
 - Mobile homes will require skirting. Try to screen in the mobile homes if possible.

II. Engineering/Public Works:

- N/A

III. Fire:

- A hydrant is required every 400-feet. Once a site plan is received the city can help configure the locations.

IV. Leisure Services:

- N/A

V. Police:

- N/A
- 



Attendees

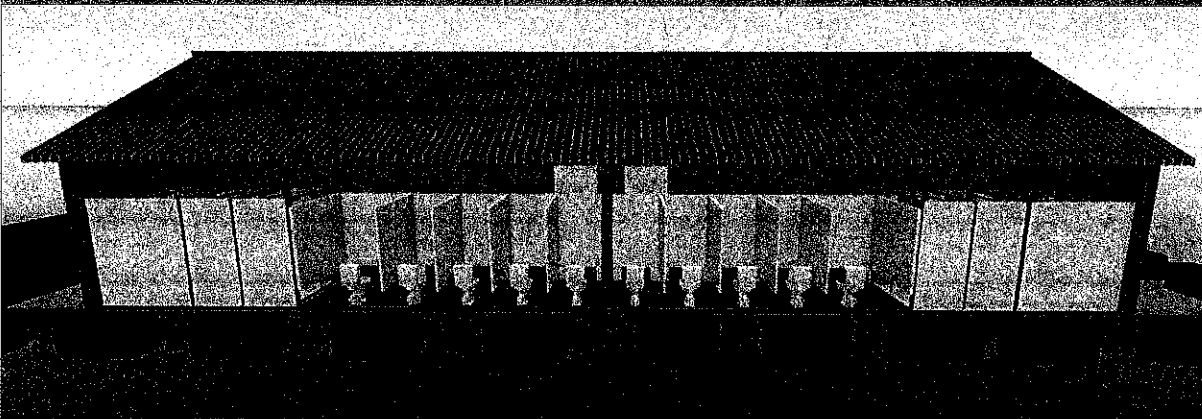
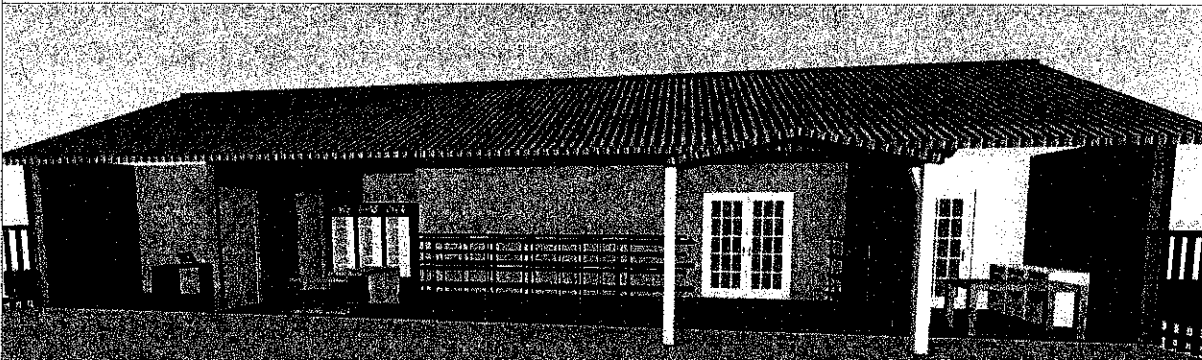
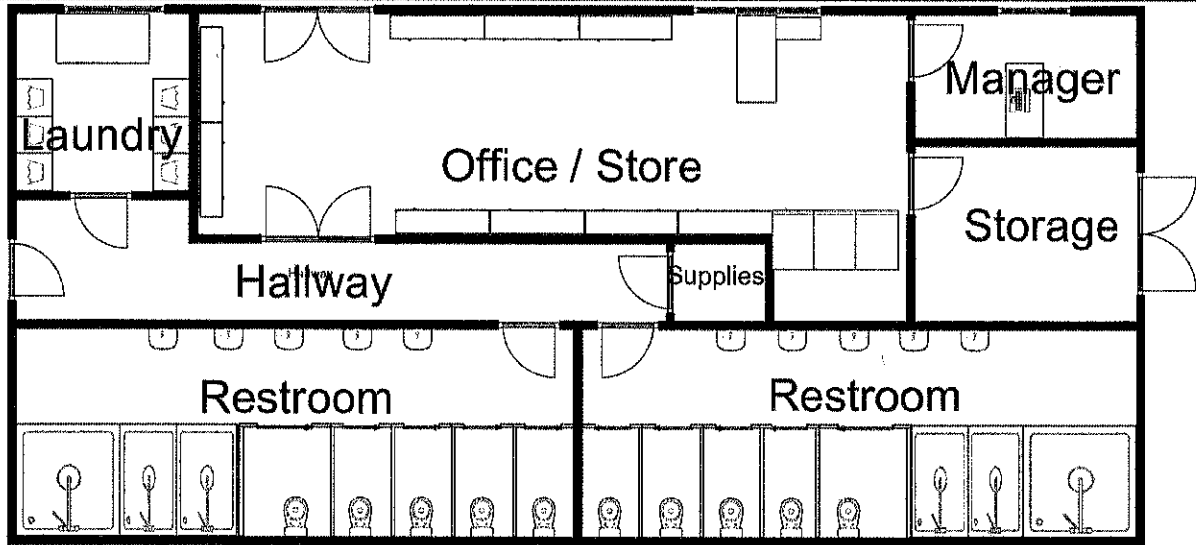
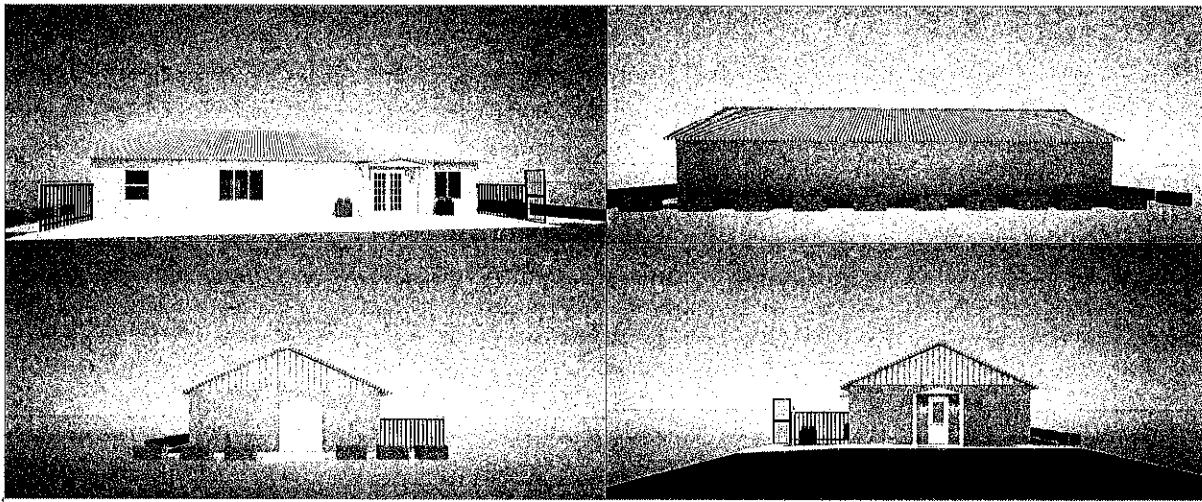
Kaitlyn Klingenberg	City of Gulfport Urban Development
Alan Featherston	City of Gulfport Leisure Services
Geoff Hittner	City of Gulfport Urban Development
Su-Lin Featherston	City of Gulfport Urban Development
Ernie Carpenter	City of Gulfport Urban Development
Cory Long	City of Gulfport Urban Development
Greg Holmes	City of Gulfport Urban Development
Greg Marks	City of Gulfport Fire
Bryce McMurry	Kinetic Capital
Owen Gates	Kinetic Capital





THE WILLOWS AT CREEKSIDE RV RESORT

REVISED	PROPOSED PLAN		
	KINETIC CAPITAL, LLC		
DATE		BY	SCALE
		EDR	



NOTES

1. Based on current number of RV Sites, the bathroom facilities (see toilet and showers) are required per sex.
2. The shower requirements should only be for per sex and use are spreading three showers in this plan.
3. Cots and camp equipment storage equipment will be provided for the owner's convenience.
4. A camp site area will be stocked with basic necessities.
5. The manager's office will be located in the building along with a small storage area for company equipment and supplies.
6. This design includes no changes to the footprint of the building, only in the layout which is mostly an empty shell of the structure.
7. Current CMU block exterior will be replaced with stucco.

THE WILLOWS AT CREEKSIDE RV RESORT

REVISIONS

NO.	DATE	DESCRIPTION

PROPOSED PLAN

KINETIC CAPITAL, LLC

DATE:

DATE:

SCALE:

CREEKSIDE WILLOWS

MOBILE HOME PARK

8-17-2020	CREEKSIDE WILLOWS REDEVELOPMENT		
	KINETIC CAPITAL, LLC		
DATE RECEIVED	PROJECT NAME	SHEET NO.	TOTAL SHEETS
8-17-2020	CREEKSIDE WILLOWS REDEVELOPMENT	2061	2062

REFERENCE MATERIALS:

1. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION
2. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION
3. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION
4. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION
5. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION
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8. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION
9. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION
10. HANCOCK COUNTY RECORDS, LAND RECORDS SECTION

REVIEWER OF THIS PROPERTY IS
SUBJECT TO CURRENT SURVEYING
AND ZONING REGULATIONS AND ET
CETERA. APPROVAL, NEEDS TO BE
OBTAINED FROM THE APPROPRIATE
GOVERNING BODY.

STENUM SURVEYING, LLC.

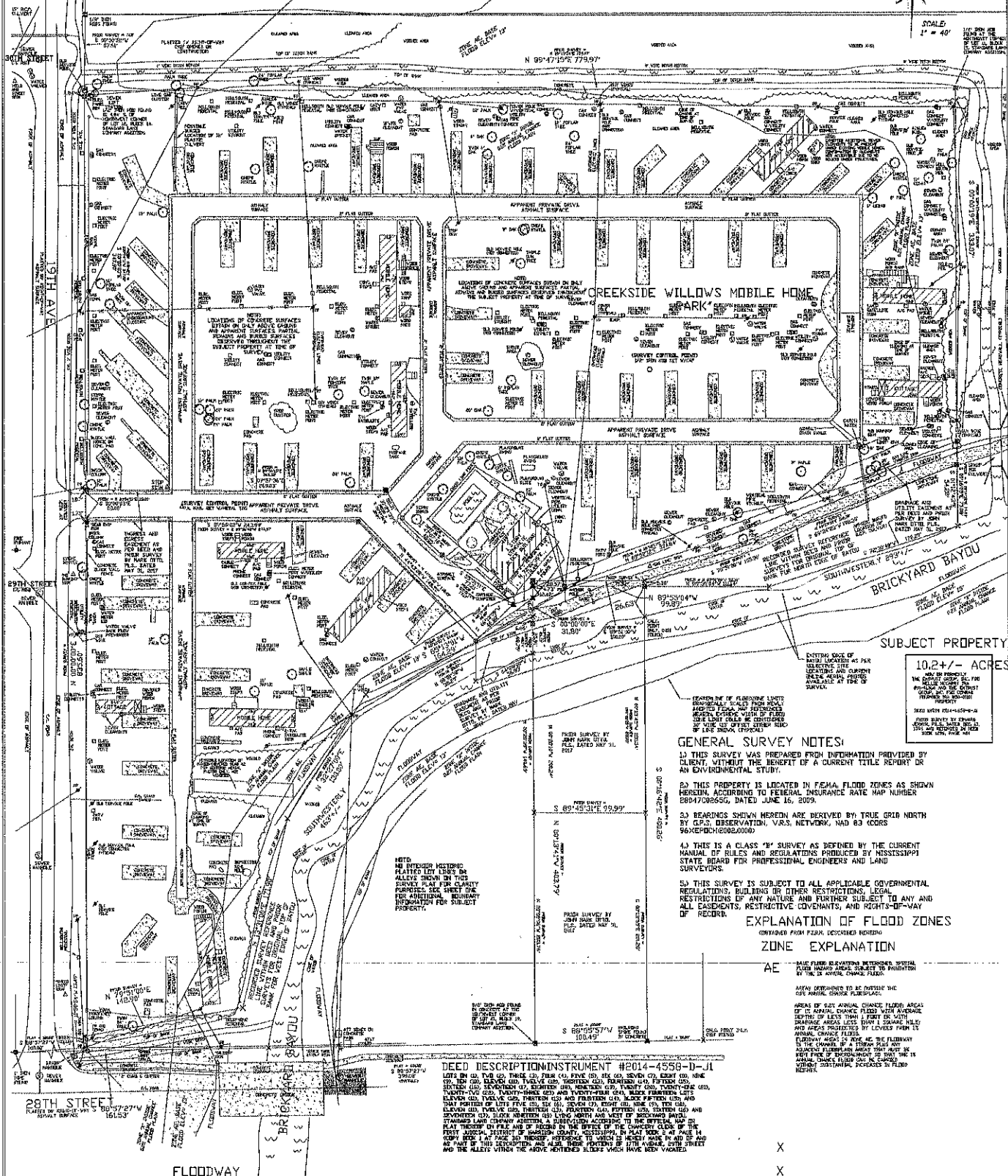
24008 SUCCESSE ROAD
SAUCIER, MS 39574
PHONE: 228-392-5558
Email: stenumsurvey@gmail.com

LEGEND

- 1. 3/4" WIDE ROAD
- 2. 3/4" WIDE ROAD
- 3. 3/4" WIDE ROAD
- 4. 3/4" WIDE ROAD
- 5. 3/4" WIDE ROAD
- 6. 3/4" WIDE ROAD
- 7. 3/4" WIDE ROAD
- 8. 3/4" WIDE ROAD
- 9. 3/4" WIDE ROAD
- 10. 3/4" WIDE ROAD

GRAPHIC SCALE - FEET

SCALE:
1" = 40'



GENERAL SURVEY NOTES:

1. THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CLIENT, WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR AN ENVIRONMENTAL STUDY.
2. THIS PROPERTY IS LOCATED IN FEMA FLOOD ZONES AS SHOWN HEREIN, ACCORDING TO FEDERAL INSURANCE RATE MAP NUMBER 88047C02655, DATED JUNE 16, 2009.
3. BEARINGS SHOWN HEREIN ARE DERIVED BY TRUE GRID NORTH BY GPS OBSERVATION, VARS. NETWORK, NAD 83 COORDS 96KPC02H00020000.
4. THIS IS A CLASS "B" SURVEY AS DEFINED BY THE CURRENT MANUAL OF RULES AND REGULATIONS PRODUCED BY MISSISSIPPI STATE BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
5. THIS SURVEY IS SUBJECT TO ALL APPLICABLE GOVERNMENTAL REGULATIONS, BUILDING OR OTHER RESTRICTIONS, LEGAL RESTRICTIONS OF ANY NATURE AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXPLANATION OF FLOOD ZONES

CONTAINED FROM FEMA, DETERMINED HEREIN

ZONE EXPLANATION

AE - BASE FLOOD ELEVATIONS WITHIN SPECIAL FLOOD HAZARD AREAS SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD

WHEN DETERMINED TO BE NATURE THE 0.5% ANNUAL CHANCE FLOOD (ALAS)

AREAS OF 50% ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH OF LESS THAN 1 FOOT ON LAND

SHADING AREAS LESS THAN 1 FOOT ON LAND AND AREAS PROTECTED BY LOWEST FIRM 1% ANNUAL CHANCE FLOOD

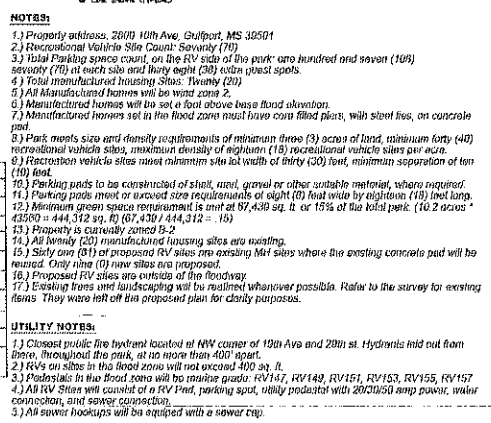
FLOODWAY AREAS AS SHOWN ON THE FLOODWAY AREAS OF 1% ANNUAL CHANCE FLOOD

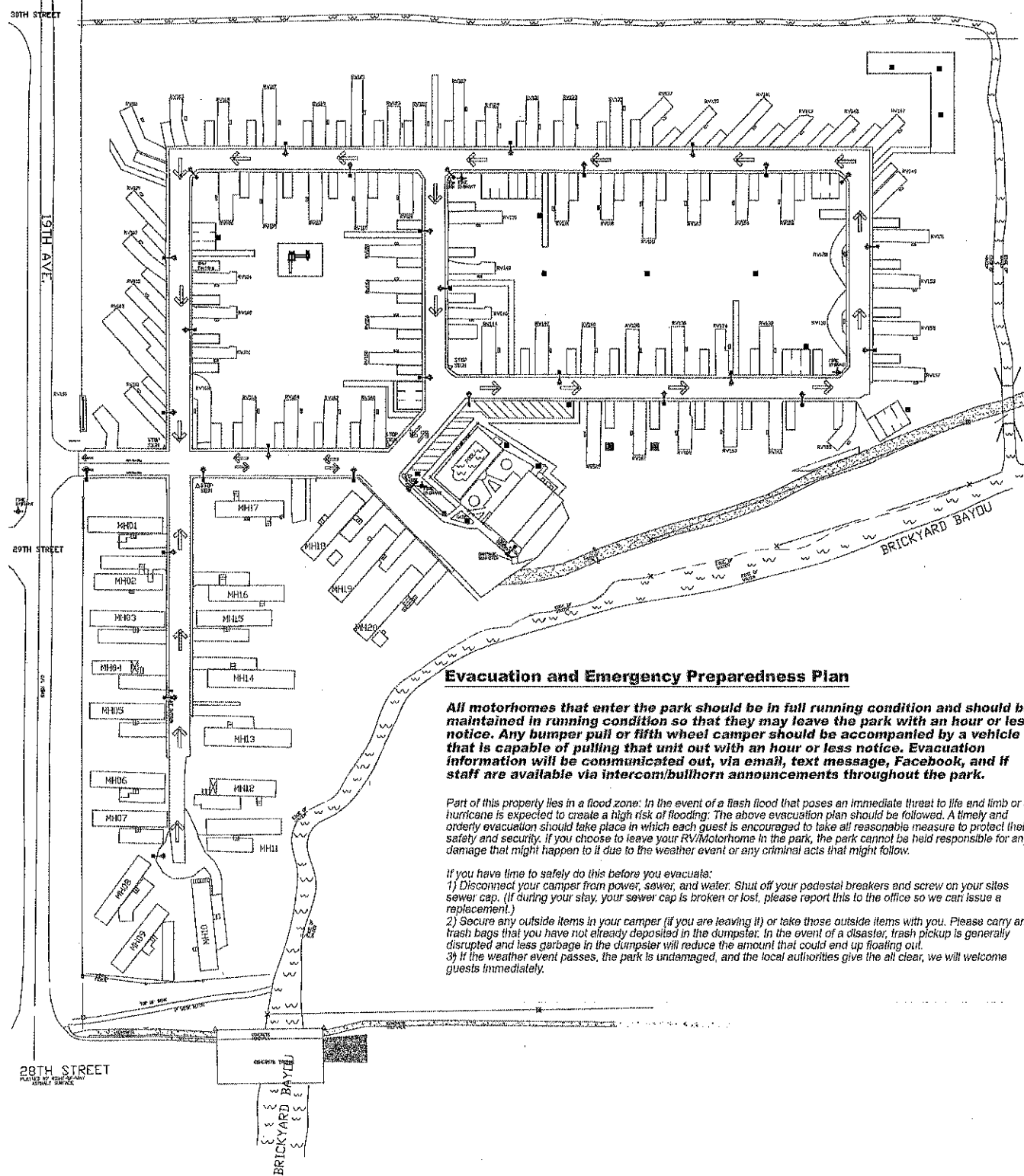
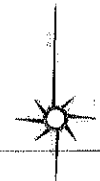
THE CHANNELS OF A FLOODWAY ARE NOT FLOODWAY AREAS THAT ARE IN THE FLOODWAY AREAS OF 1% ANNUAL CHANCE FLOOD

WITHOUT DETERMINATION, INCREASED IN FLOOD HEIGHT

DEED DESCRIPTION INSTRUMENT #2014-4558-D-11

LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 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1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902,





Evacuation and Emergency Preparedness Plan

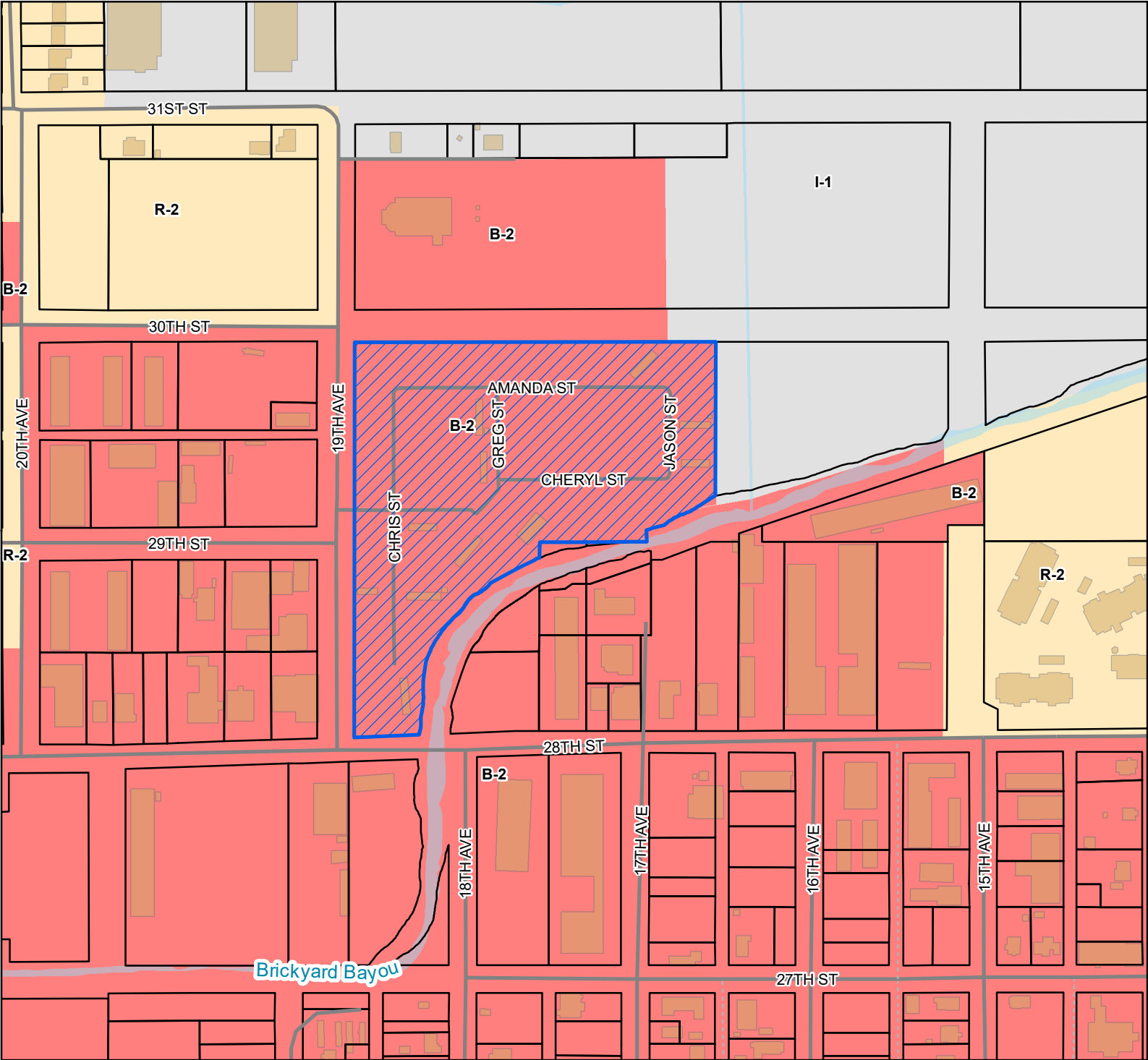
All motorhomes that enter the park should be in full running condition and should be maintained in running condition so that they may leave the park with an hour or less notice. Any bumper pull or fifth wheel camper should be accompanied by a vehicle that is capable of pulling that unit out with an hour or less notice. Evacuation information will be communicated out, via email, text message, Facebook, and if staff are available via intercom/bullhorn announcements throughout the park.

Part of this property lies in a flood zone. In the event of a flash flood that poses an immediate threat to life and limb or a hurricane is expected to create a high risk of flooding. The above evacuation plan should be followed. A timely and orderly evacuation should take place in which each guest is encouraged to take all reasonable measure to protect their safety and security. If you choose to leave your RV/Motorhome in the park, the park cannot be held responsible for any damage that might happen to it due to the weather event or any criminal acts that might follow.

- If you have time to safely do this before you evacuate:
- 1) Disconnect your camper from power, sewer, and water. Shut off your pedestal breakers and screw on your sites sewer cap. (If during your stay, your sewer cap is broken or lost, please report this to the office so we can issue a replacement.)
 - 2) Secure any outside items in your camper (if you are leaving it) or take those outside items with you. Please carry any trash bags that you have not already deposited in the dumpster. In the event of a disaster, trash pickup is generally disrupted and less garbage in the dumpster will reduce the amount that could end up floating out.
 - 3) If the weather event passes, the park is undamaged, and the local authorities give the all clear, we will welcome guests immediately.

THE WILLOWS AT CREEKSIDE RV RESORT

REVISED:		EVACUATION PLAN	
		KINETIC CAPITAL, LLC	
OWNER	DATE	SCALE	



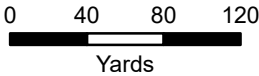
Legend

- Site
- Street
- Alley
- Parcels
- Buildings
- Water Features

Zoning

- B-2 - General Business District
- I-1 - Light Industry District
- R-2 - Single Family Residence District (Medium Density)

Site Information
 08100-02-012.000
 Zoning: B-2 (General business district)
 Size: 9.65 acre
 Flood: X



1 inch = 300 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR PLANNING COMMISSION APPROVAL

For Staff Use Only

Case Number: 2301 PC002Date Received: 12/6/2022

Receipt Number: _____

Received By: J.E. Peer Review by Su-LinZoning: B-2Ward: 3 Flood: XSize: 9.65 ACRE

(If necessary, use separate sheet of paper)

TAX PARCEL #	0	8	1	0	0	-	0	2	-	0	1	2	•	0	0	0
						-			-				•			
						-			-				•			

Address of Property Involved: 2800 19th Ave Gulfport, MSLot(s) ¹ to 24 _____, Block(s) ¹⁴ _____, Subdivision Brickyard BayouGeneral Location: Near the intersection of 19th Ave and 28th St**GENERAL DESCRIPTION OF REQUEST:**

Convert portion of Mobile Home Park into RV Use

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Printed Name of Owner

The Entrust Group

Mailing Address

2775 Saratoga Ave

City

State

Zip code

Merced, CA 95340

Home Phone

209.564.2958

Work/Cell Phone

209.201.5693

Email

c107r@comcast.net

Signature of Owner

Printed Name of Agent

Bryce McMurry

Mailing Address

PO Box 1724

City

State

Zip code

Fairhope, AL 36533

Home Phone

505.440.1192

Work/Cell Phone

Email

Bryce@kalibermanagement.com

Signature of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) Conrad Fourier

ADDRESS (STREET, CITY, STATE, ZIP CODE) 2775 Saratoga Ave. Merced, CA 95340

PHONE # (H) 209.564.2958 (W) _____

TAX PARCEL NUMBER(S) OWNED 08100-02-012.000

SIGNATURE: Conrad Fourier

NAME OF OWNER (PRINT) Nellie McGarry

ADDRESS (STREET, CITY, STATE, ZIP CODE) 1590 W 16th Street Merced, CA 95340

PHONE # (H) 209.201.5693 (W) _____

TAX PARCEL NUMBER(S) OWNED 08100-02-012.000

SIGNATURE: Nellie McGarry

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES
PERSON/AGENT FOR YOU: _____



November 30, 2022

City of Gulfport
Urban Development - Planning Division
1410 24th Ave
Gulfport, MS 39501

Re: Site Plan Approval Application for Creekside Willows RV Park

Dear Gulfport Planning Division,

Thank you for your consideration of this application. Our company, Kinetic Capital, was founded by two Army veterans with a love of real estate. We are headquartered in Fairhope, AL and own ten mobile home and RV parks. This will be our 11th park. The following information is intended to answer the questions in the application and provide you with a confident understanding of our plans and intent for the property.

Our intent is to modify the park to support RV guests. A portion of the park will be segmented off and reserved for mobile homes, but the majority of the park will be used to support RV guests. The conversion from a mobile home site to an RV site is relatively simple. The existing sites have water, sewer and electric to support RV use.

Transportation and access:

Although the park fronts on a major thoroughfare (28th Ave) its access is from a side street (19th St). The area surrounding the park is all commercial uses, with many of them being of a retail/ auto repair type use. Adding RV use to the park will not create an undue traffic burden to the area. The current zoning is for B2.

Utilities

The park currently uses city water, sewer and electric. All of these services will remain in effect. We will also provide trash collection with onsite dumpsters. A park manager will be on site to ensure routine maintenance is completed. This includes mowing, tree trimming, road repairs, building repairs, trash pickup, etc.

Fire and Police Protection:

We will add additional fire hydrants within the park as required by the city. We will have onsite professional management to assist with guest needs.



Our Motives are Aligned with the City Gulfport

Our goal is to provide an enjoyable retreat for our guests. Our business relies on positive feedback from our guests. Ensuring they have the best experience possible is the key to our success. If the park is in disrepair our guests will not return and we will go out of business. Thus, we are highly motivated to provide the best experience with the nicest amenities possible at a fair price. In order to do this, we must design the best layout and maintain meticulous care of the property.

The addition of RV as a use for this property will improve the property ascetics and the neighborhood in general. We plan to improve the club house, redo the pool, plant landscape buffers, and add a walking path around the property. This park will help to improve the neighborhood and bring revenue to the City of Gulfport.

Please contact me with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Bryce McMurry', with a stylized flourish at the end.

Bryce McMurry
Chief Executive Officer
Kinetic Capital
505.440.1192
bryce@kalibermanagement.com

CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue Gulfport, MS 39501
(228) 868-5710

PROPERTY OWNERS' AFFIDAVIT

Owner:

Appointed Agent(s): Bryce McMurry or his associates
Parcel Number(s): 08100-02-012.000
Property Address: 2800 19th Ave Gulfport, MS

Type of Request I (we), the property owner(s) of the subject property, being duly sworn, depose and say the following: 1. That I am (we are) the owner(s) and record title holder(s) of the property described in the attached legal description; 2. That this property constitutes the property for which the above noted land use request is being made to the City of Gulfport; 3. That I (we), the undersigned, have appointed, and do appoint, the above noted person(s) as my (our) agent(s) to execute any agreement(s), and other documents necessary to effectuate such agreement(s) in the process of pursuing the aforementioned land use request; 4. That this affidavit has been executed to induce the City of Gulfport to consider and act on the subject request; 5. That I (we), the undersigned authority, hereby certify that the foregoing statements are true and correct.

Conrad Fournier

Owner (signature)

See attachment

STATE OF _____ SWORN AND SUBSCRIBED BEFORE ME COUNTY OF _____

THIS _____ DAY OF _____, 2022 BY _____

WHO IS/ARE PERSONALLY KNOWN TO ME OR HAS/HAVE PRODUCED AS IDENTIFICATION

_____ (TYPE OF IDENTIFICATION)

(SEAL ABOVE)

Notary Public, Commission No. _____

(Name of Notary typed, printed, or stamped)

Nellie McGarry

Owner (signature)

See attachment

STATE OF _____ SWORN AND SUBSCRIBED BEFORE ME COUNTY OF _____

THIS _____ DAY OF _____, 2022 BY _____

WHO IS/ARE PERSONALLY KNOWN TO ME OR HAS/HAVE PRODUCED AS IDENTIFICATION

_____ (TYPE OF IDENTIFICATION)

(SEAL ABOVE)

Notary Public, Commission No. _____

(Name of Notary typed, printed, or stamped)

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Merced)

Subscribed and sworn to (or affirmed) before me on this 30th day
of November, 20 22, by Conrad Fournier
and Nellie McGarry

proved to me on the basis of satisfactory evidence to be the person(s)
who appeared before me.



(Seal)

Signature MShepherd

Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this jurat to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

This certificate is attached to a document titled/for the purpose of

containing _____ pages, and dated _____.

Additional Information

Method of Affiant Identification

Proved to me on the basis of satisfactory evidence:

☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

☐ Affiant(s) Thumbprint(s) ☐ Describe: _____



Secretary of State Certificate of Status

I, SHIRLEY N. WEBER, PH.D., California Secretary of State, hereby certify:

Entity Name: THE ENTRUST GROUP INC.
Entity No.: 4216816
Registration Date: 11/30/2018
Entity Type: Stock Corporation - Out of State - Stock
Formed In: TENNESSEE
Status: Active

The above referenced entity is active on the Secretary of State's records and is qualified to transact intrastate business in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the date of this certificate and does not reflect documents that are pending review or other events that may impact status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of December 05, 2022.

SHIRLEY N. WEBER, PH.D.
Secretary of State

Certificate No.: 064101819

To verify the issuance of this Certificate, use the Certificate No. above with the Secretary of State Certification Verification Search available at bizfileOnline.sos.ca.gov.



CORPORATE RESOLUTION OF THE ENTRUST GROUP, INC.

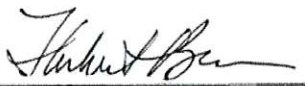
BE IT RESOLVED, that in a regularly scheduled meeting of the Board of Directors of The Entrust Group Inc., a Tennessee Corporation, held on July 13, 2021, the following persons have been designated as authorized signers. Only one signature from an authorized signer is required for the purchase, sale, assignment, and endorsement for transfer of securities, certificates representing stocks, bonds, real estate and other Tax Deferred Account transactions, until revised by a resolution of the Board. The Corporate Secretary and Chief Executive Officer affirms that the adoption of this resolution is valid, and revisions have not been made by the Board.

By: 
Hubert Bromma, Chief Executive Officer

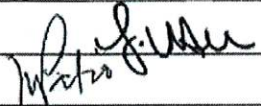
Date: July 13, 2021

Authorized Signers:

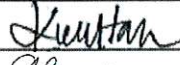
Hubert Bromma



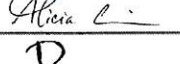
Irena Vann



Narcisa M. Patio



Kien Han



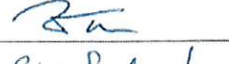
Alicia Chin



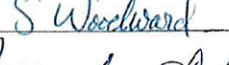
Jia Yan Pan



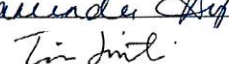
Matthew Beck



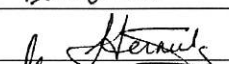
Man P. Law



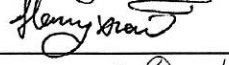
David San



Christopher Woodward



Raminder Aujla



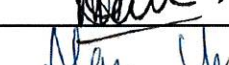
Tim Smith



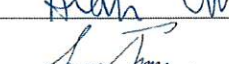
Hermela Jembere



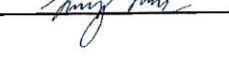
Yong Heng Xiao



Alvin Vuong



Mindy Yang



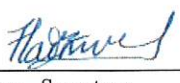
Mohammed Khan



Alan Ung



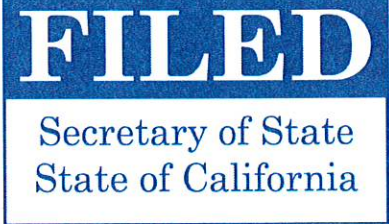
Timothy Liang

By: 
Haimy Kassa, Secretary

Date: July 13, 2021



California Secretary of State
Electronic Filing



Corporation - Statement of Information

Entity Name: THE ENTRUST GROUP INC.

Entity (File) Number: C4216816
File Date: 01/22/2021
Entity Type: Corporation
Jurisdiction: TENNESSEE
Document ID: GN92332

Detailed Filing Information

1. Entity Name: THE ENTRUST GROUP INC.
2. Business Addresses:
 - a. Street Address of Principal Office in California:

555 12th street Suite 900
Oakland , California 94606
United States of America
 - b. Mailing Address:

555 12th street Suite 900
Oakland , California 94604
United States of America
 - c. Street Address of Principal Executive Office:

3200 West End Ave
Nashville, Tennessee 37203
United States of America
3. Officers:
 - a. Chief Executive Officer:

Hubert F Bromma
555 12th street Suite 900
Oakland , California 94606
United States of America
 - b. Secretary:

Haimy Kassa
555 12th street Suite 900
Oakland , California 94606
United States of America

Document ID: GN92332



California Secretary of State Electronic Filing

Officers (cont'd):

c. Chief Financial Officer:

Gary Kowalski
555 12th street Suite 900
Oakland , California 94606
United States of America

4. Director:

Not Applicable

Number of Vacancies on the Board of
Directors:

Not Applicable

5. Agent for Service of Process:

Gary Kowalski
137 Whitethorn
Moraga, California 94556
United States of America

6. Type of Business:

3RD Party Administrator

By signing this document, I certify that the information is true and correct and that I am authorized by California law to sign.

Electronic Signature: Haimy Kassa

Use bizfile.sos.ca.gov for online filings, searches, business records, and resources.

Document ID: GN92332



Tre Hargett
Secretary of State

Division of Business Services
Department of State
State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

HAIMY KASSA
STE 900
555 12TH ST
OAKLAND, CA 94607-3637

April 25, 2018

Request Type: Certificate of Existence/Authorization
Request #: 0274883

Issuance Date: 04/25/2018
Copies Requested: 1

Document Receipt

Receipt #: 004052853

Filing Fee: \$20.00

Payment-Check/MO - ENTRUST ADMINISTRATION, INC., OAKLAND, CA

\$20.00

Regarding: The Entrust Group, Inc.

Filing Type: For-profit Corporation - Domestic

Formation/Qualification Date: 03/28/2018

Status: Active

Duration Term: Perpetual

Business County: DAVIDSON COUNTY

Control #: 955340

Date Formed: 03/28/2018

Formation Locale: TENNESSEE

Inactive Date:

CERTIFICATE OF EXISTENCE

I, Tre Hargett, Secretary of State of the State of Tennessee, do hereby certify that effective as of the issuance date noted above

The Entrust Group, Inc.

- * is a Corporation duly incorporated under the law of this State with a date of incorporation and duration as given above;
- * is delinquent in the payment of one or more of the fees, interest, taxes or penalties owed to the State (as reflected in the records of the Secretary of State and the Department of Revenue) which affect the existence/authorization of this business;
- * has appointed a registered agent and registered office in this State;
- * has not filed Articles of Dissolution or Articles of Termination. A decree of judicial dissolution has not been filed.

Tre Hargett
Secretary of State

Processed By: Cheryl Donnell

Verification #: 027546322

PITNEY BOWES PURCHASE POWER® TERMS AND CONDITIONS

Effective as of May 14, 2018: Change to Terms and Conditions. The Terms and Conditions governing your account have been modified. The Meter Postage Overage Fee maximum has been changed. Please read and review the updated Terms and Conditions below and save a copy for your records.

As an existing customer of Pitney Bowes Inc. (Pitney Bowes Inc. and its subsidiaries are herein collectively called "Pitney Bowes"), you are enrolled in the Pitney Bowes Purchase Power program (the "Purchase Power Program"). Under the Purchase Power Program, you have the option of paying the amounts owed to The Pitney Bowes Bank, Inc. ("the Bank") for meter refills, office supplies, and other products and services which are made subject to the Purchase Power Program upon receipt of your bill or you may defer payment on amounts you owe. You are also eligible for enrollment in the Purchase Power Visa® Program, as described below. The following sets forth the terms and conditions of the agreement between you and the Bank relating to your use of the Purchase Power Program and the Purchase Power Visa Program (collectively, the "Programs"). Your use of any or all of the Programs will signify your acceptance of this Agreement.

1. **Definitions.** In this Agreement, the words "you," "your" and "yours" means the corporation, partnership, sole proprietorship, or other business entity which participates in the Programs. The Programs are not available to individuals for personal, family or household purposes. "Account" means your Purchase Power Account, including charges under any of the Programs. "Agreement" means the terms and conditions stated below, or as amended by the Bank from time to time. "Purchase Power Visa Account" means the Visa account established under the Purchase Power Visa Program. "Card" means a Purchase Power Visa card which is issued under your Purchase Power Visa Account. "Purchase Power Visa Program" means the program under which you may use a Card to defer payment of goods and services you receive from participating third party merchants for shipping, overnight delivery services and retail postage, as determined by Pitney Bowes.

2. **The Purchase Power Program.** (A) Except as provided below, each time a meter refill, office supply, or other product or service is ordered through the Purchase Power Program by you or by an employee or agent of yours with express, implied or apparent authority to do so (an "Authorized User"), the Account automatically will be charged for the amount of postage, products and services requested, and any applicable fees or interest. You authorize the Bank to honor requests by Authorized Users to use the Account, including a Card, and you agree to be liable for all amounts payable on the Account as a result of transactions made by Authorized Users until the Bank receives written notice revoking such authority, and, if applicable, the return of all Cards provided to such Authorized Users. (B) When you order a meter refill, if you have funds on account with the United States Postal Service ("USPS") and/or the account established relating to the Postage By Phone® Reserve Account, those funds automatically will be withdrawn to pay for postage. Funds will be withdrawn first from USPS funds and thereafter from Reserve Account funds. If you do not have funds on account with the USPS or the Reserve Account, the amounts due for postage and related fees will be billed through the Purchase Power Program under the terms and conditions of this Agreement. Charges for office supplies, other products and services ordered through the Purchase Power Program and any fees you owe under this Agreement will be charged against the Account.

3. **The Purchase Power Visa Program.** Your Purchase Power Visa Account and Cards may be used at participating merchants for certain qualifying purchases. Currently, qualifying purchases include shipping, overnight delivery services and retail postage. The participating merchants and qualifying categories of goods and services may change from time to time. The Bank will inform you of those changes. The Cards and your Purchase Power Visa Account may not be used to make non-qualifying purchases, purchases from non-participating merchants, or to obtain cash or cash advances. The Bank is not liable if any merchant refuses to accept any Card or if authorization is denied for any transaction. Upon your request, the Bank will place monthly dollar spending limits and/or limits on the categories of charges which can be made with Cards to individual authorized users, to the extent operationally feasible. In the absence of such a request, the Bank may establish limits on the amount of the credit line which can be used for Card purchases. The Bank may refuse to extend further credit if the amount of a requested transaction, plus the existing balance on the Account, will exceed the credit line or the individual Card limits, as the case may be. Cards are the property of the Bank. You agree to surrender all Cards to the Bank upon request.

4. **Rewards Program.** Pitney Bowes offers a rewards program tied to the Account (the "Rewards Program"). You have been automatically enrolled in the Basic Rewards Program. If you have enrolled in one of the annual fee rewards programs, you agree to pay a fee of up to \$49.99 annually. The Rewards Program will be subject to terms and conditions which are available online. For more information on the program in which you participate, please refer to your Purchase Power statement for the rewards program website. You may also request a copy of the Rewards Program Terms and Conditions by calling 1-800-243-7800 or writing to the Bank at PO Box 571677, Salt Lake City, UT 84157-1677. The Rewards Program Terms and Conditions may be changed at any time, in the sole discretion of Pitney Bowes.

5. **Billing.** You will receive a billing statement for each billing cycle in which there are amounts due in respect of the Account. The Bank reserves the right to deliver any statement by mail at the address which you provided to the Bank or electronically to your email address that is then on file with the Bank. You agree to review each statement and to notify the Bank within thirty (30) days of the statement date of any errors on the statement or if it will be deemed correct. You promise to pay the total amount of all meter refills, office supplies and other products and services, and applicable fees due under this Agreement by the due date shown on your billing statement. You may pay the entire balance due by the due date shown on your statement. If you choose not to pay the total amount due, you may pay a portion of the balance, provided that you pay at least the minimum payment shown on the statement. In the event of a partial payment, you will be responsible for the unpaid balance of the Account under the terms of this Agreement.

6. **Meter Postage Overage Fee.** In the event that the aggregate meter refills in any billing cycle exceed \$3,300, a meter postage overage fee equal to the greater of \$1 or 1% of the amount by which the aggregate meter refills in the billing cycle exceeds \$3,300, up to a maximum of \$500, will be assessed.

7. **Deferred Payment Terms.** Whenever there is an unpaid balance outstanding on the Account (including your Purchase Power Visa Account) which is not paid in full by the due date shown on your billing statement, the Bank will charge you, and you agree to pay, interest on the unpaid balance of the Account from time to time, for each day from the date the transaction is posted to the Account until the date the unpaid balance is paid in full, at a variable rate equal to the Annual Percentage Rate applicable to the Account from time to time. The Annual Percentage Rate applicable to the Account will be the greater of (i) 22.00% and (ii) the sum of (a) the highest "Prime Rate" published in the "Money Rates" section of *The Wall Street Journal* on the last business day of the month and (b) the margin set forth below (the sum of the margin and the Prime Rate is herein called the "Floating Rate"). The Annual Percentage Rate will be adjusted on a monthly basis based on any fluctuation in the Floating Rate. Any change in the Annual Percentage Rate based on the calculation described in this section will become effective on the first day of your next billing cycle, if applicable. The margin which will be added to the Prime Rate to determine the Floating Rate will be 14.75% using the Prime Rate in effect as of December 31, 2017, the Floating Rate would be 19.25% and the corresponding daily periodic rate would be .05274%. The Account balance that is subject to a finance

charge each day will include (i) outstanding balances, minus any payments and credits received by the Bank on the Account that day, and (ii) unpaid interest, fees, and other charges on the Account. The Bank will charge a minimum finance charge of one dollar in any billing cycle if the finance charge calculated above is less than one dollar. Each payment that you make will be applied to reduce the outstanding balance of the Account and replenish your available credit line. The Bank will apply payments first to the portion of the balance subject to the lowest finance charge and thereafter to the portion of the balance subject to the next highest finance charge until the payments have been applied in full. The Bank may refuse to extend further credit if the amount of a requested charge plus your existing balance exceeds your credit line.

8. **Account Charges.** You agree to pay an annual account access fee of \$49.99. Unless prohibited by applicable law, if you do not pay at least the minimum amount payable under this Agreement by the due date shown on your billing statement, you agree to pay a late charge of \$9.99 if your outstanding balance is less than \$30, \$29.99 if your outstanding balance is greater than or equal to \$30 but is less than \$400, \$39.99 if your outstanding balance is greater than or equal to \$400 but is less than \$2,500 and 1.99% of the outstanding balance if your outstanding balance is greater than or equal to \$2,500. If you exceed your credit limit, you agree to pay an over limit charge of \$39. If any check you give in payment of your Account is returned unpaid, for any reason, you agree to pay a fee of \$39. If the Account has no transaction activity for a year or longer, you agree to pay an annual account maintenance fee of up to \$180. Unless prohibited by applicable law, the Bank may charge you and you agree to pay the Bank's fees in effect for copies of statements, personalized business checks and other fee-based services provided by the Bank. The Bank may change the fees under the Agreement from time to time, as provided below.

9. **Financial and Other Information.** Upon the request of the Bank, you agree to furnish it with current financial information about you. Upon the request of the Bank, you agree to provide your tax identification number, social security number, and other information. You understand the Bank may obtain credit reports in connection with your Account. **IMPORTANT INFORMATION ABOUT PROCEDURES FOR OPENING A NEW ACCOUNT:** To help the government fight the funding of terrorism and money laundering activities, Federal law requires financial institutions to obtain, verify and record information that identifies each person who opens an account. Accordingly, in order to activate the Account, the Bank asks that you provide identifying information, including your address and taxpayer identification number. The Bank may also ask for additional identifying information, where appropriate, including asking that your representative who is opening the Account to provide his/her name, address, date of birth, driver's license and/or other documents and information that will allow the Bank to identify him/her. You agree to provide all such requested identifying information. In order to participate in the Program, you must provide the information described in this paragraph.

10. **Unauthorized Use of Account.** You agree to notify the Bank immediately of any loss, theft or unauthorized use of your Purchase Power Visa Account or any Card by calling the Bank at 1-888-339-7228.

11. **Billing Inquiries.** If you think a billing statement is wrong, or need more information about a charge on a billing statement, call the Bank at 1-800-243-7800. You can also notify the Bank in writing at PO Box 571677, Salt Lake City, UT 84157-1677. In either case, you must notify the Bank within 30 days of the receipt of the billing statement on which the error or problem first appears. Please provide to the Bank the following information: Your name and the Purchase Power Visa Account number; the dollar amount of the suspected error; and describe the error and explain why you believe there is an error. You may be liable if your Purchase Power Visa Account or any Card is being used without your consent, but you will not be liable for unauthorized use that occurs after you notify the Bank orally or in writing of the loss, theft or possible unauthorized use. In any event, your liability for unauthorized transactions will not exceed \$50 or the amount of unauthorized transactions made before you notified the Bank.

12. **Account Cancellation and Suspension.** The Bank may at any time close or suspend the Account, and may refuse to allow further charges to the Account. You can cancel the Account by notifying the Bank in writing. No cancellation or suspension will affect your obligation to pay any amounts you owe under this Agreement.

13. **Events of Default.** If you fail to meet any of the obligations due under this Agreement or any other agreement with the Bank or its affiliates, the Bank may declare all loans, leases, or other agreements you have with the Bank due and payable at once without notice or demand, and the Bank may exercise any other rights it has. The Bank may also do this if you (a) have made any misrepresentations to the Bank, or (b) at any time, have done or allowed anything that indicates to the Bank that you may be unable or unwilling to repay the balance made under this Agreement. If you are in default of this Agreement or upon cancellation of the Account, whether such cancellation was made by you or by the Bank, the Bank shall not be obligated to continue to provide the Purchase Power service or extend further credit under this Agreement. If the Bank is required to take collection action or any other legal action under this Agreement or any other agreement you have with the Bank or any affiliate, you agree to pay all court and collection costs and reasonable attorney's fees. You also agree that, subject to applicable law, the Bank and its affiliates have a lien and security interest in and right of setoff in your Account. This means that if you owe money to the Bank, Pitney Bowes or their affiliates for any reason, the Bank may take the funds owed to us from your Account to the extent allowed by law, even without giving you prior notice.

14. **Amendments to this Agreement; Notices; Termination.** The Bank can amend this Agreement or any of its provisions. You are consenting to the delivery of any amendments to this Agreement by mail at the address which you provided to the Bank or electronically to your email address that is then on file with the Bank. In addition, the Bank may deliver all other notices to you at any time by mail at the address which you provided to the Bank or electronically to your email address that is then on file with the Bank. Any amendment will become effective on the date stated in the notice and will apply to any outstanding balance on the Account. The Bank may terminate any or all of the Programs at any time. The Bank will notify you in the event of any termination. Any outstanding obligation will survive termination of any or all of the Programs.

15. **Miscellaneous.** The Bank may accept late payments, partial payments, or checks and money orders marked "payment in full," without compromising any rights under this Agreement. The Bank can choose not to exercise or to delay enforcement of any rights under this Agreement without compromising them. The Bank may assign the Account and this Agreement and any rights under this Agreement to a third party without notice. You may not assign this Agreement. If any provision of this Agreement is held invalid or unenforceable, all other provisions will remain in full force and effect. This Agreement shall be governed by and construed in accordance with the laws of the State of Utah and applicable federal law.

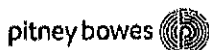
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Pitney Bowes, Postage By Phone and Purchase Power are registered trademarks of Pitney Bowes Inc. or a subsidiary.

All other marks are property of their respective owners.

Purchase Power and Reserve Account are products of The Pitney Bowes Bank, Inc. - Member FDIC.

Purchase Power and Reserve Account are for commercial use only.





Tre Hargett
Secretary of State

Division of Business Services
Department of State
State of Tennessee
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

The Entrust Group, Inc.
STE 500
3200 WEST END AVE
NASHVILLE, TN 37203-1322

March 28, 2018

Filing Acknowledgment

Please review the filing information below and notify our office immediately of any discrepancies.

SOS Control # :	000955340	Formation Locale:	TENNESSEE
Filing Type:	For-profit Corporation - Domestic	Date Formed:	03/28/2018
Filing Date:	03/28/2018 1:51 PM	Shares of Stock:	1,000
Status:	Active	Fiscal Year Close:	12
Duration Term:	Perpetual	Annual Report Due:	04/01/2019
Business County:	DAVIDSON COUNTY	Image # :	B0484-7973

Document Receipt

Receipt # :	003966837	Filing Fee:	\$100.00
Payment-Check/MO -	WALLER LANSDEN DORTCH & DAVIS LLP, NASHVILLE, TN		\$100.00

Registered Agent Address:
RICHARD T. HILLS
STE 2700
511 UNION ST
NASHVILLE, TN 37219-1791

Principal Address:
STE 500
3200 WEST END AVE
NASHVILLE, TN 37203-1322

Congratulations on the successful filing of your **Charter** for **The Entrust Group, Inc.** in the State of Tennessee which is effective on the date shown above. You must also file this document in the office of the Register of Deeds in the county where the entity has its principal office if such principal office is in Tennessee. Please visit the Tennessee Department of Revenue website (apps.tn.gov/bizreg) to determine your online tax registration requirements. If you need to obtain a Certificate of Existence for this entity, you can request, pay for, and receive it from our website.

You must file an Annual Report with this office on or before the Annual Report Due Date noted above and maintain a Registered Office and Registered Agent. Failure to do so will subject the business to Administrative Dissolution/Revocation.

Processed By: Jeff Cook


Tre Hargett
Secretary of State

FILED

CHARTER

OF

THE ENTRUST GROUP, INC.

The undersigned person, having capacity to contract and acting as the incorporator of a corporation under Section 48-12-101 of the Tennessee Business Corporation Act (the "Act"), adopts the following charter for such corporation:

Section 1. Corporate title. The full corporate title of the corporation is The Entrust Group, Inc. (hereinafter, the "Corporation").

Section 2. Principal office; registered office and agent. The location of the principal office shall be 3200 West End Avenue, Suite 500, Nashville, TN 37203. The registered office of the Corporation in the State of Tennessee shall be 511 Union Street, Suite 2700, in the City of Nashville, the County of Davidson, in the State of Tennessee, 37219. The registered agent of the Corporation at that location shall be Richard T. Hills.

Section 3. Duration. The duration of the Corporation is perpetual unless otherwise legally terminated.

Section 4. Corporation for Profit. The Corporation is for profit.

Section 5. Purpose. The nature of the business or purposes to be conducted or promoted by the Corporation is to engage in any lawful act or activity for which corporations may be organized under the Act.

Section 6. Capital stock. The total number of shares of the capital stock which the Corporation has authority to issue is one thousand (1,000) shares, all of which shall be common stock, no par value per share.

Section 7. Preemptive rights. Holders of the capital stock of the Corporation shall not be entitled to preemptive rights with respect to any shares of the Corporation that may be issued.

Section 8. Directors. The Corporation shall be under the direction of a Board of Directors. The authorized number of Directors shall not be fewer than one (5) nor more than eleven (11) except when a greater number may be approved by operation of law. The Bylaws of the Corporation may, but are not required to, establish staggered terms for Directors consistent with the law of the State of Tennessee.

Section 9. Cumulative voting. Cumulative voting shall not be permitted for the election of Directors of the Corporation.

Section 10. Limitation of Directors' Liability.

(a) A director of the Corporation shall not be personally liable to the Corporation or its shareholders for monetary damages for breach of fiduciary duty as a director, except for liability for (i) any breach of the director's duty of loyalty to the Corporation or its shareholders, (ii) acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (iii) unlawful distributions under Section 48-18-302 of the Act, as amended from time to time.

(b) If the Act is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the Corporation shall be eliminated or limited to the fullest extent permitted by the Act, as so amended. Any repeal or modification of the foregoing by the shareholders shall not adversely affect any right or protection of a director of the Company existing at the time of such repeal or modification.

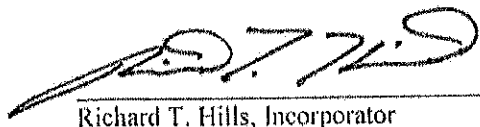
Section 11. Indemnification and Insurance. The Corporation shall indemnify and advance expenses to its Directors, officers, employees and agents, and shall purchase and maintain insurance or furnish similar protection on behalf of its Directors, officers, employees and agents, to the fullest extent authorized by the Act, and as further defined by the Bylaws of the Corporation, even if such acts may be deemed optional under the Act.

Section 12. Removal of Directors. The Shareholders of the Corporation may remove one (1) or more Directors with or without cause. Any or all of the Directors may be removed for cause by a vote of a majority of the entire Board of Directors. A Director may be removed by the Shareholders or Directors only at a meeting called for the purpose of removing the Director, and the meeting notice must state that the purpose or one of the purposes, of the meeting is removal of Directors.

Section 13. Bylaws. The Corporation shall have the power to make Bylaws for the regulation and government of the Corporation, its agents or officers, and for all other purposes not inconsistent with the Constitution and laws of the State of Tennessee.

Section 14. Amendment of Charter. No amendment, addition, alteration, change, or repeal of this Charter shall be made by the Board of Directors or the Shareholders, except in the manner consistent with the laws of the State of Tennessee and the regulations of the Commissioner. Except as permitted by the Tennessee Business Corporation Act, no proposed amendment shall be valid unless approved by a majority of the Shareholders. All amendments to the Charter require the prior, written approval of the Commissioner and may not be recorded unless such written approval accompanies the proposed amendment.

IN WITNESS WHEREOF, this Charter is executed on behalf of the Corporation by its sole incorporator this 28th day of March, 2018.


Richard T. Hills, Incorporator

5:06

LTE

bizfileonline.sos.ca.gov



Busir



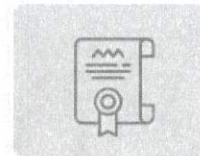
Bryce McMurry
bryce@kalibermanagement.com



THE ENTRUST GROUP INC.
(4216816)



File Amendment



Request
Certificate

Initial Filing Date	11/30/2018
Status	Active
Standing - SOS	Good
Standing - FTB	Good
Standing - Agent	Good
Standing - VCFCF	Good
Formed In	TENNESSEE
Entity Type	Stock Corporation - Out of State - Stock
Principal Address	3200 WEST END AVE NASHVILLE, TN 37203
Mailing Address	555 12TH STREET SUITE 900 OAKLAND, CA 94604
Statement of Info Due Date	11/30/2023
Agent	Individual 2298263 GARY KOWALSKI 137 WHITETHORN MORAGA, CA 94556



View History



Request Access

THE REDEVELOPMENT OF

CREEKSIDE WILLOWS

MOBILE HOME PARK

2800 19TH AVE, GULFPORT, MS 39501

REVISIONS:	CREEKSIDE WILLOWS REDEVELOPMENT			
DRAWN: KOG & OMS			DATE: 2022	SCALE:

REFERENCE MATERIALS:

- 1) HARRISON COUNTY TAX MAPS, CURRENT EDITION
- 2) HARRISON COUNTY OWNERSHIP MAPS, CURRENT EDITION
- 3) WARRANTY DEEDS LISTED AND DESCRIBED HEREIN
- 4) PREVIOUS SURVEYS LISTED AND DESCRIBED HEREIN
- 5) HARRISON COUNTY AERIAL PHOTOGRAPHIC MAPS, CURRENT EDITION
- 6) RECORDED SUBDIVISION PLATS LISTED AND DESCRIBED HEREIN
- 7) CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT, FILE #0161658, DATED OCTOBER 26, 2002.

NOTE:

REDIVISION OF THIS PROPERTY IS SUBJECT TO CURRENT SUBDIVISION AND ZONING REGULATIONS AND ET CETERA. APPROVAL NEEDS TO BE OBTAINED FROM THE APPROPRIATE GOVERNING BODIES.

STENUM SURVEYING, LLC.

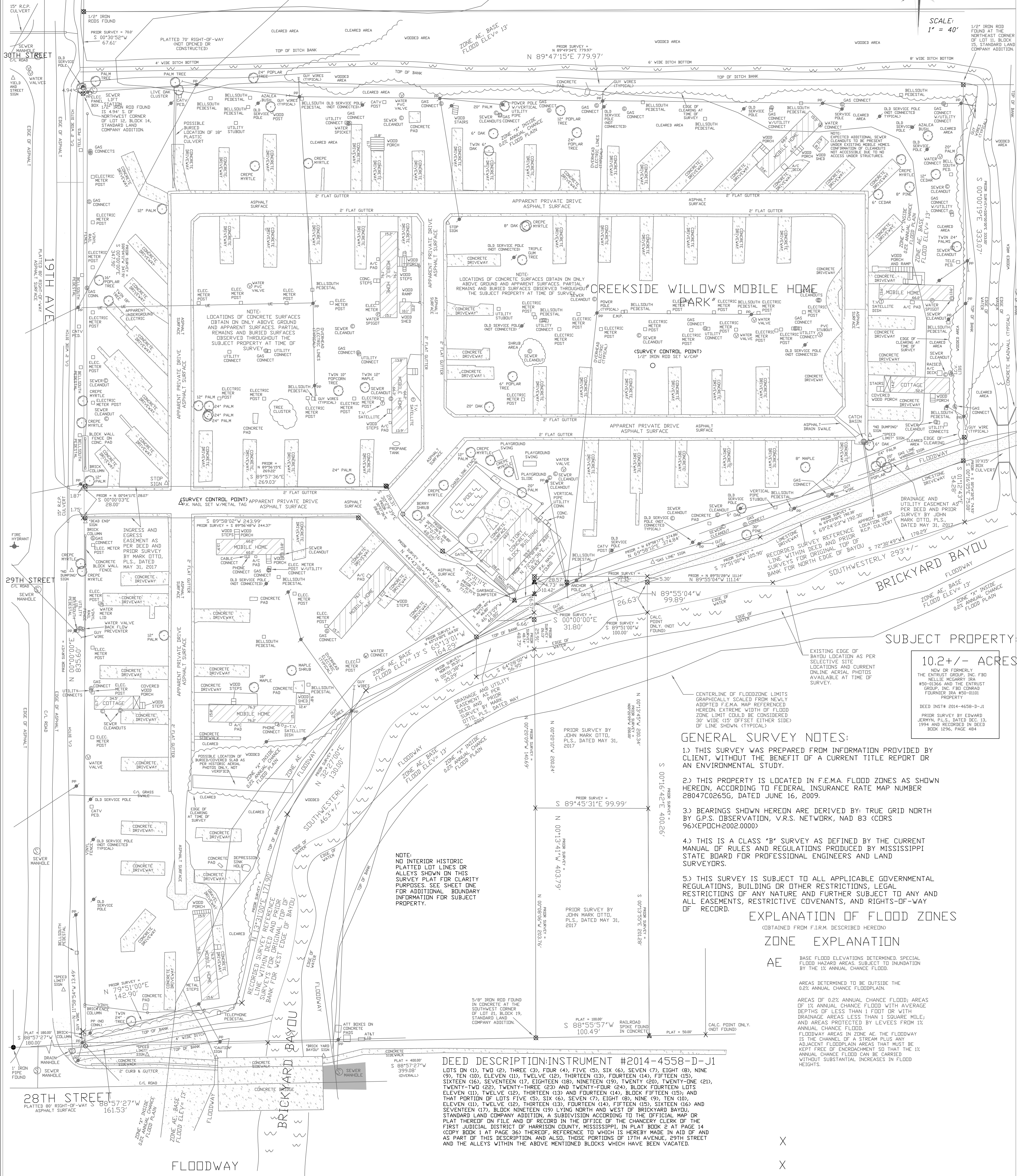
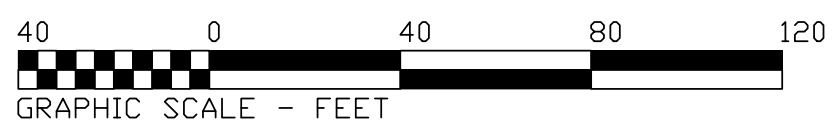
PROFESSIONAL LAND SURVEYORS

24008 SUCCESS ROAD
SAUCIER, MS. 39574
PHONE: 228-392-5552
Email: stenumsurvey@gmail.com

LEGEND:

- IRON ROD FOUND
- IRON PIPE FOUND
- SPIKE FOUND
- SPIKE SET
- CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT SET
- LIGHTFAID KNOT FOUND
- POWER POLE
- WATER VALVE
- WATER FAUCET
- SEWER CLEANOUT
- SEWER MANHOLE
- TV SATELLITE DISH

SCALE:
1" = 40'



GENERAL SURVEY NOTES:

- 1) THIS SURVEY WAS PREPARED FROM INFORMATION PROVIDED BY CLIENT, WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR AN ENVIRONMENTAL STUDY.
- 2) THIS PROPERTY IS LOCATED IN F.E.M.A. FLOOD ZONES AS SHOWN HEREON, ACCORDING TO FEDERAL INSURANCE RATE MAP NUMBER 28047C02656, DATED JUNE 16, 2009.
- 3) BEARINGS SHOWN HEREON ARE DERIVED BY: TRUE GRID NORTH BY G.P.S. OBSERVATION, V.R.S. NETWORK, NAD 83 (CORS 96)EPOCH2002.0000).
- 4) THIS IS A CLASS "B" SURVEY AS DEFINED BY THE CURRENT MANUAL OF RULES AND REGULATIONS PRODUCED BY MISSISSIPPI STATE BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- 5) THIS SURVEY IS SUBJECT TO ALL APPLICABLE GOVERNMENTAL REGULATIONS, BUILDING OR OTHER RESTRICTIONS, LEGAL RESTRICTIONS OF ANY NATURE AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXPLANATION OF FLOOD ZONES

(OBTAINED FROM F.I.R.M. DESCRIBED HEREON)

ZONE EXPLANATION

- AE** BASE FLOOD ELEVATIONS DETERMINED SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD.
- AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
- FLOODWAY AREAS IN ZONE AE. THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MAY BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS.

DEED DESCRIPTION INSTRUMENT #2014-4558-D-J1
LOTS IN (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19), TWENTY (20), TWENTY-ONE (21), TWENTY-TWO (22), TWENTY-THREE (23) AND TWENTY-FOUR (24), BLOCK FOURTEEN LOTS ELEVEN (11), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14), BLOCK FIFTEEN (15), AND THAT PORTION OF LOTS FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16) AND SEVENTEEN (17), BLOCK NINETEEN (19) LYING NORTH AND WEST OF BRICKYARD BAYOU, STANDARD LAND COMPANY ADDITION, A SUBDIVISION ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, IN PLAT BOOK 2 AT PAGE 14 (COPY BOOK 1 AT PAGE 36) THEREOF, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS PART OF THIS DESCRIPTION, AND ALSO, THOSE PORTIONS OF 17TH AVENUE, 29TH STREET AND THE ALLEYS WITHIN THE ABOVE MENTIONED BLOCKS WHICH HAVE BEEN VACATED.

X
X

CREEKSIDE WILLOWS MOBILE HOME PARK

EXISTING LAYOUT

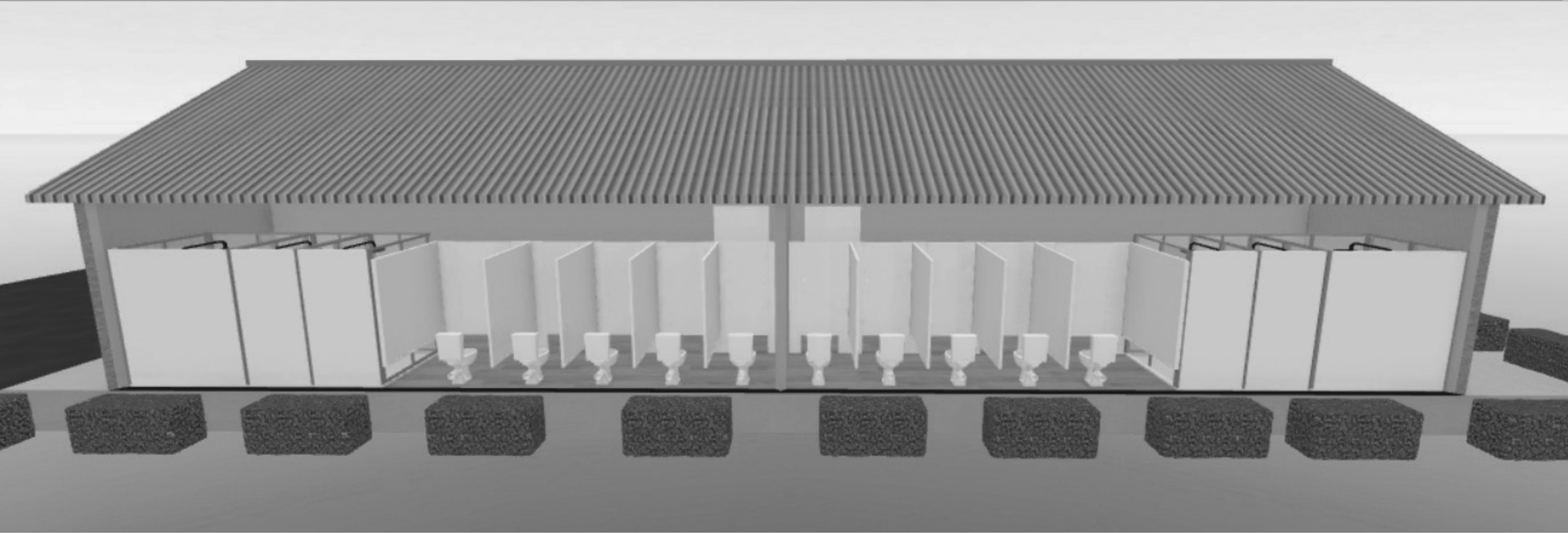
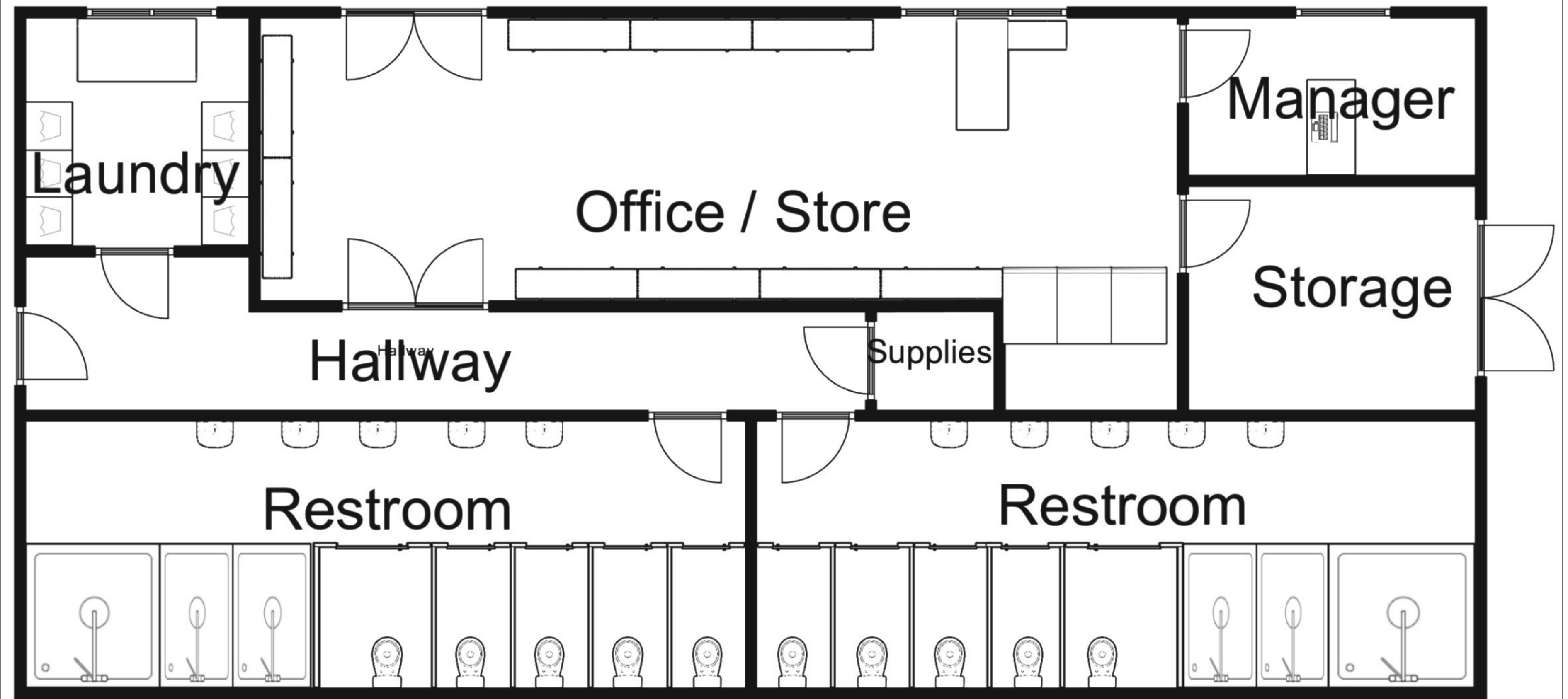
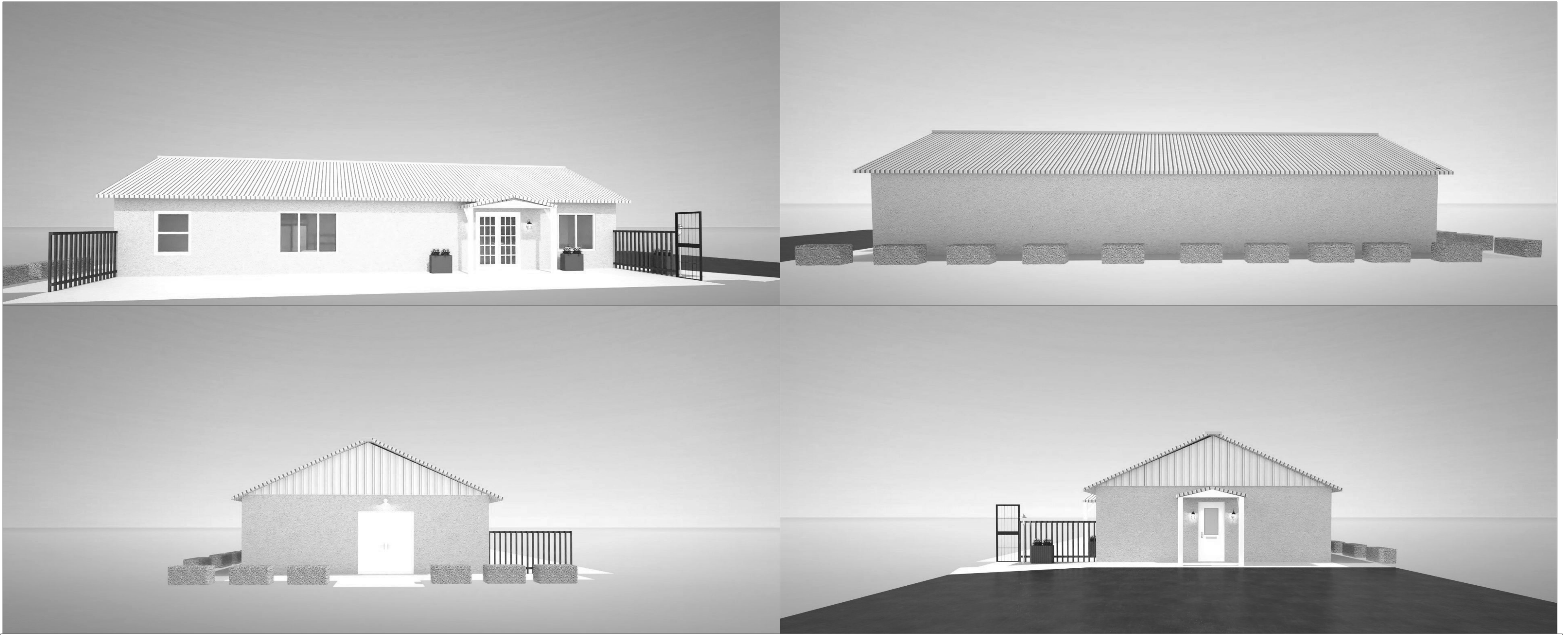
KINETIC CAPITAL, LLC

REVISIONS		DRAWN	DATE	SCALE
NO.	DESCRIPTION			
		STENUM SURVEYING, LLC	2022	



THE WILLOWS AT CREEKSIDE RV RESORT

REVISIONS:		PROPOSED PLAN			
		KINETIC CAPITAL, LLC			
DRAWN:			DATE:	SCALE:	



NOTES:

1.) Based on current number of RV Sites, the bathroom facilities five toilets and lavatories are required per sex. The shower requirement should only be two per sex but we are specifying three showers in the plan.

2.) Coin and card operated laundry equipment will be provided for the guest's convenience.

3.) A small camp store will be stocked with basic necessities.

4.) The manager's office will be located in this building along with a small storage area for company equipment and supplies.

5.) This layout makes no changes to the footprint of the building, only to the interior which is mostly an empty shell at the moment.

6.) Current CMU block exterior will be refinished with stucco.

THE WILLOWS AT CREEKSIDE RV RESORT

REVISIONS:		PROPOSED PLAN			
		KINETIC CAPITAL, LLC			

DRAWN: CMG		DATE: 2022	SCALE:	
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J. L. Jones 1st Judicial District
Instrument 2014 4558 D -J1
Filed/Recorded 7/3/2014 04:23 P
Total Fees \$ 62.00
4 Pages Recorded

Prepared by & Return to:
David W. Jones, Attorney, PLLC
1605 Twenty-third Avenue
Gulfport, MS 39501
(228) 864-8965
File #149038

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned

Regency of Mississippi, Inc.
40 North 4th Street
Carbondale, CO 81623
970-963-2440

does hereby sell, convey and warrant unto

The Entrust Group, Inc. FBO Nellie McGarry IRA #50-01366, as to
an undivided 50% interest, and The Entrust Group, Inc. FBO Conrad
Fournier IRA #50-01101, as to an undivided 50% interest
555 - 12th Street, Suite 1250
Oakland, CA 94607
510-587-0950 x229

the following described land and property being located in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21),

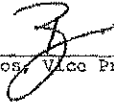
Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Fourteen (14); Lots Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14), Block Fifteen (15); and that portion of Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block Nineteen (19) lying North and West of Brickyard Bayou, STANDARD LAND COMPANY ADDITION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 2 at Page 14 (Copy Book 1 at Page 36) thereof, reference to which is hereby made in aid of and as a part of this description. AND ALSO, those portions of 17th Avenue, 29th Street and the alleys within the above mentioned blocks which have been vacated.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

AD VALOREM TAXES for the current year have been pro-rated and are hereby assumed by the Grantees herein.

IN WITNESS WHEREOF, Regency of Mississippi, Inc., has caused this conveyance to be executed and delivered by its duly authorized officer, he having first been duly authorized to do so, on this the 30th day of June, 2014.

Regency of Mississippi, Inc.

BY: 
Peter Bakos, Vice President

STATE OF COLORADO
COUNTY OF GARFIELD

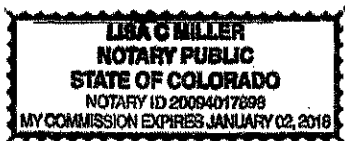
THIS DAY PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, Peter Bakos, who acknowledged that he is Vice President of Regency of Mississippi, Inc., and as its act and deed, he signed, sealed and delivered the above and foregoing instrument of writing on the day and in the year therein mentioned, he having been first duly authorized to do so.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 30th day of June, 2014.

Lisa C. Miller

NOTARY PUBLIC

My Commission Expires:



4

CERTIFICATE OF SECRETARY OF REGENCY OF MISSISSIPPI

The undersigned, as Secretary of Regency of Mississippi, does hereby certify that on May 21st 2014 at a special meeting duly convened, the Board of Directors of the Regency of Mississippi unanimously adopted the following resolution:

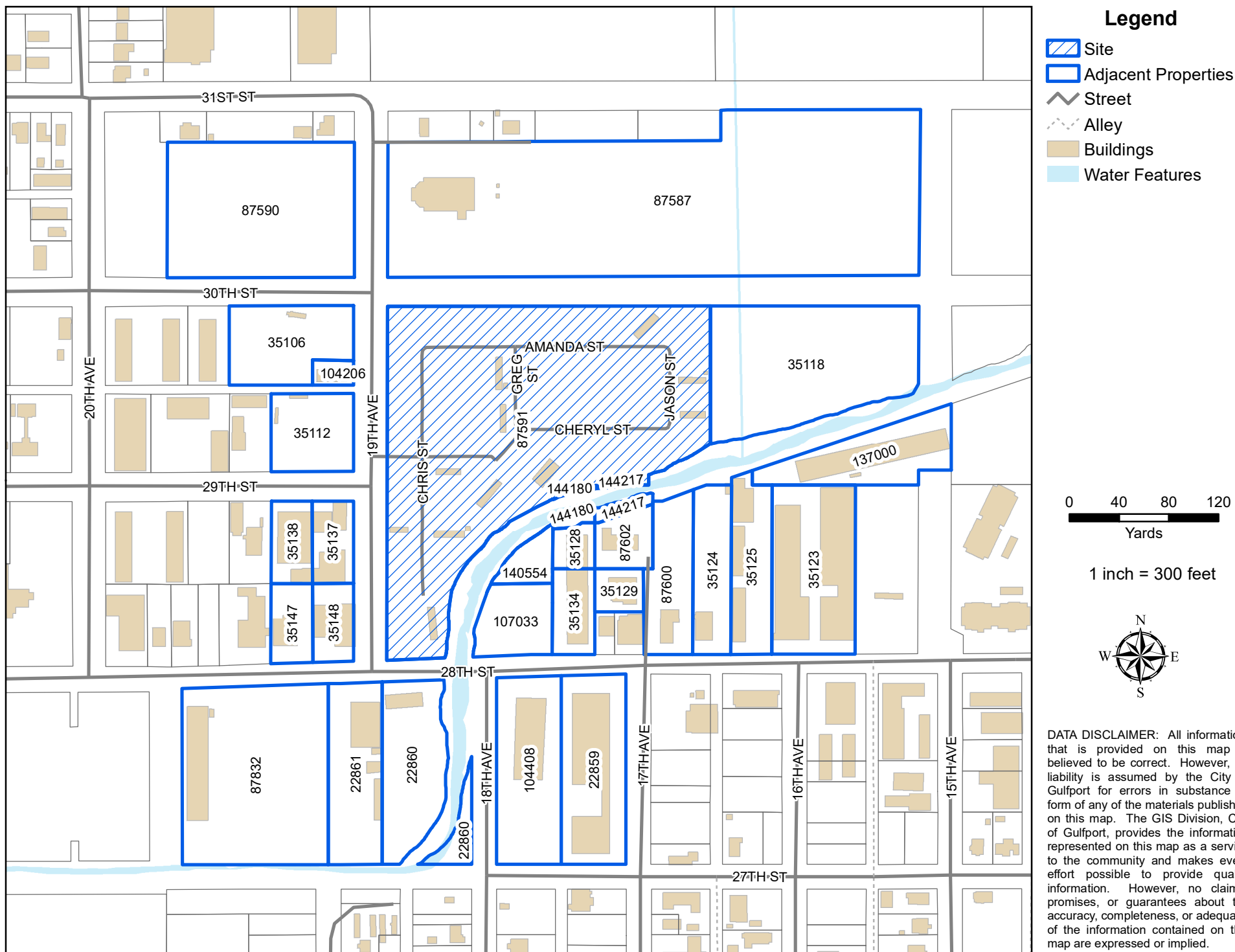
"Resolved that the corporation is authorized to sell and convey that certain property legally described on Exhibit "A" attached hereto to The Entrust Group for the benefit of Conrad Fournier Acct#: 50-01101 and The Entrust Group for the benefit of Nellie McGarry Acct#: 50-01366 for a purchase price of \$255,000.00 and that Peter Bakos as Vice President and Lisa Miller as Secretary is authorized to execute a deed to convey same"

I CERTIFY that the above represents a true and correct copy of the Corporate Resolution adopted on May 21, 2014.


Lisa Miller, Secretary

2301PC002

Planning Commission Approval



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	87591	08100-02-012.000	ENTRUST GROUP INC (OWNER)	1590 W 16TH STREET	MERCED	CA	95340
			BRYCE MCMURRY (AGENT)	PO BOX 1724	FAIRHOPE	AL	36533
N			Adjacent Property Owners (2301PC002)				
	87832	0811B-06-022.000	BROTZMAN DEAN	1919 -28TH STREET	GULFPORT	MS	39501
	22859	0811B-05-027.000	COHEN EDWARD	11511 SAVANNAH PL	GULFPORT	MS	39503
N	35118	08100-02-013.000	FAITH MISSIONARY BAPTIST CHURCH	3050 19TH AVE	GULFPORT	MS	39501
	87587	08100-02-002.000	FAITH MISSIONARY BAPTIST CHURCH	3050 19TH AVE	GULFPORT	MS	39501
N	107033	08100-02-028.001	GLASSEA PROPERTIES LLC	1712 28TH ST	GULFPORT	MS	39501
N	35134	08100-02-028.000	GLASSEA PROPERTIES LLC	1712 28TH ST	GULFPORT	MS	39501
N	140554	08100-02-028.002	GLASSEA PROPERTIES LLC	1712 28TH ST	GULFPORT	MS	39501
	35128	08100-02-023.000	GLASSEA PROPERTIES LLC	1712 28TH STREET	GULFPORT	MS	39501
N	87590	08100-02-008.000	GULFPORT CITY OF				0
N	144180	08100-02-023.001	GULFPORT CITY OF	PO BOX 1780	GULFPORT	MS	39502
N	144217	08100-02-024.001	GULFPORT CITY OF	PO BOX 1780	GULFPORT	MS	39502
	137000	08100-02-016.001	JEFFERSON NORMA	26052 PECAN RD	PASS CHRISTIAN	MS	39571
	87602	08100-02-024.000	MERTZ MANAGEMENT LLC	1717 PASS RD	GULFPORT	MS	39501
	35148	08100-02-037.000	MOEINI MOHAMMAD	P O BOX 8833	GULFPORT	MS	39503
N	35137	08100-02-036.000	O M T LLC	P O BOX 6976	GULFPORT	MS	39501
	35138	08100-02-035.000	O M T LLC	P O BOX 6976	GULFPORT	MS	39501
	87600	08100-02-022.000	PENNELL INC	1518-B 28TH STREET	GULFPORT	MS	39501
	35123	08100-02-019.000	PENNELL INC	1510 28TH ST	GULFPORT	MS	39501
	35124	08100-02-021.000	PENNELL TREY & RENEE	1518B 28YH ST	GULFPORT	MS	39501
	104408	0811B-05-027.001	S & E FASTENERS LLC	P O BOX 479	GULFPORT	MS	39502
	104206	08100-02-011.001	SIMON DWIGHT	2913 19TH AVE	GULFPORT	MS	39501
N	22861	0811B-06-021.000	TEDDY BEARS RESTORATION & CARPET CL	P O BOX 7615	GULFPORT	MS	39506
	22860	0811B-06-001.000	TEDDY BEARS RESTORATION & CARPET CL	P O BOX 7615	GULFPORT	MS	39506
N	35112	08100-02-030.000	THOMPSON ROBERT J & JANET R	15259 BRODNAX RD	OCEAN SPRINGS	MS	39565
N	35106	08100-02-010.000	THOMPSON ROBERT J & JANET R	15259 BRODNAX RD	OCEAN SPRINGS	MS	39565
	35147	08100-02-038.000	THOMPSON ROBERT J & JANET R	15259 BRODNAX RD	GULFPORT	MS	39564
	35125	08100-02-020.000	TOP SHOP PENNELL INC	1510 28TH ST	GULFPORT	MS	39501
	35129	08100-02-025.000	VEGAS PIG FARM LLC	P O BOX 2408	GULFPORT	MS	39503

RE: Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 0810O-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 23, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Planning Commission for **Thursday, February 23, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS

Order Number:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
Payment Type:
Account Billed
User ID:
IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
228-868-5705
AccountsPayable@gulfport-ms.gov
GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT

Date
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, January 26, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Seeking approval for an outdoor entertainment venue at 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - Chairman
City of Gulfport Planning Commission
W00000000
Publication Dates

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Island Packet
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Merced Sun-Star
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Modesto Bee
Raleigh News & Observer
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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	378810	Print Legal Ad-IPL01082870 - IPL0108287		\$66.16	2	47 L

Attention: Matilda Welch

PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 PM., Thursday, February 23, 2023 In the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2301PC002, by agent Bryce McMurtry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

Planning Commission Approval 2302PC012, by agent Kristine Greb, tax parcel 0910B-01-046.000, Requests approval for a home occupation of a mobile provider for LED light facial treatments, 4800 Kendall Ave, Zoned R-1-7.5 (Single family district), Ward 4

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Zoning Text Amendment 2302PC023, by the City of Gulfport, Amendments to the SmartCode Zoning Article 3, Section 3.1, to vacate the SmartCode Community Regulating Plans for Westside and Florence Gardens

This the 1st day of February, 2023
Keith Williams, - Chairman
City of Gulfport Planning Commission
IPL0108287
Feb 8 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/08/23

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

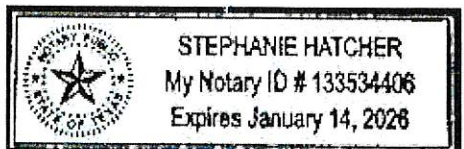
Stefani Beard

Sworn to and subscribed before me this 8th day of February in the year of 2023

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: Planning Commission Approval 2302PC012:

Planning Commission Approval 2302PC012, by agent Kristine Greb, tax parcel 0910B-01-046.000, Requests approval for a home occupation of a mobile provider for LED light facial treatments, 4800 Kendall Ave, Zoned R-1-7.5 (Single family district), Ward 4

Technical Report
PLANNING COMMISSION APPROVAL

GENERAL INFORMATION

Case File Number: 2302PC012

Hearing Date: February 23, 2023

Current Zoning/Use: R-1-7.5 / Single Family Home

Legal: Planning Commission Approval 2302PC012, by agent Kristine Greb, tax parcel 0910B-01-046.000, Requests approval for a home occupation of a mobile provider for LED light facial treatments, 4800 Kendall Ave, Zoned R-1-7.5 (Single family district), Ward 4

TECHNICAL DETAILS

The applicant requests approval for a home occupation business as a mobile provider for LED light facial treatments. It is stated by the applicant that there will be no visits of customers to the home.

The applicant provides statements for the home occupation business where she will conduct administrative duties at the home and then visit clients at their place of meeting to conduct "facial treatment services." The applicant further states, the hours of operation will be Monday through Friday 8:00 am to 8:00 pm. She will be traveling to and from her home for business purposes and she will be using the telephone and computer as means of conducting business in her home. There are no obtrusive impediments in the neighborhood that will be caused by the aforementioned home occupation.

EXECUTIVE SUMMARY

Staff recommends approval of the request, as the application meets the requirements for a home occupation business that requires Planning Commission Approval, and there is very little impact on the neighborhood.

Any approval should consider these conditions:

1. Must comply with all planning and zoning rules and regulations.
2. Approval allows a home occupation for mobile LED light facial treatments.

DEPARTMENTAL CONDITIONS

Engineering: No comments as of 2/14/23.

Public Works: No comments as of 2/14/23.

Technical Report
PLANNING COMMISSION APPROVAL

Traffic and Safety: No comments as of 2/14/23.

Building Code Services: No comments as of 2/14/23.

GIS: No conditions. Memo dated 2/14/23.

Police Department: No conditions. Memo dated 2/14/23.

Fire Department: No conditions. Memo dated 2/14/23.

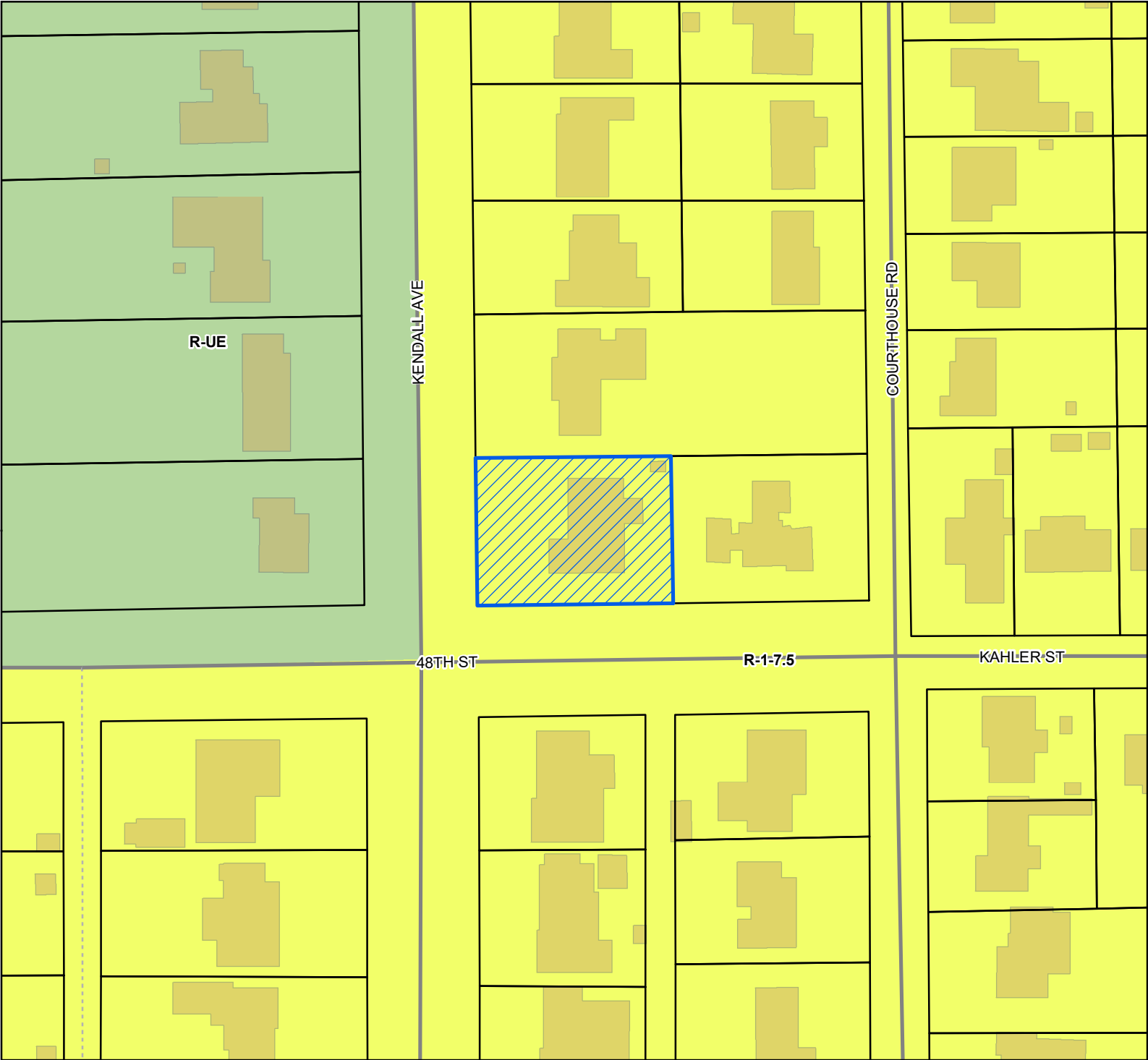
City Arborist: No conditions. Memo dated 2/14/23.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department



Site

Street

Alley

Parcels

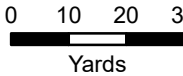
Buildings

Zoning

R-1-7.5 - Single Family Residence District (Low Density)

R-UE - Residential Urban Estate

Site Information
0910B-01-046.000
Zoning: R-1-7.5(Single Family)
Size: 14,954 Sqft
Flood: X



1 inch = 100 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case Number: 2302 PC 012Date Received: 12-29-22

Receipt Number: _____

Received By: KBZoning: R-1-7.5Ward: 4 Flood: XSize: 14,954 sq ft.

APPLICATION FOR PLANNING COMMISSION APPROVAL FOR A HOME OCCUPATION

Property Information

TAX PARCEL #

0	9	1	0	B

 -

0	1

 -

0	4	6

 .

0	0	0

(If necessary, use separate sheet of paper)

Address of Property Involved: 4800 Kendall Ave

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: Bayou View Neighborhood

GENERAL DESCRIPTION OF REQUEST:

Run a home-based small business as a mobile provider of LED light facial treatment - I will be going to clients home.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

William Greb

Printed Name of Owner

4800 Kendall Ave

Mailing Address

Gulfport MS 39507

City

State

Zip code

715 207 7359

Home Phone

Work/Cell Phone

billgreb@gmail.com

Email

Dr. William Greb
Signature of Owner

AGENT

Kristine Greb

Printed Name of Agent

4800 Kendall Ave

Mailing Address

Gulfport MS 39507

City

State

Zip code

715 383 4869

Home Phone

Work/Cell Phone

Kristine@wavelengthsalon

Email

Kristine Greb
Signature of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

CHECKLIST FOR HOME OCCUPATIONS

Owner's Name: Kristine Greb

Address: 4800 Kendall Ave., Gulfport MS 39507

Phone: (Home) — (Work/Cell) 715 383 4869

If rented, then the name of owner or manager is required, along with a letter of approval from same: na

Name of business or service to be used as home occupation: Wavelength LLC

Nature of business: provide non-invasive form of phototherapy/ light to stimulate cellular repair + skin regeneration.

Please fill in all the appropriate blanks:

Hours of operation: 8:00 a.m. until 5:00 p.m. ✓

Earlier than 8:00 a.m. —

Give hours: —

Later than 5:00 p.m.: ✓

Give hours: 8:00 p.m.

Method of conducting business:

Telephone: ✓

Mail order: —

Personal computer: ✓

Appointment: ✓

Traffic generation:

Is there any delivery of goods or products to the residence? no

If so, specify the number and frequency of deliveries: —

Describe size of vehicle making deliveries: —

Is service by appointment only or are there drop-by visits by customers or clientele? _____

Service is by appointment only to their residence

Specify number and frequency of visits by clients and customers: > 10 per week

Is everything made, manufactured, or provided on site? yes

Is special equipment required in production? no

If so, described it, giving size of motor, etc. na

Are sales made from the premises? yes and in client's residence

If sales are made from other places, indicate on what basis:

Local stores on consignment: _____

Arts and crafts or flea markets: _____

Trade shows: _____

Other: I will go to client's residence

Is there a Protective Covenant that exists that prohibits a home occupation at the proposed located?

Yes _____ No ✓

I certify the above to be true and accurate as it pertains to this application. I recognize that failure to comply with the assurances made in this application may result in the denial or removal of the permit after due notice and public hearing thereon.

Printed Name: Kristine Greb

Signature: Kristine Greb

Date: 12/29/22

City of Gulfport, MS

Application for Planning Commission Approval for a Home Occupation

December 29, 2022

Kristine Greb / Wavelength LLC

4800 Kendall Ave.

Gulfport, MS 39507

Supplemental Application Answering Issues in Section F of Application:

Explain how the site plan is appropriate with regard to:

1. The site plan has appropriate transportation and access to the property. The site has a paved driveway. The agent owns a vehicle that will be parked in the driveway. Any clients visiting the site will park their transportation vehicle in the driveway.
2. The site plan has appropriate water supply provided by the City of Gulfport.
3. The site plan has appropriate fire and police protection provide by the City of Gulfport.
4. The site plan does not have other public facilities.
5. The site plan proposal will not cause undue traffic congestion or create a traffic hazard. The site plan proposal will have a maximum of one client visiting at one time. Much of the business conducted will be in the home of the client.
6. The site plan proposal is in harmony with the orderly and appropriate development of the district in which it is located because we will not have a large number of visitors at one time, there is parking available to client on site. We have no reason to have loud noise coming from the site to conduct our business.



Designation of Agent

I, William Greb, being owner of the property 4800 Kendall Ave
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize Kristine Greb to act as my
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this
petition. This designation authorizes my agent to make verbal or written representations and/or
declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or
declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in
approval or denial of said petition.

Dr. William Greb
Signature

12-29-22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 29 day of Dec., 20 22

[Signature]
Notary Public

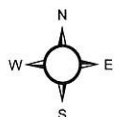
9-13-23
Commission Expiration





Area Map

Printed 12/28/2022



1 inch = 33 feet

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	Address points	Harrison_HughRes_2020.sid
	Collector	RGB
	Minor/Residential	Red: Band_1
	Parcels	Green: Band_2
		Blue: Band_3

SCANNED



J. Jordan 1st Judicial District
Instrument 2019 4301 D - J1
Filed/Recorded 6/20/2019 01:48 P
Total Fees \$ 12.00
2 Pages Recorded

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

File#191028

Indexing Instructions:
Part of Lot 5, Blk 25, Gulfport Bayou
View S/D, Harrison County, 1st JD, MS

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

REVIEWED

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

JAMES RAYMOND McMAHON and wife, LAURA KYLE McMAHON
P.O. BOX 6445
GULFPORT, MS 39506
(662) 719-5667

do hereby grant, bargain, sell, convey and warrant, unto

WILLIAM H. GREB, a married man
4800 KENDALL AVENUE
GULFPORT, MS 39507
(715) 207-7359

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

A parcel of land known as Parcel "A", being a part of Lot Five (5), Block Twenty-Five (25), GULFPORT BAYOU VIEW SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 17 at Page 9 thereof, reference to which is hereby made in aid of and as a part of this description, and being more particularly described as follows:

Beginning at the Northwest Corner of said Lot Five (5); thence run North 89 degrees 14 minutes 14 seconds East, along the North line of said Lot Five (5), 138.66 feet to a point; thence run South 00 degrees 42 minutes 00 seconds East 105.40 feet to a point on the South line of said Lot Five (5); thence run South 89 degrees 14 minutes 14 seconds West along said South line 138.66 feet to the Southwest Corner of said Lot Five (5); thence North 00 degrees 42 minutes 00 seconds West 105.40 feet to the Point of Beginning, containing 0.34 acres, more or less.

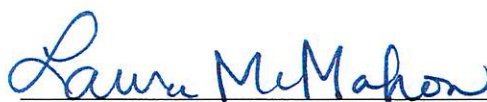
THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURES of the Grantors on this the 19th day of June, 2019.


JAMES RAYMOND McMAHON


LAURA KYLE McMAHON

STATE OF MISSISSIPPI
COUNTY OF HARRISON

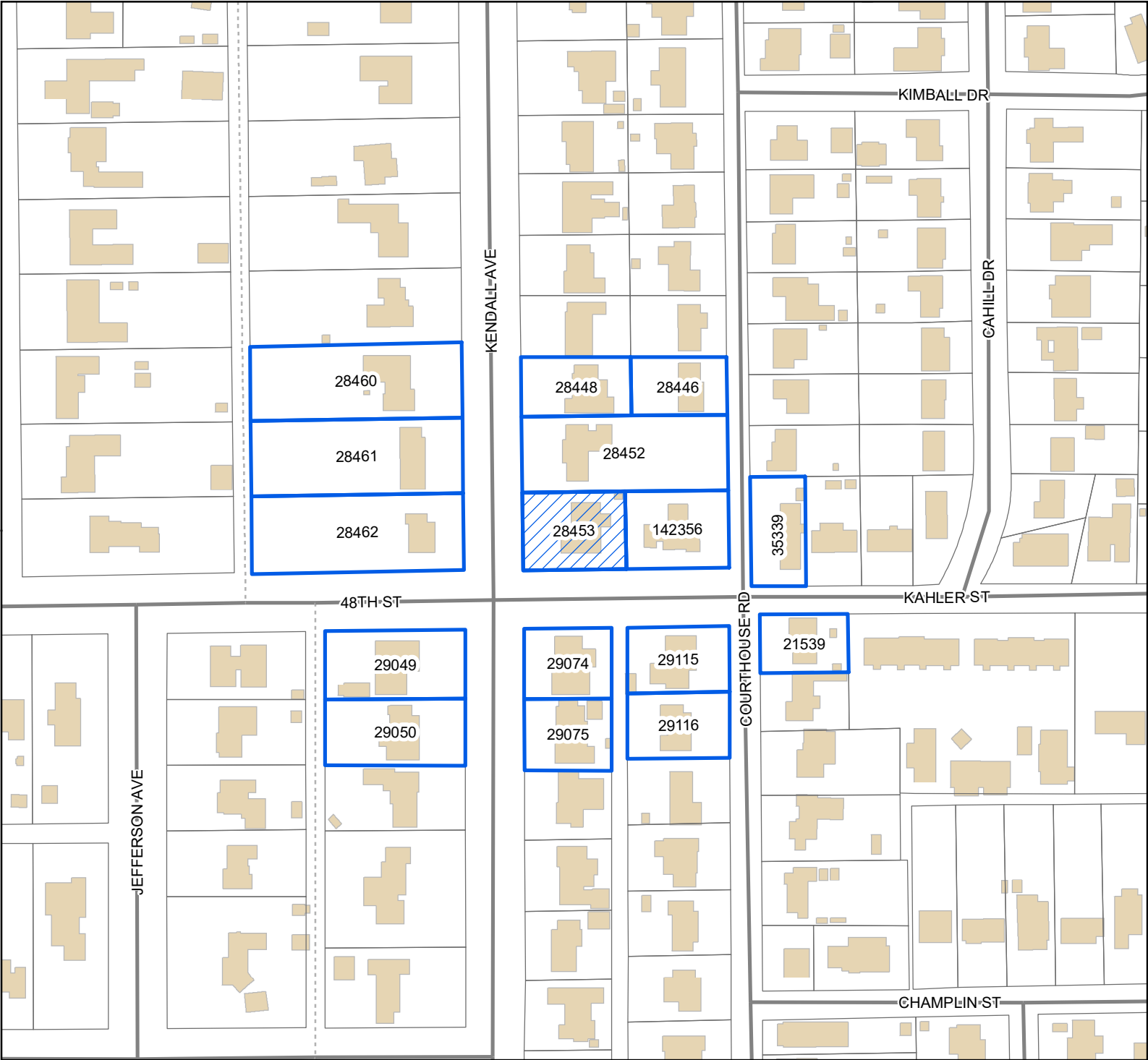
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **JAMES RAYMOND McMAHON** and **LAURA KYLE McMAHON**, who acknowledged that they signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 19th day of June, 2019.


NOTARY PUBLIC

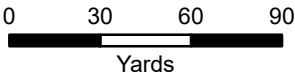
My Commission Expires:





Legend

- Site
- Adjacent Properties
- Street
- Alley
- Buildings



1 inch = 190 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			WILLIAM GREB (OWNER)	4800 KENDALL AVE	GULFPORT	MS	39507
			KRISTINE GREB (AGENT)	4800 KENDALL AVE	GULFPORT	MS	39507
			Adjacent Property Owners				
	28452	0910B-01-045.000	HARVEY KRISTIN M	4802 KENDALL AVE	GULFPORT	MS	39507
	35339	0910B-01-018.000	GUNDLACH GERALD M -EST- ETAL	1600 COURTHOUSE RD	GULFPORT	MS	39507
	28462	0910B-01-063.000	SIBLEY LACY E	4801 KENDALL AVE	GULFPORT	MS	39507
	28446	0910B-01-044.000	SWENNUMSON BARRY L & E DIANNE	4805 COURTHOUSE RD	GULFPORT	MS	39501
	28448	0910B-01-047.000	VOLENTINE MORRIS F & BRENDA	4804 KENDALL AVE	GULFPORT	MS	39507
	29049	0910B-02-048.000	WALDROP CLYDE GERALD JR & STACEY K	4711 KENDALL AVE	GULFPORT	MS	39507
	21539	0910B-02-001.000	GRAVES M E	1532 COURTHOUSE RD	GULFPORT	MS	39507
	28461	0910B-01-062.000	MCDONALD AMANDA	4803 KENDALL AVE	GULFPORT	MS	39507
	29075	0910B-02-028.000	CAMPBELL DANA T & MARGARET A	4708 KENDALL AVE	GULFPORT	MS	39507
	29050	0910B-02-047.000	HARRISON MELTON J & KATHERINE H	4709 KENDALL AVE	GULFPORT	MS	39507
	28460	0910B-01-061.000	BLACK DIAMOND HOLDINGS LLC	4805 KENDALL AVE	GULFPORT	MS	39507
N	28453	0910B-01-046.000	GREB WILLIAM H	4800 KENDALL AVE	GULFPORT	MS	39507
	29115	0910B-02-026.000	WALTERS ROBBIE JOAN-TRUSTEE	4711 COURTHOUSE RD	GULFPORT	MS	39507
	29074	0910B-02-027.000	KEATING ISABELLE	4710 KENDALL AVE	GULFPORT	MS	39507
	29116	0910B-02-025.000	ZITTERKOPF STEPHEN D JR & COURTNEY	4709 COURTHOUSE RD	GULFPORT	MS	39501
	142356	0910B-01-046.001	BOGGS DAVID R	4801 COURTHOUSE RD	GULFPORT	MS	39507

RE: Planning Commission Approval 2302PC012, by agent Kristine Greb, tax parcel 0910B-01-046.000, Requests approval for a home occupation of a mobile provider for LED light facial treatments, 4800 Kendall Ave, Zoned R-1-7.5 (Single family district), Ward 4

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 23, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Planning Commission for **Thursday, February 23, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	378810	Print Legal Ad-IPL01082870 - IPL0108287		\$66.16	2	47 L

Attention: Matilda Welch

PO BOX 1780
GULFPORT, MS 39502

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This the 1st day of February, 2023
Keith Williams, - Chairman
City of Gulfport Planning Commission
IPL0108287
Feb 8 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/08/23

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

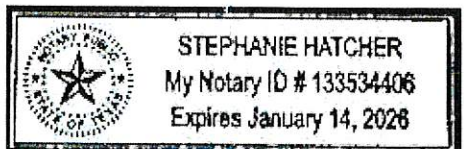
Stefani Beard

Sworn to and subscribed before me this 8th day of February in the year of 2023

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: Special Exception 2302SE015:
Withdrawn by Applicant:

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business), Ward 3

Technical Report

SPECIAL EXCEPTION

GENERAL INFORMATION

Case File Number: 2302SE015

Hearing Date: Zoning Board February 16, 2023
Planning Commission February 23, 2023

Current Zoning/Use: B-2 / Commercial Structure

Legal: Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business) Ward 3

TECHNICAL DETAILS

The applicant requests special exception for a day care use located at 9454 Three Rivers Road Suite B. Hours of operation will be 6:30 a.m. to 6:00 p.m. As proposed, the site plan accommodates ample off-street turn-around space and has room to grow any parking needs. In addition, there is an established commercial building at this location, and the applicant states that there are no issues with utilities, access, or parking.

EXECUTIVE SUMMARY

There is an established commercial building at this location, and the applicant states that there are no issues with utilities, access, or parking. The use would be in harmony with the existing neighborhood due to there is currently a children's clinic within the same complex. The staff recommendation is to approve the request.

Any approval should consider these conditions:

1. Approval would allow for a daycare use at 9454 Three Rivers Road Suite B.
2. Must meet all current building codes and all other City of Gulfport Ordinances. Must meet all current accessibility (ADA) requirements.
3. Shall meet all requirements of MS Dept. of Public Health "Uniform Dire Safety" for childcare facility. Fire Alarm/Sprinkler required. Smoke detectors in all rooms.
4. Applicant must receive Planning Commission approval as well for Special Exception Use.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 02/06/2023.

Public Works: No conditions. Memo dated 02/06/2023.

Traffic and Safety: No conditions. Memo dated 02/06/2023.

Technical Report

SPECIAL EXCEPTION

Building Code Services: Conditions: Must meet all current building codes and all other City of Gulfport Ordinances. Must meet all current accessibility (ADA) requirements. Memo dated 02/01/2023.

GIS: No conditions. Memo dated 02/06/2023.

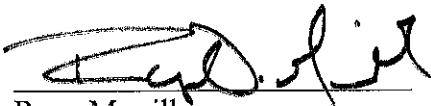
Police Department: No conditions. Memo dated 02/01/2023.

Fire Department: Conditions: Shall meet all requirements of MS Dept. of Public Health "Uniform Fire Safety" for childcare facility. Fire Alarm/Sprinkler required. Smoke detectors in all rooms. Memo dated 02/01/2023.

City Arborist: No conditions. Memo dated 02/03/2023.

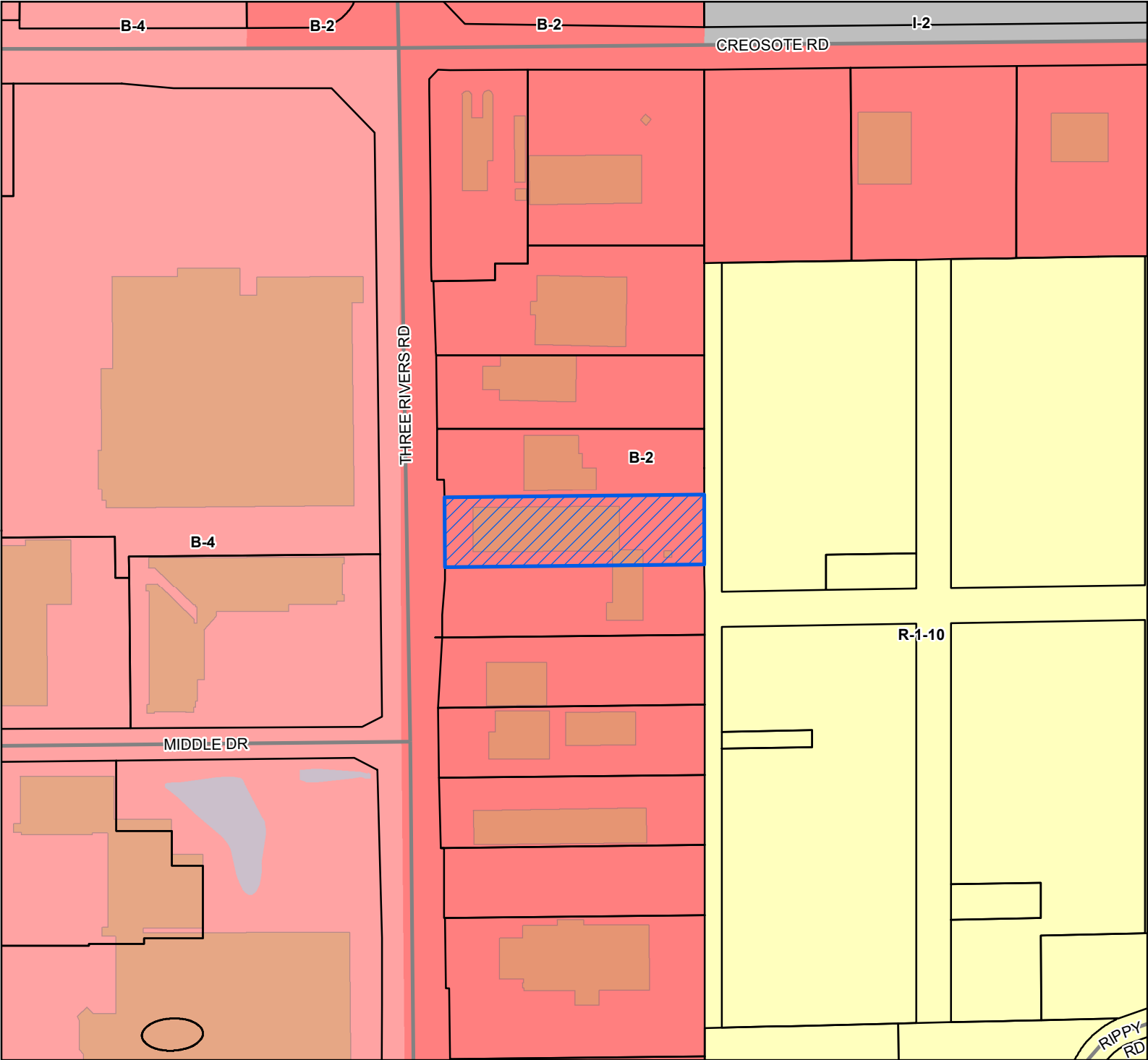
DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department





Site

Street

Parcels

Buildings

Water Features

Zoning

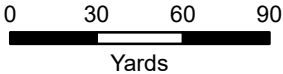
B-2 - General Business District

B-4 - Highway Business District

I-2 - Heavy Industry District

R-1-10 - Single Family Residence (Low Density)

Site Information
0809K-01-001.019
Zoning: B-2(General Business)
Size:37,818 Sqft
Flood: X



1 inch = 200 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

Case Number

2302 ~~2302~~ SE 015

Zoning Board of Adjustments and Appeals Application

REQUESTED ACTION BY THE ZONING BOARD OF ADJUSTMENTS AND APPEALS

(A separate submission form is required for each request):

	Appeal of Planning Administrator
	Excessive Height
	Fence Variance
✓	Special Exception (Day care usage)
	Variance

Tax Parcel Numbers

0	8	0	9	K	-	0	1	-	0	0	1	.	0	1	9					-			-			.			
					-							.								-			-			.			
					-							.								-			-			.			

Property Address:

9454 Three Rivers Rd Bpt MS 39503 Suite B

OWNERSHIP AND CERTIFICATION

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request. We can only accept applications with original signatures.

OWNER

AGENT

Tim Bruni (Roadrunner, LLC)

10144 Terrance Johnson

Printed Name of Owner

9454 (Suite A) Three Rivers Road

Printed Name of Agent

15895 Walker Farm Lane

Mailing Address

Gulfport MS 39503

Mailing Address

Gulfport MS 39503

City

State

Zip code

228-669-1008

City

State

Zip code

(228) 731-4332

Home Phone

Work/Cell Phone

Reel doc # b @ msn.com

Home Phone

Work/Cell Phone

Terrance Johnson 46 @ gmail.com

Email

[Signature]

Signature of Owner

Email

[Signature]

Signature of Agent

Addressing the Zoning Board Requirements!!

Special Exception for Day Care Usage

Hours of operation 6:30am 6:00pm

1. There is already existing Entrance & exit Driveways on site, with a side walk in front of the Building.
2. Parking spaces for clients are existing on site.
3. There is existing Dumpsters Located in the rear of the Property.
4. Utilities are already located in the unit.
5. The Special Exception with harmony, with general Purpose of intent. Being that there is a children's Clinic in Place.

1. There is already existing Entrance & exit
driveways on site. with sidewalk in front of the
Building

2. utilities are already provided.

3. I'm not asking for anything that's
already available to the site.

4. There is already A Parking lot In
Place with the entrance and exit points.



Covenant Affidavit

I, Twila Johnson, being owner or agent of the property 9454 Three Rivers Rd
PRINT NAME PRIMARY ADDRESS OR PARCEL
GPT MS 39503 Suite B

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

Twila Johnson
 Signature

12.30.22
 Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 30 day of December, 2022

Vicky Hardy
 Notary Public

08/21/2023
 Commission Expiration





(member of RoadRunner LLC) Designation of Agent

I, Tim Brown, being owner of the property 9454 Three Rivers Road Gulfport, MS
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize TERRANA JOHNSON to act as my 39503
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this
petition. This designation authorizes my agent to make verbal or written representations and/or
declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or
declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in
approval or denial of said petition.

[Signature]
Signature

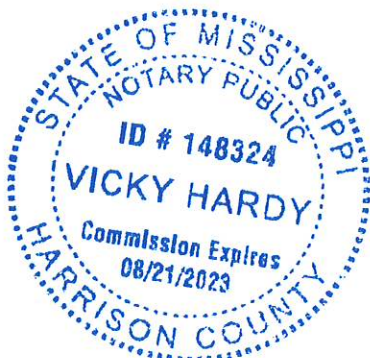
12-30-22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

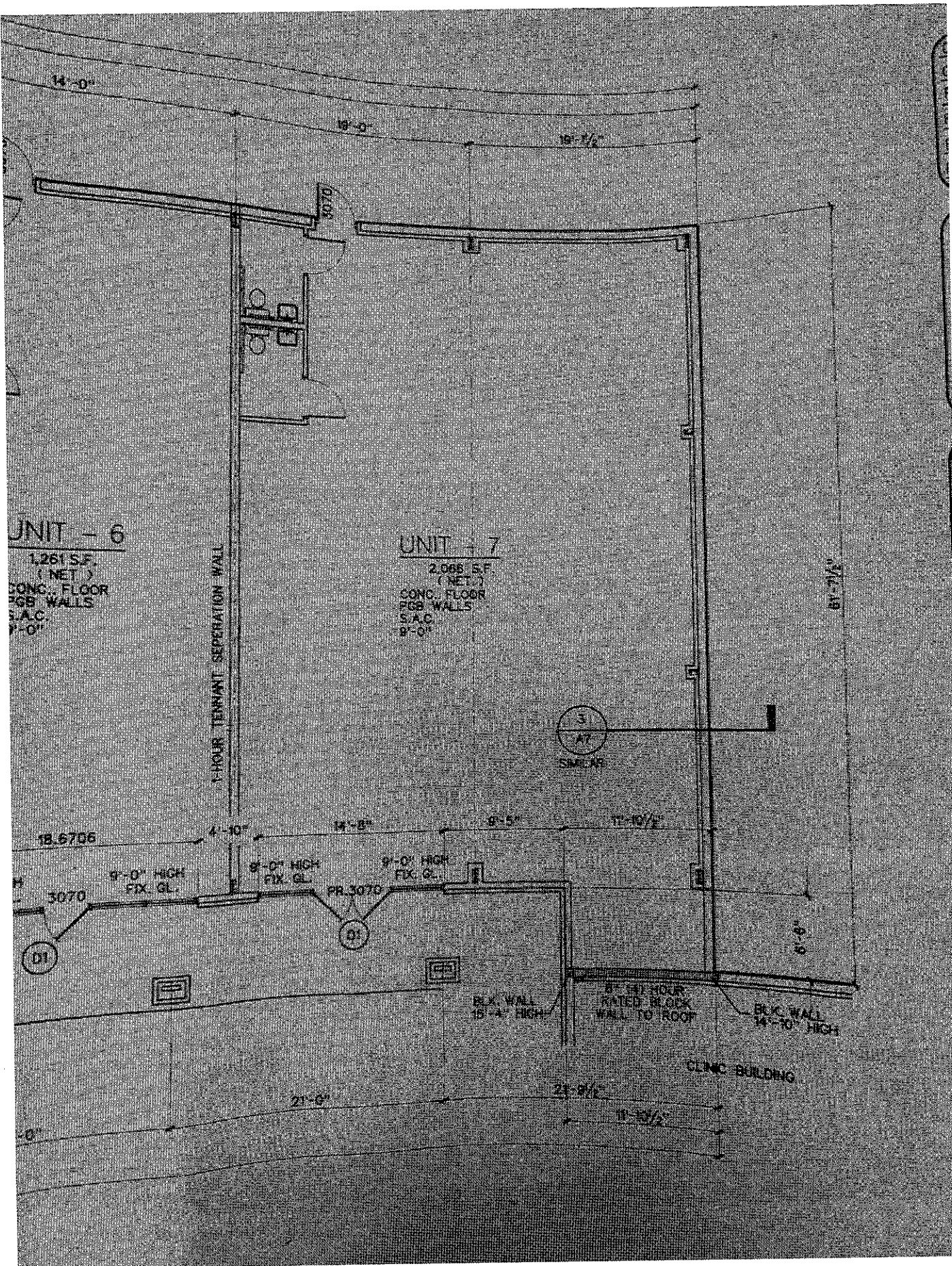
Given under my hand and seal of office this the 30 day of December, 20 22

[Signature]
Notary Public

08/21/2023
Commission Expiration









1st Judicial District
Instrument 2005 12425 D -J1
Filed/Recorded 2 15 2005 4 40 P
Total Fees 12.00
5 Pages Recorded

WARRANTY DEED

STATE OF MISSISSIPPI

COUNTY OF HARRISON

For and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ROADRUNNER LLC, does hereby grant, bargain, sell, convey and warrant unto the CITY OF GULFPORT, MISSISSIPPI, the following described land:

PARCEL 1

A parcel of land located in and being a portion of Lot 2, THREE RIVERS BUSINESS PARK (Plat Book 40, Page 29), City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

For the Point Of Beginning, Commence at the southwest corner of said Lot 2, THREE RIVERS BUSINESS PARK, said point also being located on the existing east right-of-way of Three Rivers Road; thence N 00°45'37" W 100.74 feet along the west boundary of said Lot 2, THREE RIVERS BUSINESS PARK, also along said existing east right-of-way of Three Rivers Road to the northwest corner of said Lot 2, THREE RIVERS BUSINESS PARK; thence N 89°13'15" E 15.28 feet along the north boundary of said Lot 2, THREE RIVERS BUSINESS PARK to a point located on the proposed new east right-of-way of Three Rivers Road; thence southerly along said proposed new east right-of-way of Three Rivers Road the following three courses, S 00°41'38" E 18.08 feet, S 05°01'00" W 50.25 feet, S 00°41'38" E 32.68 feet to a point located on the south

boundary of said Lot 2, THREE RIVERS BUSINESS PARK; thence S 89°17'15" W 10.16 feet along said south boundary of Lot 2, THREE RIVERS BUSINESS PARK to the said Point Of Beginning.

Said parcel of land contains 1,245 square feet or 0.029 acre, more or less.

PARCEL 2

A parcel of land located in and being a portion of Lot 1, THREE RIVERS BUSINESS PARK (Plat Book 40, Page 29), City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

For the Point Of Beginning, Commence at the southwest corner of said Lot 1, THREE RIVERS BUSINESS PARK, said point also being located on the existing east right-of-way of Three Rivers Road; thence N 00°41'56" W 101.27 feet along the west boundary of said Lot 1, THREE RIVERS BUSINESS PARK, also along said existing east right-of-way of Three Rivers Road to the northwest corner of said Lot 1, THREE RIVERS BUSINESS PARK; thence N 89°15'38" E 15.29 feet along the north boundary of said Lot 1, THREE RIVERS BUSINESS PARK to a point located on the proposed new east right-of-way of Three Rivers Road; thence S 00°41'38" E 101.26 feet along said proposed new east right-of-way of Three Rivers Road to a point located on the south boundary of said Lot 1, THREE RIVERS BUSINESS PARK; thence S 89°13'15" W 15.28 feet along said south boundary of Lot 1, THREE RIVERS BUSINESS PARK to the said Point Of Beginning.

Said parcel of land contains 1,548 square feet or 0.036 acre, more or less.

The grantor herein further warrants that the above described property is no part of its homestead.

It is further understood and agreed that the consideration herein named is in full, complete and final payment and settlement of any claims or demands for damage accrued, accruing, or to accrue to the grantors herein, its heirs, assigns, or legal representatives, for or on account of the construction relating to the widening of Three Rivers Road and/or any other damage, right or claim whatsoever.

It is further understood and agreed that this instrument constitutes the entire agreement between the grantor and the grantee, there being no oral agreements or representations of any kind.

Witness my signature this the 1 day of February, 2005.

ROADRUNNER, LLC

Ronald T. Bruni, Jr.
RONALD T. BRUNI

GRANTOR'S ADDRESS
ROADRUNNER, LLC
C/O DR. RONALD T. BRUNI
334 COURTHOUSE ROAD
GULFPORT, MS 39503

896-5437

GRANTEE ADDRESS
CITY OF GULFPORT
2309 15TH STREET
GULFPORT, MS 39505

868-5811

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in
and for the said county and state, the within named RONALD T.
BRUNI who acknowledged that he is Owner of ROADRUNNER
LLC, a Limited Liability Corporation, and that for and on behalf
of the said Corporation, and as its act and deed, he executed and
delivered the above and foregoing instrument, after first having
been duly authorized by said Corporation so to do.

GIVEN UNDER MY HAND AND SEAL this the 1 day of Feb.,
2005.

Bridget Roberts
NOTARY PUBLIC

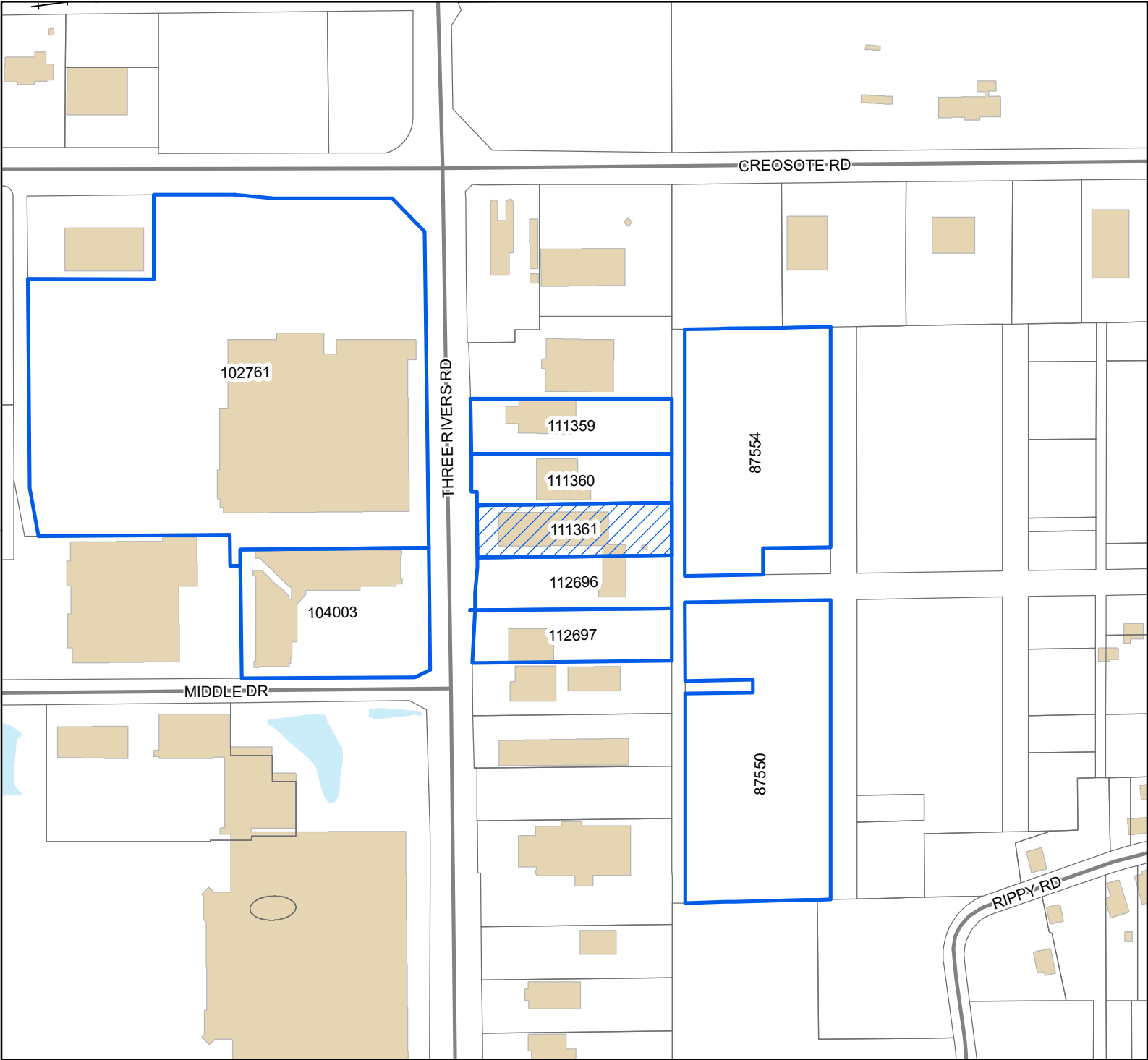
My Commission Expires: 6/21/2005

(SEAL)

PREPARED BY & RETURN TO:
BLACKWELL & WHITE
1613 23RD AVENUE
MOBILE, MS 39501
(228) 864-1484

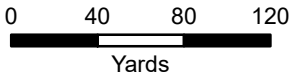
INDEXING INSTRUCTIONS:

N/A



Legend

- Site
- Adjacent Properties
- Street
- Railroad
- Buildings
- Water Features



1 inch = 267 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
Y			TIM BRUNI (OWNER)	9454 THREE RIVERS ROAD STE A	GULFPORT	MS	39503
			TERRANCE & TWILA JOHNSON (AGENT)	15895 WALKER FARM LANE	GULFPORT	MS	39503
			Adjacent Property Owners				
	102761	0809K-01-001.007	LCN ATH GULFPORT (MULTI) LLC	888 7TH AVE 4TH FLOOR	NEW YORK	NY	10019
	87554	0809J-01-078.000	GULFPORT PALACE LLC	P O BOX 190429	DALLAS	TX	75219
	111360	0809K-01-001.018	MUNN DAVID L SR & TINA M	9466 THREE RIVERS RD	GULFPORT	MS	39503
	111359	0809K-01-001.017	BANKSTON PROPERTIES LCC	47 SHORELINE LN	GULFPORT	MS	39503
	104003	0809K-01-001.009	OAKLAND LAND & DEV LLC	P O BOX 952	NATCHEZ	MS	39121
N	111361	0809K-01-001.019	ROADRUNNER LLC	9454 THREE RIVERS RD	GULFPORT	MS	39503
N	112696	0809K-01-001.021	ROADRUNNER LLC	9454 THREE RIVERS RD	GULFPORT	MS	39503
	87550	0809J-01-076.000	GULFPORT PALACE LLC	PO BOX 190429	DALLAS	TX	75219
	112697	0809K-01-001.022	HOWARD'S PAINT & DECORATING INC	9434 THREE RIVERS RD	GULFPORT	MS	39507

RE: Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 23, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Planning Commission for **Thursday, February 23, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

El Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	378810	Print Legal Ad-IPL01082870 - IPL0108287		\$66.16	2	47 L

Attention: Matilda Welch

PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 PM., Thursday, February 23, 2023 In the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2301PC002, by agent Bryce McMurtry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

Planning Commission Approval 2302PC012, by agent Kristine Greb, tax parcel 0910B-01-046.000, Requests approval for a home occupation of a mobile provider for LED light facial treatments, 4800 Kendall Ave, Zoned R-1-7.5 (Single family district), Ward 4

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business), Ward 3

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

Zoning Map Amendment 2302PC014, by owner Jeanette Ladner, tax parcel 0711P-01-002.000, Requests to rezone from T5 (Urban center zone) from T4+ (General Urban Zone "Plus"), Ward 2

Zoning Text Amendment 230202PC016, by agent David P. Sullivan, Amendments to the Comprehensive Zoning Ordinance, as amended Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

Zoning Text Amendment 2302PC023, by the City of Gulfport, Amendments to the SmartCode Zoning Article 3, Section 3.1, to vacate the SmartCode Community Regulating Plans for Westside and Florence Gardens

This the 1st day of February, 2023
Keith Williams, - Chairman
City of Gulfport Planning Commission
IPL0108287
Feb 8 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/08/23

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

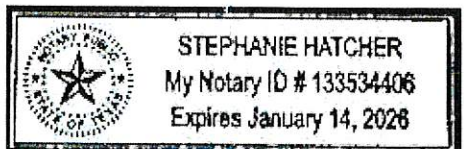
Stefani Beard

Sworn to and subscribed before me this 8th day of February in the year of 2023

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: Planning Commission Recommendation

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: Zoning Text Amendment 2301PC008:
Postponed to March meeting:

Zoning Text Amendment 2301PC008 by City of Gulfport, Amendments to the Accessory Building Ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: 2301PC008Date Received: 12/06/22

Receipt #: _____

Received By: _____

Zoning: _____

Ward: _____ Flood: _____

GENERAL DESCRIPTION OF REQUEST: (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

To amend Sec. IV Supplementary regulations (A) Supplementary use regulations (2)

Accessory Buildings.

Due to the staggering number of variances needed for accessory structure quantity, size and height,

The City of Gulfport propose the following amendments.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

City of Gulfport

Printed Name Of Owner
P.O. Box 1780

Mailing Address
Gulfport, MS 39501

City State Zip code

Home Phone Work/Cell Phone

Email

Signature Of Owner

Printed Name Of Agent

Mailing Address

City State Zip code

Home Phone Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS

Order Number:
IPL0104298
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
63.12
Payment Type:
Account Billed
User ID:
IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
228-868-5705
AccountsPayable@gulfport-ms.gov
GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT

Date
January 4, 2023 2:29:50 PM EST
Amount:
63.12

SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, January 26, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Seeking approval for an outdoor entertainment venue at 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - Chairman
City of Gulfport Planning Commission
W00000000
Publication Dates

[<< Click here to print a printer friendly version >>](#)



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	378810	Print Legal Ad-IPL01082870 - IPL0108287		\$66.16	2	47 L

Attention: Matilda Welch

PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 PM., Thursday, February 23, 2023 In the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2301PC002, by agent Bryce McMurtry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3

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Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business), Ward 3

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Zoning Map Amendment 2302PC014, by owner Jeanette Ladner, tax parcel 0711P-01-002.000, Requests to rezone from T5 (Urban center zone) from T4+ (General Urban Zone "Plus"), Ward 2

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Zoning Text Amendment 2302PC023, by the City of Gulfport, Amendments to the SmartCode Zoning Article 3, Section 3.1, to vacate the SmartCode Community Regulating Plans for Westside and Florence Gardens

This the 1st day of February, 2023
Keith Williams, - Chairman
City of Gulfport Planning Commission
IPL0108287
Feb 8 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/08/23

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

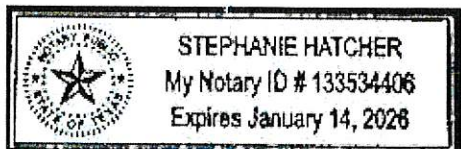
Stefani Beard

Sworn to and subscribed before me this 8th day of February in the year of 2023

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: **Zoning Map Amendment 2302PC014:**

Zoning Map Amendment 2302PC014, by owner Jeanette Ladner, tax parcel 0711P-01-002.000,
Requests to rezone from T5 (Urban center zone) from T4+(General Urban Zone "Plus"), Ward 2

Technical Report

Zoning Map Amendment

GENERAL INFORMATION

Case File Number: 2302PC014

Hearing Date: February 23, 2023

Current Zoning/Use: T5 (Urban Center Zone) / Vacant

Legal: Zoning Map Amendment 2302PC014, by owner Jeanette Ladner, tax parcel 0711P-01-002.000, Requests to rezone from T5 (Urban center zone) from T4+(General Urban Zone "Plus"), Ward 2

TECHNICAL DETAILS

Amendment of the Zoning Ordinance, including the zoning map, is intended to carry out the objective of a sound, stable, and desirable environment. Casual amendment of the ordinance would be detrimental to the achievement of that objective. Therefore, the ordinance dictates that a property should be considered for rezoning only when one or more of the following conditions prevail according to the Mississippi case law:

When requesting rezoning of real property, **an applicant must prove, by clear and convincing evidence**, one of the following:

1. That there was a mistake in the original zoning, or
2. That the character of the neighborhood has changed to such an extent as to justify reclassification, **and** that there was a public need for rezoning.

The applicant is requesting to rezone approximately 0.37 acres of vacant property north of and adjacent to West Beach Blvd. As presented, the applicant requests to rezone the property from T5 (Urban Center Zone) to T4+ (General Urban Zone "Plus") for the purpose of constructing a 1-lot single-family residence. As presented, the applicant states, "I plan to start development of the property as soon as it is rezoned." Although no other information on the type of development is given, the surrounding consistency of the neighborhood are single-family homes.

As stated by the applicant, the request to rezone the property to T4+ is in order to a build single-family residence due to "the character of the area has changed." The applicant further states that "All of the lots surrounding their lot has changed zoning to T4+. Their lot and one other are the only T5 lots."

The applicant has chosen increased need for site as justifications for change of the current zoning district.

- (a) Error has not been provided in any statements by the applicant.
- (b) Change in conditions is not mentioned by the applicant, though it may be applicable.

Technical Report

Zoning Map Amendment

- (c) Increased need for site is addressed by the applicant by stating that allowing this zoning change will be harmonious to the surrounding area as most of the area is zoned T4+.
- (d) Annexation is not applicable to this site nor are any statements provided by the applicant.
- (e) Ordinance changes are not mentioned by the applicant.

EXECUTIVE SUMMARY

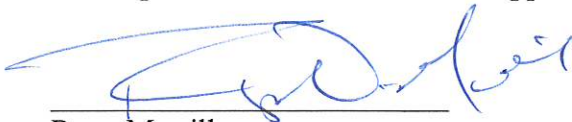
The future plan of the City's growth indicated that continuing with residential in this area was in the future. Although the applicant has not proven with clear and convincing evidence for a zoning change as required by the state, the staff notes that there are more single-family homes in the surrounding neighborhood than commercial uses and rezoning to T4+ would be in harmony. Therefore, the staff recommends approval of the request.

Any approval should consider these conditions:

1. Must comply with all Planning & Zoning rules and regulations.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill

Director of Urban Development Department





- Site
- US or State Highway
- Street
- Alley
- Parcels
- Buildings
- Water Features

Smart Code

- CS
- T5
- T4+
- T4L
- T3

Zoning

- E-G - Entertainment - Gaming District
- SB - Sand Beach
- WF - Water Front

Site Information

0711P-01-002.000
Zoning: T5(Urban Center Zone)
Size: 16,559 Sqft
Flood: AE

0 30 60 90

Yards

1 inch = 200 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 2302PC014Date Received: 1-3-23

Receipt #: _____

Received By: [Signature]Zoning: T5Ward: 2 Flood: AF

APPLICATION FOR ZONING MAP AMENDMENT/LAND USE RECLASSIFICATION (SMARTCODE)

Property Information

TAX PARCEL #

0	7	1	1	P

 -

0	1

 -

0	0	2

 •

0	0	0

(If necessary, use separate sheet of paper)

Address of Property Involved: TBD W. Beach Blvd Gulfport, MS 39501Lot(s) 42, Block(s) _____, Subdivision Mississippi City Company SurveyGeneral Location: W. Beach Blvd near 36th Avenue

GENERAL DESCRIPTION OF REQUEST:

I would like to change the zoning from T5 to T4 +

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Jeanette Ladner
Printed Name Of Owner

PO BOX 6496
Mailing Address

Gulfport, MS 39506
City State Zip code

228-861-3279
Home Phone Work/Cell Phone

jeanette.ladner@gmail.com
Email

[Signature]
Signature Of Owner

Printed Name Of Agent

Mailing Address

City State Zip code

Home Phone Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) Wallace Ladner II

ADDRESS (STREET, CITY, STATE, ZIP CODE) PO Box 6496 Gulfport, MS 39506

PHONE # (H) 228-297-3279 (W) _____

TAX PARCEL NUMBER(S) OWNED 0711P-01-002.000

SIGNATURE: 

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES

PERSON/AGENT FOR YOU: Jeanette Ladner

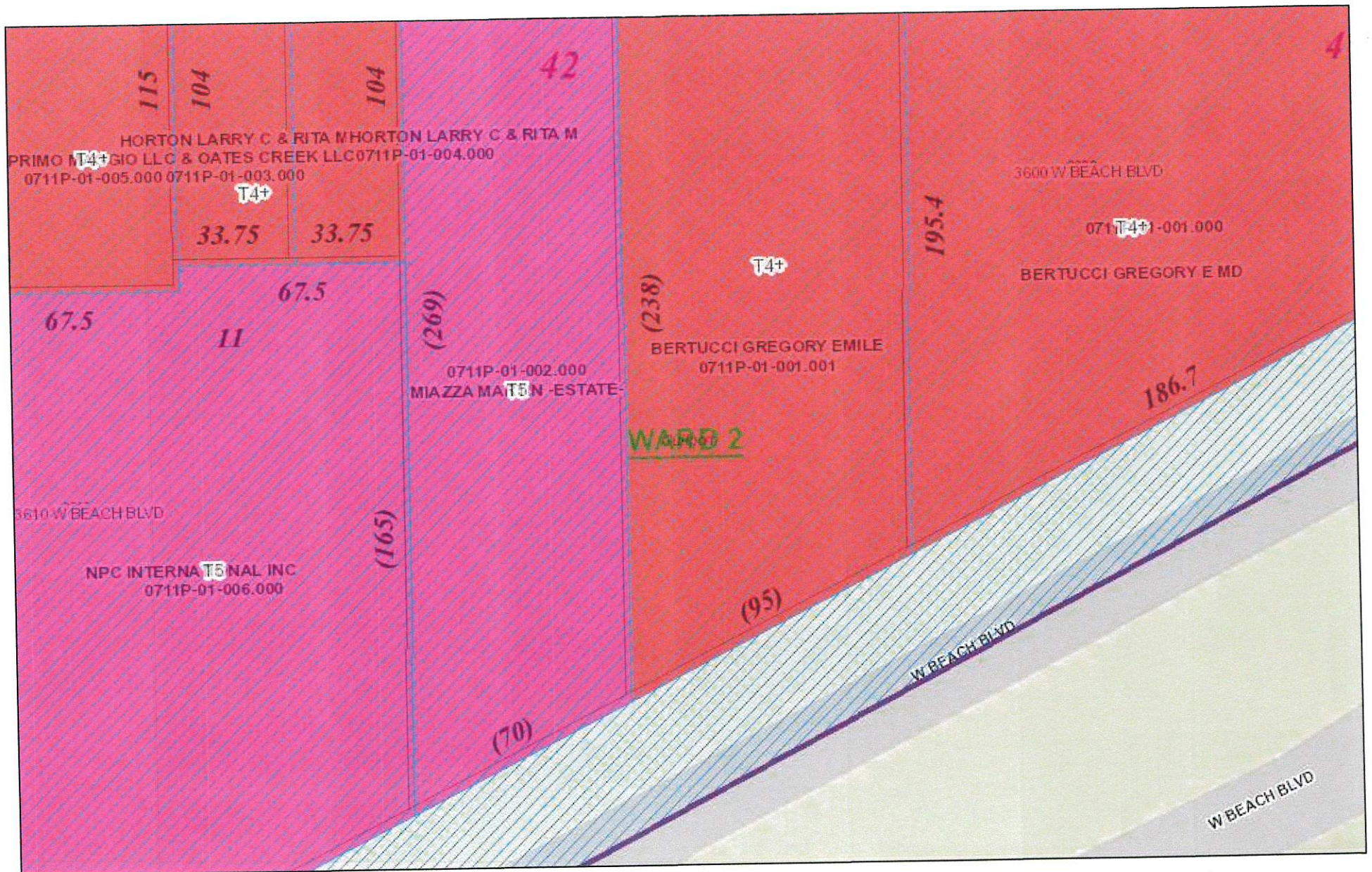
Application Requirements

- A. Page 1-2 of the application completed and signed.
- B. Proof of ownership – copy of scanned deed provided.
- C. Not applicable
- D. Not applicable
- E. Written statement addressing reasons for rezoning request:

Convincing Evidence:

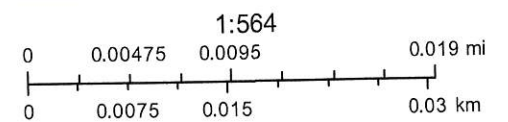
- 1. Not applicable
 - 2. The character of the neighborhood has changed. All of the lots surrounding my lot on the block has changed zoning to T4+. My lot and one other are the only T5 lots.
- F. Written statement requesting an amendment to the Comprehensive Zoning Ordinance or Smartcode Ordinance:
- 1. Interest: My name is Jeanette Ladner, my husband Wallace Ladner and I own parcel # 0711P-01-002.000 which is approximately .37 acres of vacant land on W. Beach Blvd in the city of Gulfport. There are no structures on the properties adjacent to this property. I have provided 2 maps to identify adjacent parcel dimensions, adjacent property owners and current zonings.
 - 2. Development Schedule: I would like to build a single family residence on this lot as soon as it is rezoned. This house will take 9-12 months not including the permitting process with the city of Gulfport.
 - 3. Effect of Amendment: There will be little to no effect to the surrounding property uses as this would follow suit with the changes already made to the adjacent properties.
 - 4. Error: Not applicable
- G. Check made payable to the City of Gulfport in the amount of \$175.00 provided with application.

Gulfport Online Atlas

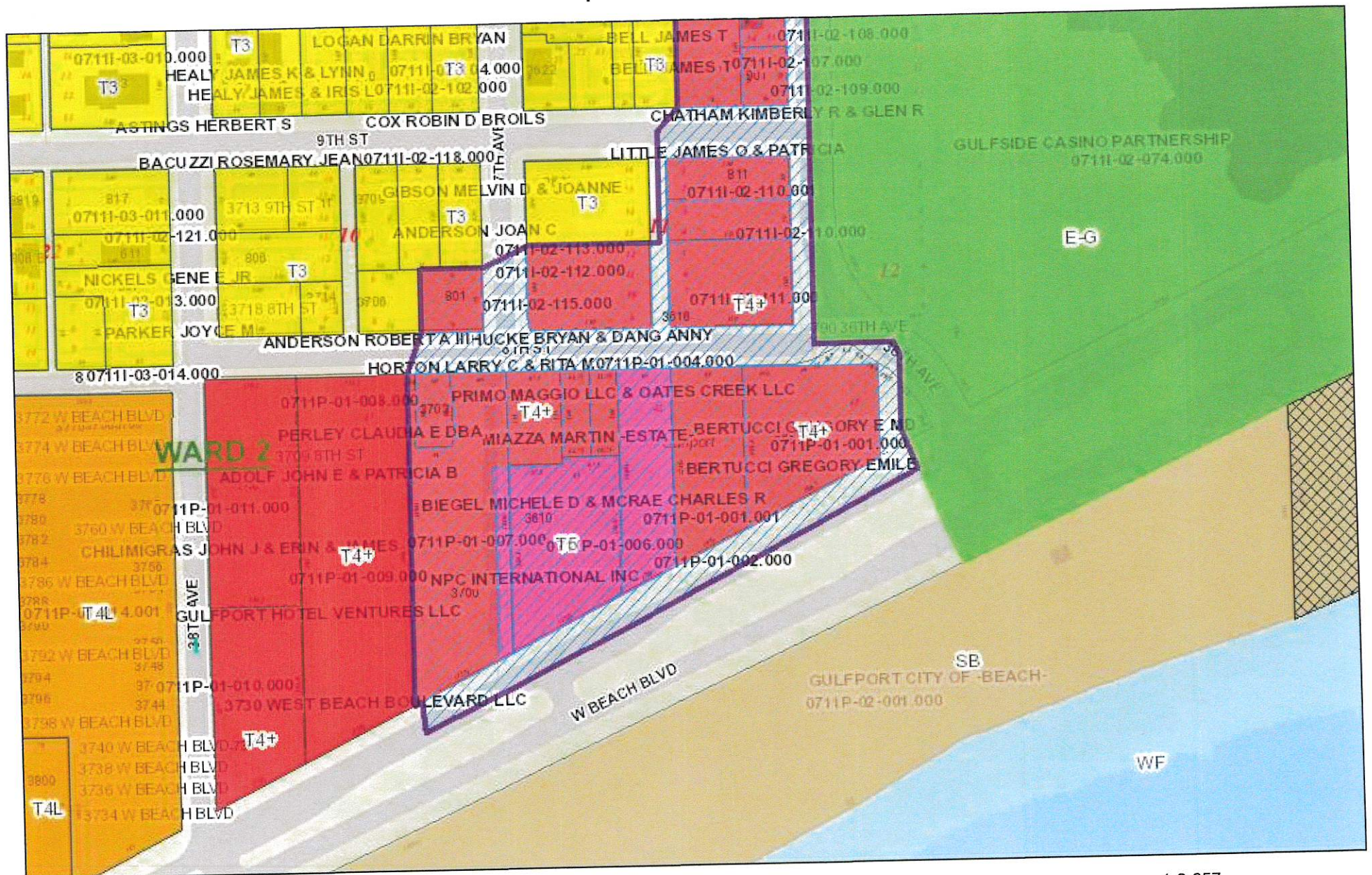


January 2, 2023

-  Hybrid Zones
-  Government Property
-  Hybrid
-  Wards

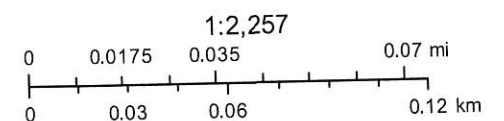


Gulfport Online Atlas



January 2, 2023

-  Hybrid Zones
-  Government Property
-  Hybrid
-  Wards





John 1st JUDICIAL DISTRICT
Instrument 2022-0030317-D-11
Filed/Recorded 12/22/2022 3:17:01 PM
Total Fees 26.00
2 Pages Recorded

Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550
STATE OF MISSISSIPPI

File#222463

Indexing Instructions:
Lot #1 Mississippi City Company Survey
Fractional Section 8, T8S, R11W
Harrison County, MS

COUNTY OF HARRISON

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

ELLEN KENNEDY MIAZZA
f/k/a KENNEDY MIAZZA WHITE
1525 HILLS PLACE
GULFPORT, MS 39507
228-326-6928

does hereby grant, bargain, sell, convey and warrant, unto

WALLACE S. LADNER, III and wife, JEANETTE LADNER,
as tenants by the entirety with full rights
of survivorship and not as tenants in common,
P. O. BOX 6496
GULFPORT, MS 39503
228-861-3279

the following described property, together with the improvements, hereditaments and appurtenances thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly described as follows, to-wit:

A vacant parcel of land being a lot 65 feet on the Gulf and being further described as 50 feet off the East side of the West ½ and 15 feet of the West side of the East ½ of Lot 42, Mississippi City Company Survey, Section 8-8-11, Harrison County, Mississippi, bounded on the South by the Gulf, on the East now or formerly by Day, on the North by 8TH Street, and on the West now or formerly by Guiffria, being more particularly described as A certain lot beginning on the North line of Lot 42 of the Mississippi City Company Survey at a point 150 feet East of the Northwest corner of said Lot 42, thence running East along said Survey line 50 feet to the Center of said Lot 42; thence South on the said center line to the Gulf of Mexico; thence West 50 feet; thence North to the place of beginning, being bounded on the South by the Gulf, on the East now or formerly by Day, on the North by 8th Street, and on the West now or formerly by Guiffria, together with all improvements on said land situated and all appurtenances thereunto belonging;
AND

Fifteen (15) feet off of the West side of the East half of Lot Forty-two (42) of the Mississippi City Company's Survey, and being more particularly described as beginning on the North line of said Lot 42 at the mid point between the East and West sides of said Lot, and running East 15 feet; thence South to the Gulf of Mexico; thence West 15 feet to the middle line running North and South through said Lot 42; thence North to the point of beginning, and located in Fractional Section 8, T 8 S, R 11 W., in Harrison County, Mississippi.

The above described property is not a part of the Homestead of the Grantor herein.

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and any prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners of subject property.

Estimated county ad valorem taxes have been prorated between the parties as a part of the consideration for this conveyance. In the event the estimates upon which such proration is based prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantor on this the 22nd day of December, 2022.


ELLEN KENNEDY MIAZZA

STATE OF MISSISSIPPI

COUNTY OF HARRISON

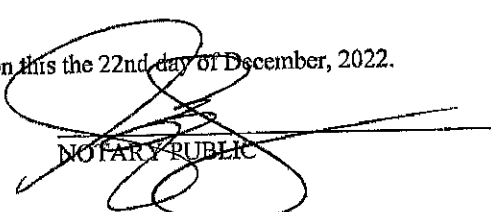
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, ELLEN KENNEDY MIAZZA, who acknowledged that she signed, executed and delivered the above and foregoing instrument as a voluntary act and deed on the day and year therein mentioned.

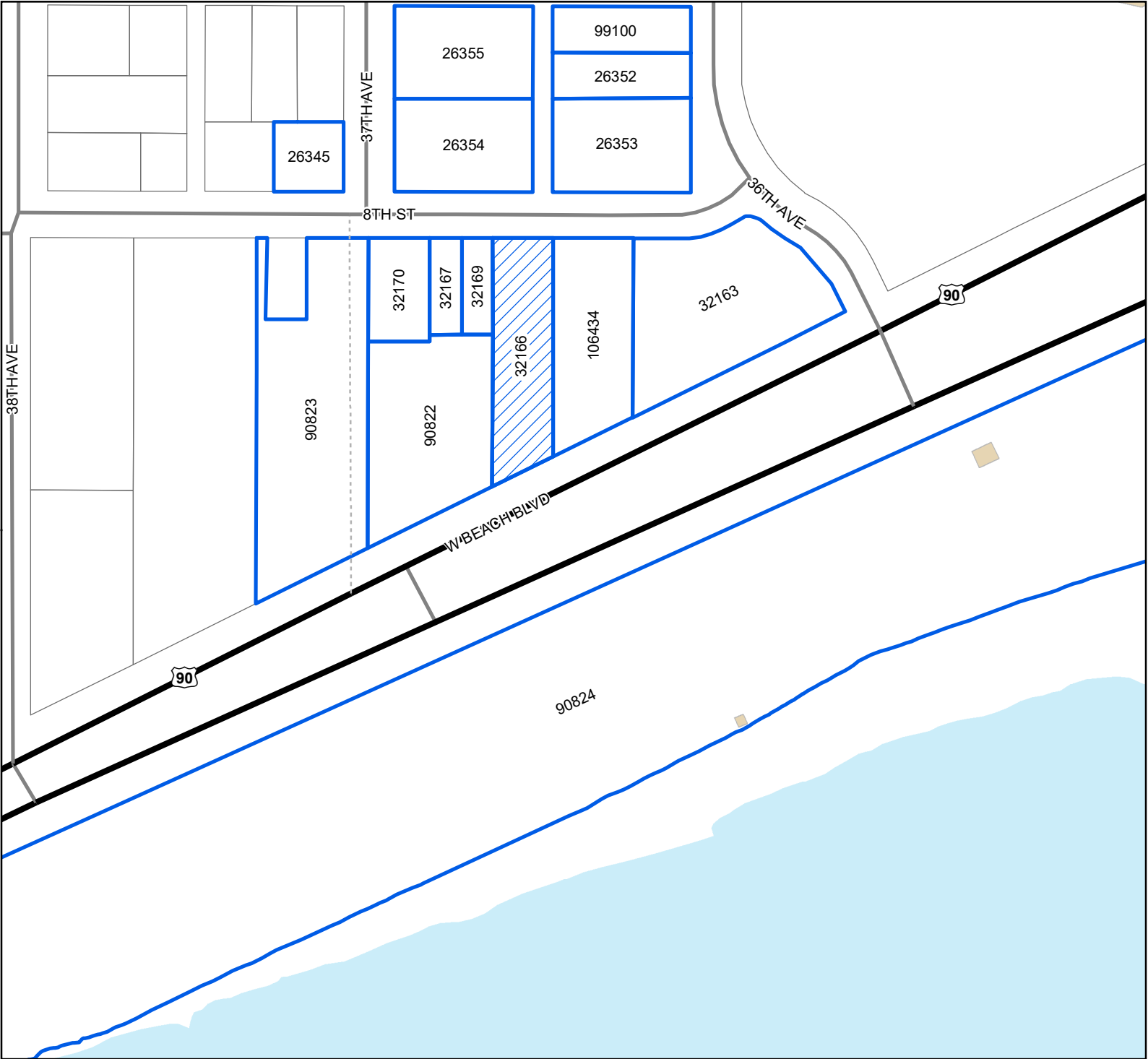
GIVEN under my hand and official seal on this the 22nd day of December, 2022.

(S E A L)

My Commission Expires:

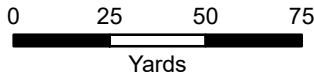



NOTARY PUBLIC



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Alley
- Buildings
- Water Features



1 inch = 150 feet



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PPIN	Parcel ID	Name	Address	City	State	ZIP
		Wallace & Jeanette Ladner (Owners)	PO Box 6496	GULFPORT	MS	39506
		Adjacent Property Owners(2302PC014)				
26352	0711I-02-110.000	LIANG FANTING & XIURONG LI	4240 LAKE SHERWOOD AVE E	BATON ROUGE	LA	70816
32170	0711P-01-005.000	PRIMO MAGGIO LLC & OATES CREEK LLC	P O BOX 54310	LEXINGTON	KY	40555
32167	0711P-01-003.000	HORTON LARRY C & RITA M	P O BOX 6330	GULFPORT	MS	39506
32169	0711P-01-004.000	HORTON LARRY C & RITA M	P O BOX 6330	GULFPORT	MS	39506
90823	0711P-01-007.000	BIEGEL MICHELE D & MCRAE CHARLES R	405 TOMBIGBEE ST	JACKSON	MS	39201
26353	0711I-02-111.000	LIANG FANTING & XIURONG LI	4240 LAKE SHERWOOD AVE E	BATON ROUGE	LA	70816
26354	0711I-02-112.000	HUCKE BRYAN & DANG ANNY	1022 SOUTH SHEPHERD DR	HOUSTON	TX	77019
32166	0711P-01-002.000	MIAZZA MARTIN -ESTATE-	1208 PASS RD	GULFPORT	MS	39501
106434	0711P-01-001.000	BERTUCCI GREGORY E MD	431 BERTUCCI BLVD	BILOXI	MS	39531
90822	0711P-01-006.000	HUT MOBILE LLC	720 WEST 20TH ST	PITTSBURG	KS	66762
26355	0711I-02-113.000	GIBSON MELVIN D & JOANNE	22509 RD 331	PASS CHRISTIAN	MS	39571
26345	0711I-02-115.000	SPIERS INVESTMENTS LLC	916 MANGO AVE	SUNNYVALE	CA	94087
99100	0711I-02-110.000	LITTLE JAMES O & PATRICIA	3905 QUEEN ELIZABETH DR	OCEAN SPRINGS	MS	39564
90824	0711P-02-001.000	GULFPORT CITY OF -BEACH-	<Null>	<Null>		0
32163	0711P-01-001.000	BERTUCCI GREGORY E MD	431 BERTUCCI BLVD	BILOXI	MS	39531

RE: Zoning Map Amendment 2302PC014, by owner Jeanette Ladner, tax parcel 0711P-01-002.000, Requests to rezone from T5 (Urban center zone) from T4+(General Urban Zone "Plus"), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Planning Commission will hold a public hearing to consider the above application at 4:30 P.M. on **Thursday, February 23, 2023**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Planning Commission for **Thursday, February 23, 2023**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	378810	Print Legal Ad-IPL01082870 - IPL0108287		\$66.16	2	47 L

Attention: Matilda Welch

PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

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Zoning Text Amendment 2302PC023, by the City of Gulfport, Amendments to the SmartCode Zoning Article 3, Section 3.1, to vacate the SmartCode Community Regulating Plans for Westside and Florence Gardens

This the 1st day of February, 2023
Keith Williams, - Chairman
City of Gulfport Planning Commission
IPL0108287
Feb 8 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/08/23

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

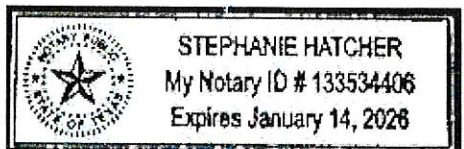
Stefani Beard

Sworn to and subscribed before me this 8th day of February in the year of 2023

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: **Zoning Text Amendment 2302PC016:**
Postponed to March Meeting:

Zoning Text Amendment 230202PC016, by agent David P. Sullivan, Amendments to the Comprehensive Zoning Ordinance, as amended Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

Technical Report

ZONING TEXT AMENDMENT

GENERAL INFORMATION

Case File Number: 2302PC016

Hearing Date: February 23, 2023

Legal: Zoning Text Amendment 230202PC016, by agent David P. Sullivan, Amendments to the Comprehensive Zoning Ordinance, as amended Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

TECHNICAL DETAILS

The applicant requests to amend the text to the zoning ordinance to allow for the expansion of medical cannabis dispensaries into new zoning districts. Specifically, the applicant would like to add the R-B zones. Further, the applicant would like to remove the T4+ Transect zone limitation in the existing ordinance, thereby allowing the “hybrid” code area access by the dispensaries with Planning Commission approval.

Statistically, this change could open up an additional 1.5 square miles of potential location for dispensaries within the city. This would allow the use to be located within 16.9% of the city if approved as opposed to the 13.8% currently allowed. Maps are attached to the report to assist in a more spatial view of the expansion.

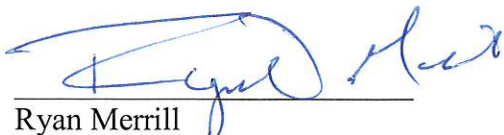
EXECUTIVE SUMMARY

Initial conversations about the new medical cannabis laws included taking a more conservative approach to these before allowing them throughout the city. As a dispensary has not yet opened in Gulfport, it is difficult to determine the affect this use will have on the surrounding properties under the current city and state guidelines.

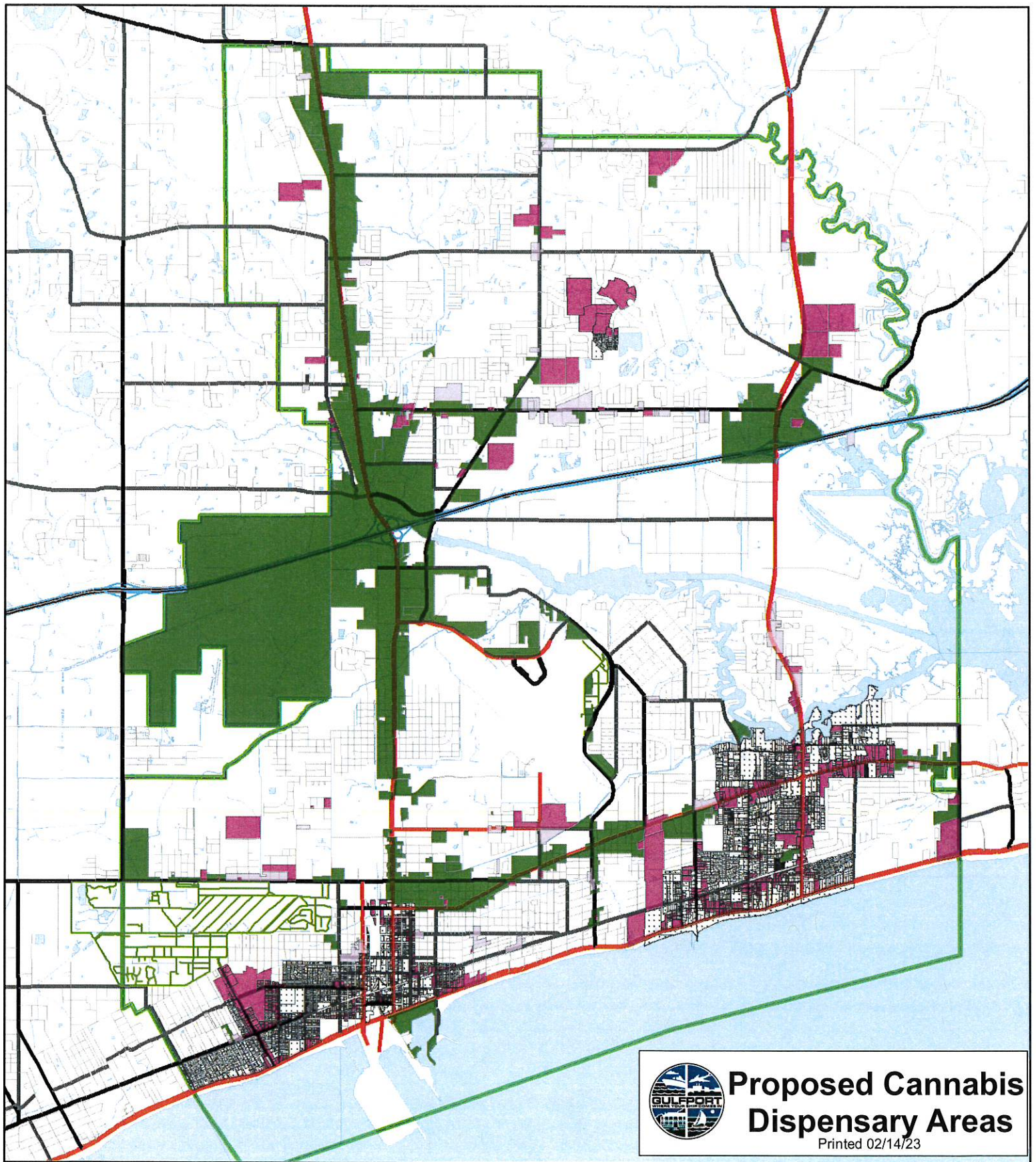
Should there be bas results, changing the rules and then changing them back again is problematic. The non-conforming rules are not quick when it comes to eliminating uses that are causing distress.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

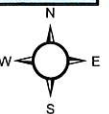
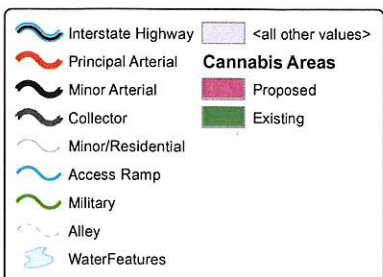


Ryan Merrill
Director of Urban Development Department



Proposed Cannabis Dispensary Areas

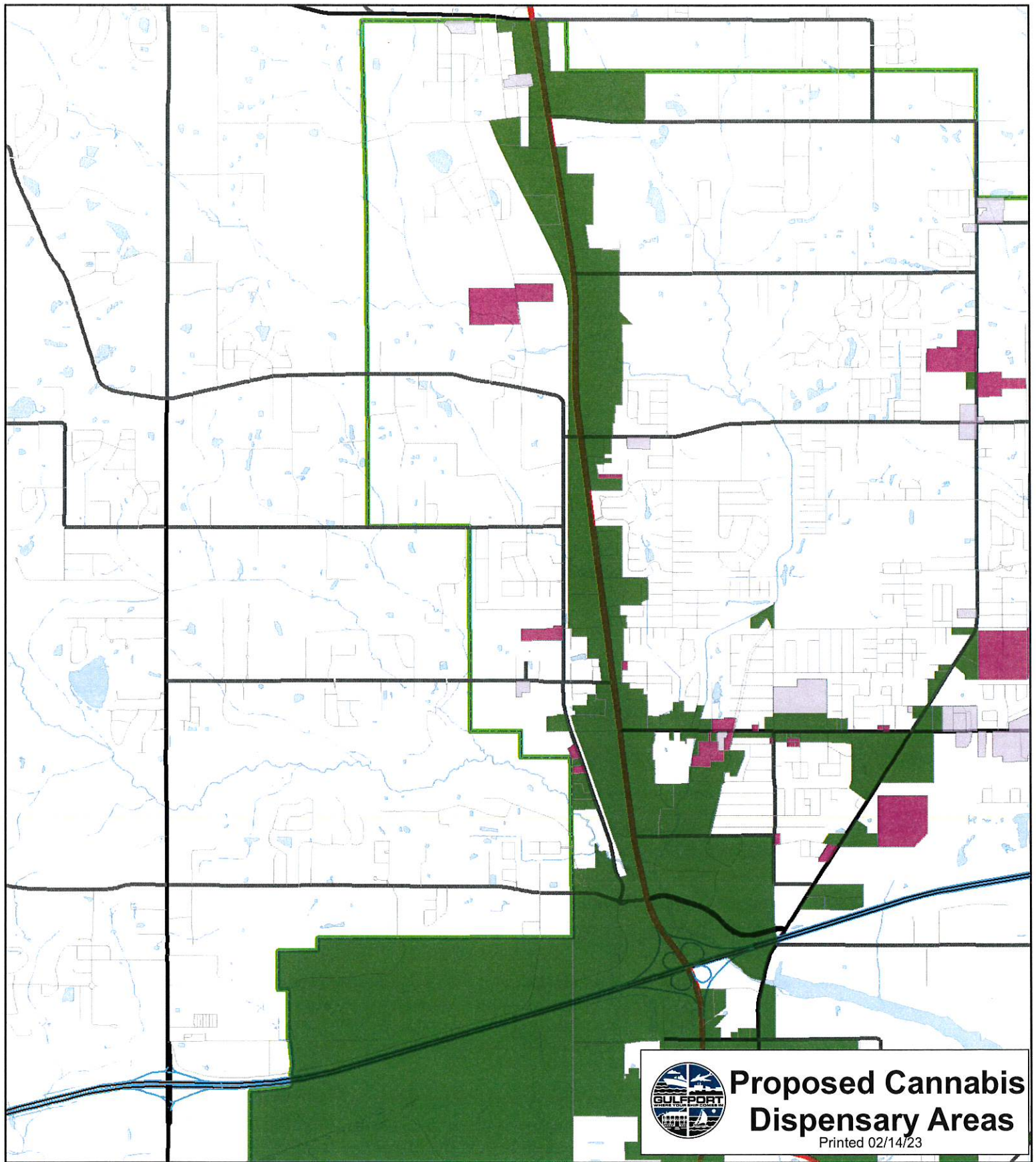
Printed 02/14/23



1 inch = 6,500 feet

DATA DISCLAIMER:

All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness or adequacy of the information contained on this map are expressed or implied.

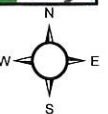


- | | | | |
|--|--------------------|-----------------------|--------------------|
| | Interstate Highway | | <all other values> |
| | Principal Arterial | Cannabis Areas | |
| | Minor Arterial | | Proposed |
| | Collector | | Existing |
| | Minor/Residential | | |
| | Access Ramp | | |
| | WaterFeatures | | |



Proposed Cannabis Dispensary Areas

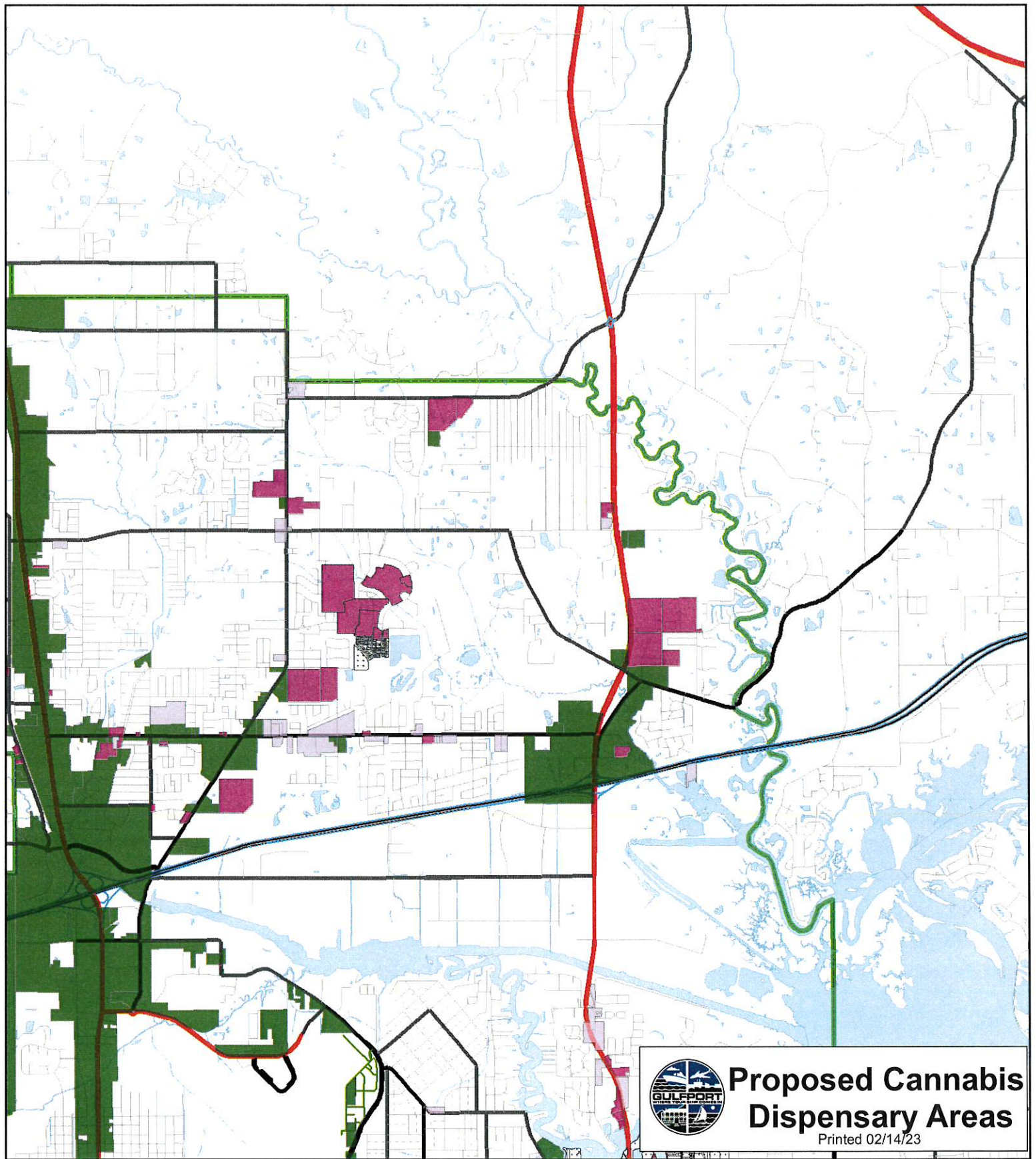
Printed 02/14/23



1 inch = 3,333 feet

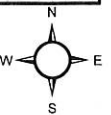
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Proposed Cannabis Dispensary Areas

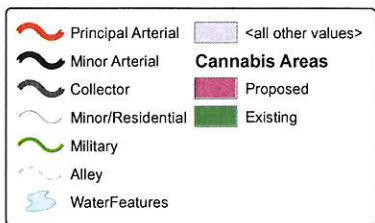
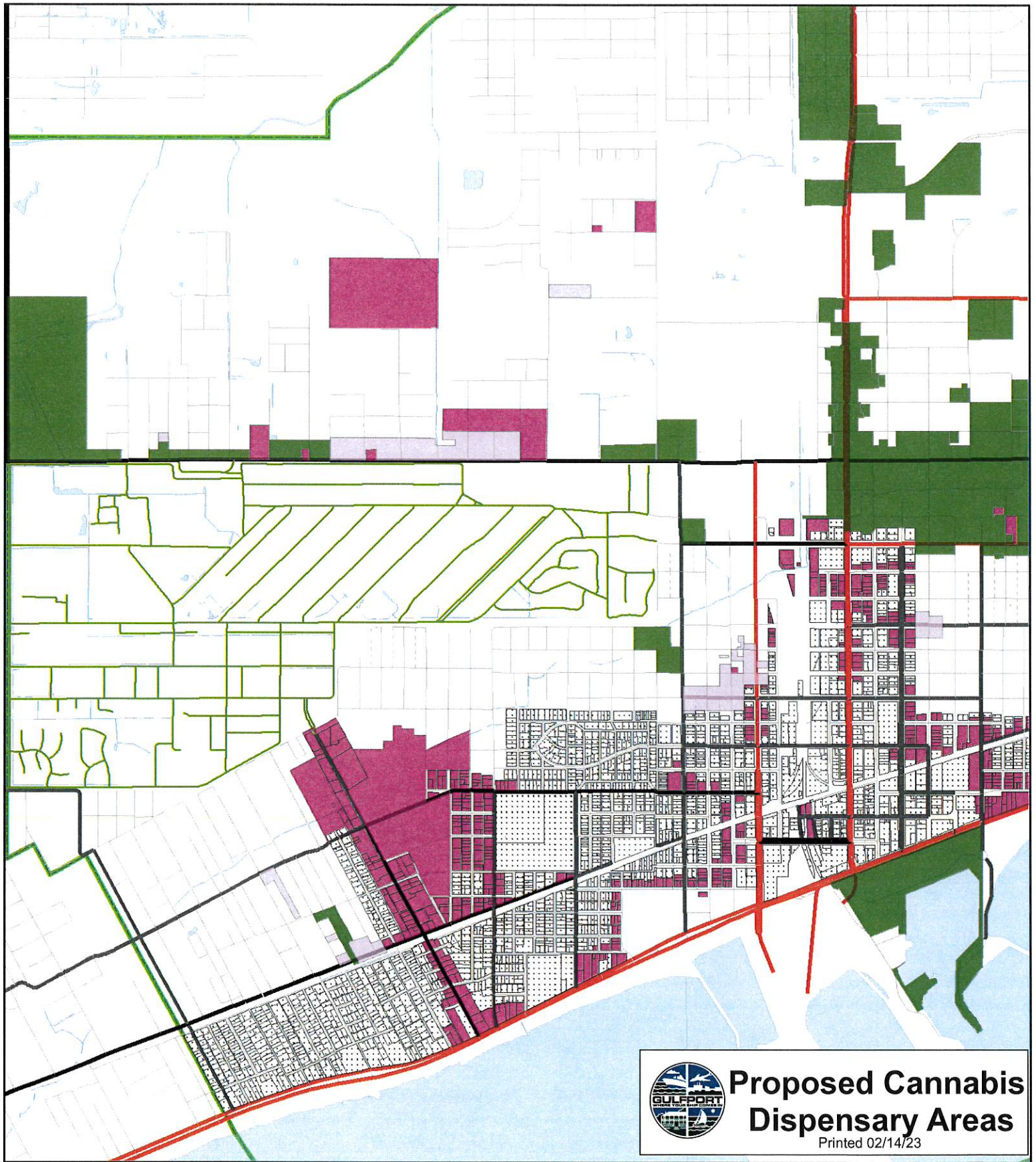
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1 inch = 5,000 feet

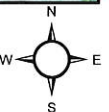
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Proposed Cannabis Dispensary Areas

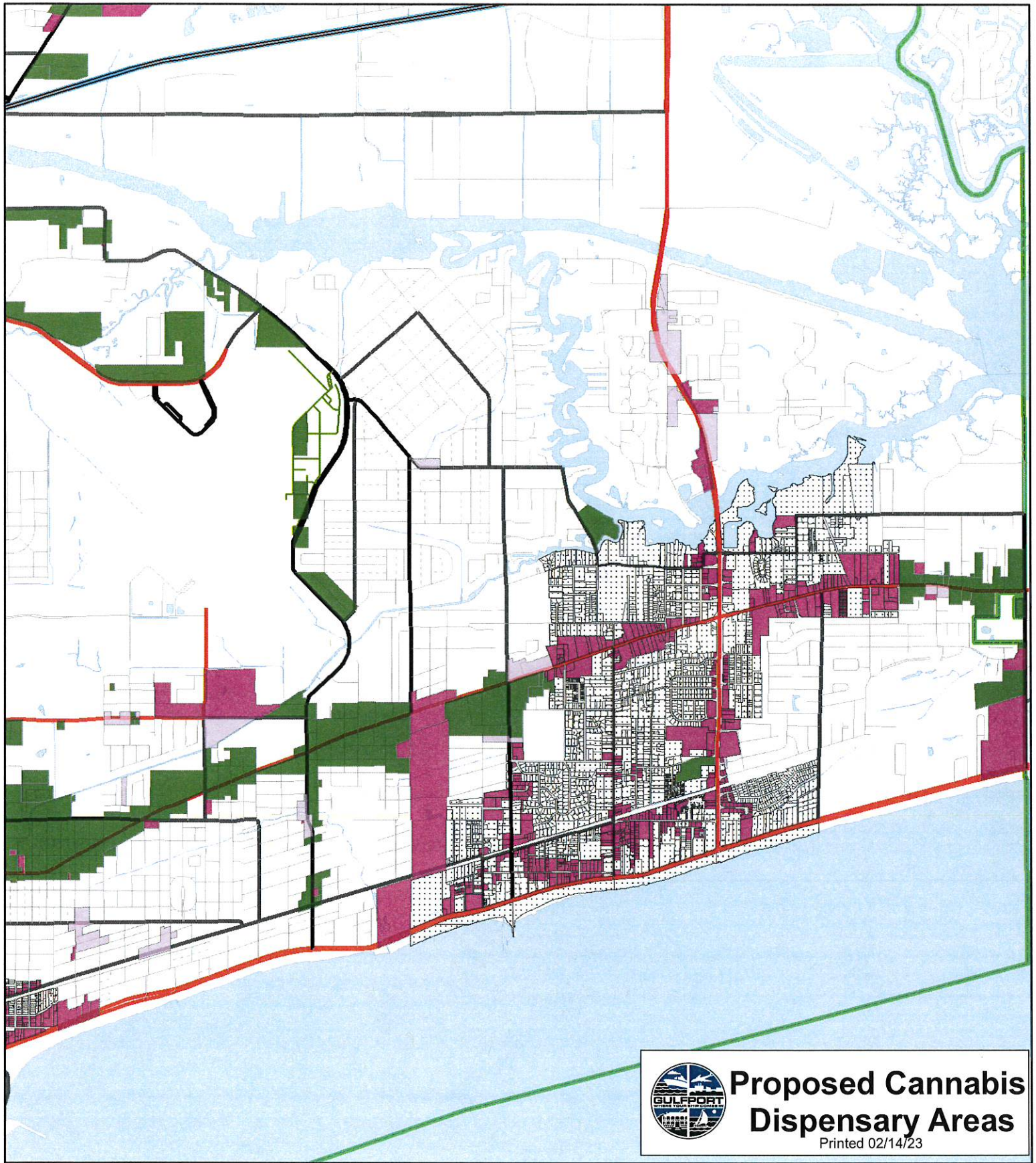
Printed 02/14/23



1 inch = 2,083 feet

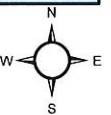
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Proposed Cannabis Dispensary Areas

Printed 02/14/23



1 inch = 3,333 feet

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CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: 2302PC016Date Received: 1-4-2023

Receipt #: _____

Received By: DLBZoning: T4+Ward: 2 Flood: X

GENERAL DESCRIPTION OF REQUEST: (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

AMEND ORDINANCE 3130 TO ALLOW RETAIL
AND WHOLESALE TRADE OF MEDICAL
CANNABIS IN T4+ ZONE BY PERMISSION.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

RONALD DAVID BROWN

Printed Name Of Owner

4200 BURGUNDY ST.

Mailing Address

NEW ORLEANS, LA 70117

City

State

Zip code

(504) 250-1998 (601) 228-1434

Home Phone

Work/Cell Phone

david@consulting@gmail.com

Email

Signature Of Owner

AGENT

DAVID P. SULLIVAN, ESQ.

Printed Name Of Agent

P.O. Box 777

Mailing Address

GULFPORT, MS 39502

City

State

Zip code

(228) 547-3533

Home Phone

Work/Cell Phone

david@davidpsullivanlaw.com

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) LEAH SIMON

ADDRESS (STREET, CITY, STATE, ZIP CODE) 4206 BURGUNDY ST., NEW ORLEANS, LA 70117

PHONE # (H) (310) 600-5324 (W) (310) 600-5324

TAX PARCEL NUMBER(S) OWNED 0811L-04-122.000

SIGNATURE: Leah Simon

NAME OF OWNER (PRINT) NICHOLAS SHAY

ADDRESS (STREET, CITY, STATE, ZIP CODE) 337 BROOKLYN AVE, NEW ORLEANS, LA 70114

PHONE # (H) (504) 909-8801 (W) (504) 909-8801

TAX PARCEL NUMBER(S) OWNED 0811L-04-122.000

SIGNATURE: [Signature]

NAME OF OWNER (PRINT) CARLOS GAUTREAUX

ADDRESS (STREET, CITY, STATE, ZIP CODE) 3606 LA SALLE, SAN ANTONIO, TX 78218

PHONE # (H) (210) 249-8001 (W) (210) 249-8001

TAX PARCEL NUMBER(S) OWNED 0811L-04-122.000

SIGNATURE: Carlos Gauteaux

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES

PERSON/AGENT FOR YOU: DAVID P. SULLIVAN [Signature]

The Law Offices of
DAVID P. SULLIVAN

A Professional Limited Liability Company

The Toggery Building
2501 14th Street, Suite 212
Gulfport, MS 39501

Mailing Address:
Post Office Box 777
Gulfport, MS 39502

Telephone: (228) 547-3533
Facsimile: (228) 233-3329
Email: david@davidpsullivanlaw.com
Web: davidpsullivanlaw.com

AUTHORITY TO ACT AS AGENT

Southern Roots Therapeutics of Mississippi d/b/a Roots Remedy (SRT-MS) hereby authorizes David P. Sullivan, Esq. and the Law Offices of David P. Sullivan, PLLC, to represent them and act as Agent in connection with all specifically matters pertaining to SRT-MS's Zoning Text Amendment before the City of Gulfport, Gulfport Planning Commission and Gulfport City Council.

This agreement is executed by me, the undersigned client, on this 3rd day of January, 2023.



R. David Brown, MNS, JD
Southern Roots Therapeutics of MS
d/b/a Roots Remedy

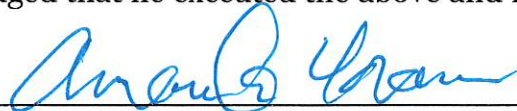
This agreement is hereby accepted on this 3rd day of January, 2023.



David P. Sullivan, Esq.

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 3rd day of January, 2023 within my jurisdiction, the within named R. DAVID BROWN who acknowledged that he executed the above and foregoing Authority to Act as Agent.



Notary Public

My Commission Expires:



Tax parcel #0811L-04-122.000
Lots 1 - 7, Block 194
Original Gulfport
Parcel one & Parcel two
1301 31st venue, Gulfport, MS 39501

GENERAL DESCRIPTION OF REQUEST:

Ordinance 3130: Amend Ordinance 3130 to allow retail and wholesale trade of medical *Cannabis* in T4+ zones by Permission.

Section 1: Medical Cannabis Establishment definition - Regarding the last sentence of this definition beginning, "The symbol plus-minus (" ± ")..." and ending "...constituting a medical cannabis establishment", we seek to remove T4+ from the existing definition and thereby allow a medical *Cannabis* dispensary to locate in T4+ zones by (P)ermission rather than by (R)ight.

Section 3: Within the Chart of Permitted Uses at "Retail Wholesale Trade - We seek to remove T4+ zones from the penumbra of properties otherwise captured by the legend entry stating, "± = T zones removed (see definitions)".

Section F. Reason for Text Amendment Request

3. Increase in need for sites

Increased needs for business sites, in addition to sites that are available, make it necessary and desirable to reclassify an area or to extend the boundaries of an existing district. As owners of a property that we purchased during a time when both municipal guidance was lacking or nonexistent in Gulfport and properties that would even comply with the stringent state requirements of SB 2095 or the Mississippi Medical Cannabis Act and its 1,000 foot setback restrictions, we had extremely few options. Based on information available at the time, we purchased a building that met state requirements and which also allowed for a vast array of commercial applications including that which most closely paralleled the business for which we intended to lease our property. Since apothecaries are permissible by right in T4+ zones, it was within this zone that we took the most comfort in believing we had chosen the correct property to own and then lease as a medical *Cannabis* dispensary. Further, the property at 1301 31st Avenue is situated squarely within an existing medical hub.

There are simply too few locations available to serve the patients of Gulfport that also comport with existing restrictions memorialized in Ordinance 3130. Noteworthy is the Gulfport City Attorney's comment of May 3, 2022 that, "You can have 500 dispensaries in the City of Gulfport...It could be as many as fits in the City under the zoning restrictions if they're adopted by the Council. So there's no restrictions on the number of businesses." While that may be true in the most general sense, it is not a practical reality observed by businessmen and women seeking to comply with the rigorous restrictions of controlling state law and do business in the state within the medical *Cannabis* space. In fact, earlier that same day during deliberations by the Council, Mr. Bruni stated on the record, "[W]e can always come back and amend this regulation at a later time" and based on the need of the both the business community and the patients of our City, this is

exactly what we seek to do. We are trying to amend the hastily adopted regulations on medical *Cannabis* in the most carefully tailored and surgically careful way possible so as to preserve the character of our City without inconveniencing our most needy citizens.

We believe that removing T4+ zones from the prohibitions of Ordinance 3130 will accomplish both the sound policy goal of making this new medicine accessible to our people and also bring our local law into parity with controlling state law. While it is true that under the state's Medical *Cannabis* Act (MCA) municipalities are free to enact reasonable time, place, and manner restrictions on medical *Cannabis* establishments, the text of the Act and, in fact, a state Attorney General's subsequent opinion interpreting these provisions has held that any such ordinances "[C]annot have the purpose or effect of prohibiting or making impracticable the operation of such establishments within the City." Attorney General Fitch went on to state in her formal opinion on this subject that a, "[M]unicipality's 'limited regulatory power' under the MCA allows the city to designate specific types of commercial zones or zones in which commercial use is otherwise authorized or not prohibited, as long as doing so does not have the purpose or effect of prohibiting or making impracticable the operation of such establishments within the city." *Source: Attorney General Lynn Fitch's formal opinion of April 15, 2022.* As it stands, the controlling ordinance in Gulfport does have the purpose or effect of, at the very least, making impractical the operation of a medical *Cannabis* dispensary within its city limits.

G. Written statements requesting an amendment to the Comprehensive Zoning Ordinance of SmartCode Ordinance:

1. Interest

Applicant Name: Ronald David Brown

Address: 4200 Burgundy St., New Orleans, LA 70117

Corporation Represented: on behalf of SRT Holdings, LLC, 301 Main Street, Suite 2200, Baton Rouge, Louisiana 70825

Interest: SRT Holdings, LLC seeks to lease to Southern Roots Therapeutics of Mississippi, Inc. the property at 1301 31st venue, Gulfport, MS 39501 to operate as a licensed Medical Cannabis Dispensary currently located within a T4+ zone and as part of an existing medical services hub (the company in question is currently as state licensed entity in good standing and approved to operate a medical *Cannabis* dispensary at this location)

2. Condition for Change

#3: Increase in need for sites and in response to a historical change in the character of this downtown commercial property

3. Development Schedule

Building renovations have been delayed for months now due to efforts before the Gulfport Planning Commission and City Council, but assuming successful completion of this application and amendment, build-out is expected to require 2 to 3 months; expected business opening date is either at the end of Q2 or beginning of Q3 in 2023.

4. Effects of Amendment

Nature of proposed amendment:

This amendment brings the City of Gulfport into alignment with Mississippi Senate Bill 2095 or the MS Medical Cannabis Act. Section 19: Local Ordinances, which restrict municipalities from making dispensary operation "impracticable."

"(2) No municipality or county may prohibit dispensaries either expressly or through the enactment of ordinances or regulations that make their operation impracticable in the jurisdiction."

Description of proposed amendment:

By allowing Medical Cannabis Dispensaries to operate in the same zones as Apothecaries (limited in this instance to T4+), the City of Gulfport is sufficiently limiting the location to appropriate retail and wholesale trade zones and if by (P)ermission only, as requested, within an existing medical corridor. This classification of permitted uses is reasonable given that a Medical Cannabis Dispensary, per SB 2095, is essentially an Apothecary given that it is only allowed to sell medicine and medical supplies to eligible patients who have received recommendations from a qualifying physician.

Effect of proposed amendment:

By allowing Medical Cannabis Dispensaries to operate in T4+ zones, as Apothecaries do, the City of Gulfport will remain consistent with the stated intention of the Comprehensive Zoning and SmartCode Ordinances, "to carry out the object of sound, stable and desirable environment." Medical Cannabis Dispensaries licensed by the state Department of Revenue will undergo extensive ongoing operational scrutiny and compliance requirements. They will specifically serve patients who have received recommendations from their own qualifying physicians to purchase pharmaceutical grade state legal *Cannabis* medicine.

This proposed amendment will serve the citizens of Gulfport by bringing investment and additional tax revenue to the area, it will honor the 82.7% of Harrison County voters who supported the implementation of a medical Cannabis program in our state, and it will support effective and compassionate treatments for patients who are suffering from debilitating medical conditions.

LEGEND

FOUND PROPERTY CORNER (AS NOTED)	○
SET 3/4" IRON ROD (UNLESS NOTED OTHERWISE)	●
EXISTING POWER POLE	⊗
EXISTING GUY ANCHOR	—
EXISTING ELECTRIC PEDESTAL	⊠
EXISTING AIR CONDITIONER	⊠
EXISTING GAS METER	⊠
EXISTING TELEPHONE PEDESTAL	⊠
EXISTING CHAM LINK LINE	—
EXISTING SEWER CLEANOUT	○
EXISTING AREA INLET CATCH BASIN	⊠
EXISTING WATER VALVE	⊠
EXISTING DRAINAGE MANHOLE	⊠
EXISTING SUBSURFACE DRAINAGE	=====



SCALE: 1" = 30'
SCALE IN FEET



PLAT SHOWING RESUBDIVISION SURVEY OF LOTS 1-7, BLOCK 194 ORIGINAL GULFPORT

INTO

PARCEL ONE & PARCEL TWO
(PLAT BOOK 11, PAGE 9)
#1301 31ST AVENUE
TAX PARCEL #0811L-04-122.000
CITY OF GULFPORT,
FIRST JUDICIAL DISTRICT OF
HARRISON COUNTY, MISSISSIPPI

1st JUDICIAL DISTRICT
Instrument 2022-0029705-D-11
Filed/Recorded 12/14/2022 11:51:01 AM
Total Fees \$6.00
4 pages Recorded



CERTIFICATION:

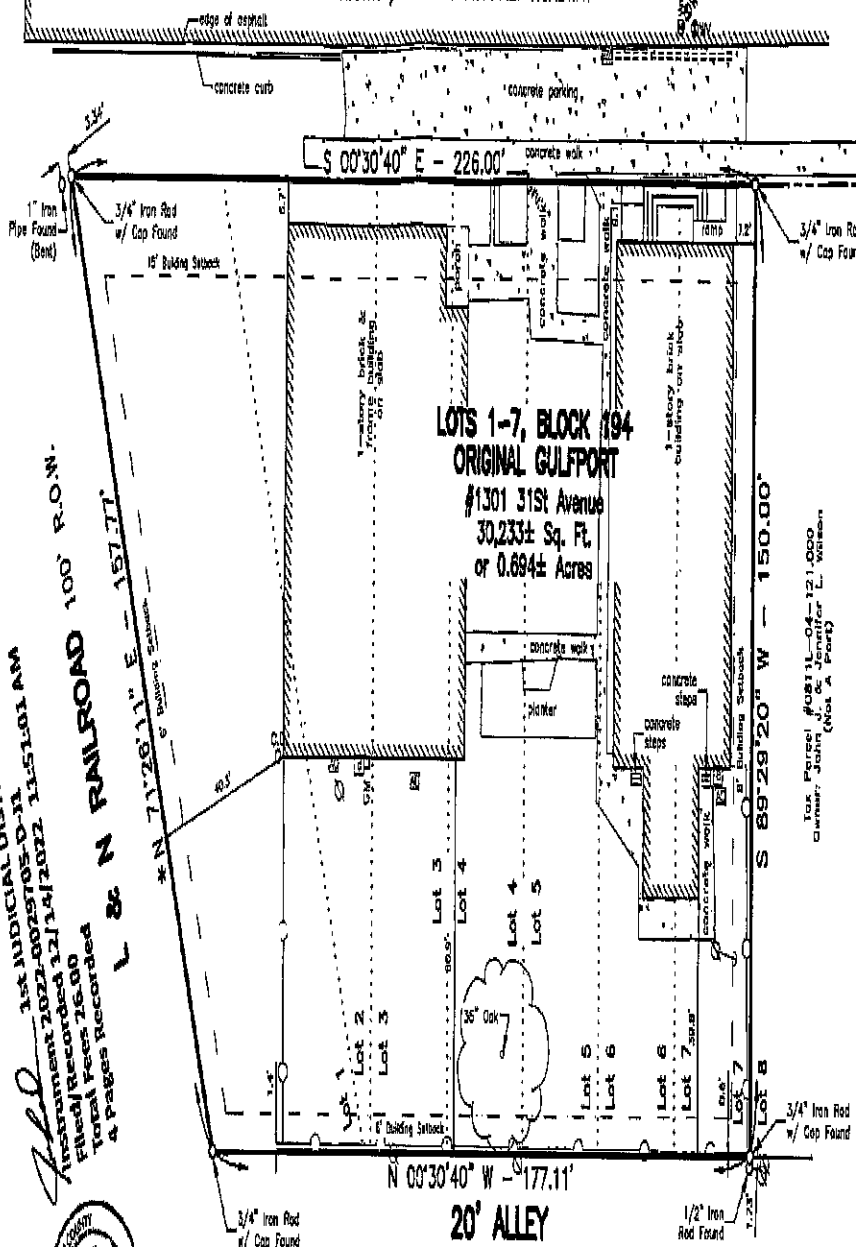
This is to certify to SRT Holdings, LLC that this survey was done by me or under my direct supervision and control, that the survey was done on the ground and was done in accordance with the 1995 Recent Minimum Standards of Practice for Land Surveyors as set forth by the State of Mississippi, Board of Licensure for Professional Engineers and Surveyors and that the accuracy specification and positional tolerances are in accordance with Class "C" surveys indicated in the above standards. I also certify there are no visible encroachments across any property lines except as shown.

Wayne M. Vico, Jr., P.S.

This survey plat is not valid without the raised or colored seal and signature of the Registered Land Surveyor.

31ST AVENUE

80' R.O.W. / PUBLIC ASPHALT ROADWAY



Tax Parcel #0811L-04-122.000
Owner: John J. & Jennifer L. Wilson
(Not A Part)

NOTES:

- No attempt has been made by Cassidy-Acadia Land Surveying, LLC, to verify title, actual legal ownership, deed restrictions, servitudes, easements, covenants, right-of-ways or other burdens on the property, other than that furnished by the client or his representative. There is no representation that all applicable servitudes and restrictions are shown hereon. The surveyor has made no title search or public record search in compiling the data for this survey.
- The words "Certify," "Certifies" or "Certification" as used herein is understood to be an expression of professional opinion by the surveyor, based upon his best knowledge, information, and belief, as such, it does not constitute a guarantee nor a warranty, expressed or implied.
- Reference Maps:
A.) Boundary and Topographic Survey of Lots 1-7, Block 194, ORIGINAL GULFPORT by Michael P. Blanchard, dated March 25, 2021.
- The bearings shown hereon are based on the Mississippi State Plane Coordinate System - East Zone - NAD 83 using GPS G300-RTN System accessed on July 13, 2022.
(*) Represents the Basis of Bearings. Distances shown are U.S. Survey feet.
- This lot is located in Flood Zone "AE(14)" Area c/per FEMA Map Community Panel Number 28047002660 for Harrison County, Mississippi dated December 21, 2017. Base Flood Elevation is subject to change and should be verified with the local authority's Flood Plain Administrator before any design or construction.
- Water and sewer services provided to subject property by City of Gulfport Public Works.

SHEET 1 OF 4



CASSADY-ACADIA

LAND SURVEYING, LLC Since 1947

Louisiana • Mississippi • Texas • Alabama
1714 22nd Avenue, Gulfport, Mississippi 39501
Phone • (228)866-7165 Fax • (228)866-8405
Email • Survey@cassidy-acadia.com

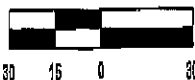
FIELD WORK COMPLETED ON: July 28, 2022

LEGEND

- FOUND PROPERTY CORNER (AS NOTED) ○
- SET 3/4" IRON ROD (UNLESS NOTED OTHERWISE) ●
- EXISTING POWER POLE ○
- EXISTING GUY ANCHOR →
- EXISTING ELECTRIC PEDESTAL □
- EXISTING AIR CONDITIONER □
- EXISTING GAS METER □
- EXISTING TELEPHONE PEDESTAL □
- EXISTING CHAIN LINK FENCE ○—○
- EXISTING SEWER CLEANOUT ○
- EXISTING AREA INLET CATCH BASIN □
- EXISTING WATER VALVE ○
- EXISTING DRAINAGE MANHOLE ○
- EXISTING SUBSURFACE DRAINAGE ————

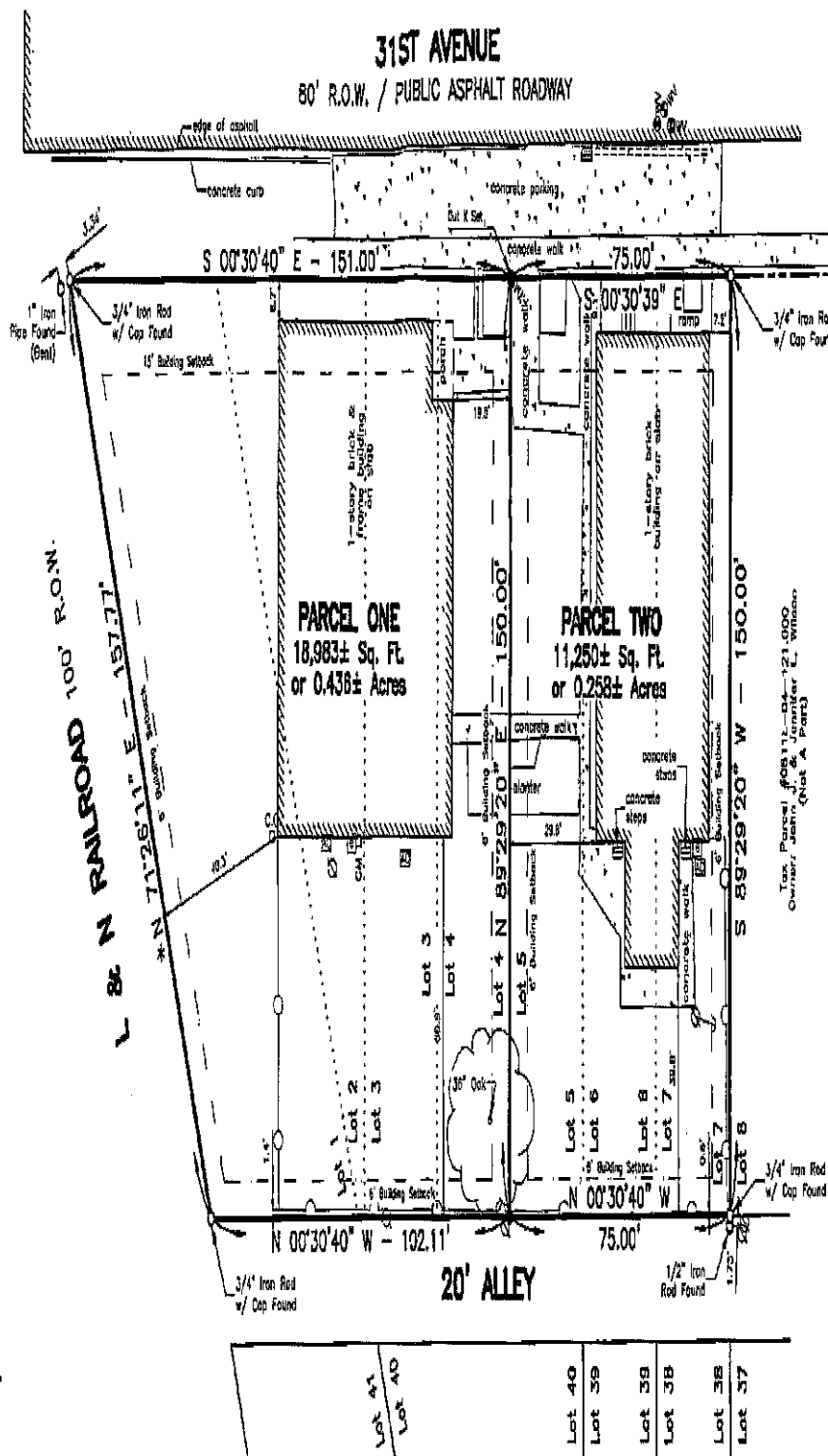


SCALE: 1" = 30'
SCALE IN FEET



PLAT SHOWING RESUBDIVISION SURVEY OF LOTS 1-7, BLOCK 194 ORIGINAL GULFPORT INTO

PARCEL ONE & PARCEL TWO
(PLAT BOOK 11, PAGE 9)
#1301 31ST AVENUE
TAX PARCEL #0811L-04-122.000
CITY OF GULFPORT,
FIRST JUDICIAL DISTRICT OF
HARRISON COUNTY, MISSISSIPPI



NOTES:

1. No attempt has been made by Cassidy-Acadia Land Surveying, LLC to verify title, actual legal ownership, deed restrictions, servitudes, easements, alleys, right-of-ways or other burdens on the property, other than that furnished by the client or his representative. There is no representation that all applicable servitudes and restrictions are shown hereon. The surveyor has made no title search or public record search in compiling the data for this survey.
2. The words "Certify," "Certifies" or "Certification" as used herein is understood to be an expression of professional opinion by the surveyor, based upon his best knowledge, information, and belief, as such, it does not constitute a guarantee nor a warranty, expressed or implied.
3. Reference Maps:
A.) Boundary and Topographic Survey of Lots 1-7, Block 194, ORIGINAL GULFPORT by Michael P. Blanchard, dated March 25, 2021.
4. The bearings shown hereon are based on the Mississippi State Plane Coordinate System - East Zone - NAD 83 using GCS-RTN System accessed on July 13, 2022.
(*) Represents the Basis of Bearings. Distances shown are U.S. Survey feet.
5. This lot is located in Flood Zone "AE(14)" Area of/par FEMA Map Community Panel Number 28047C02660 for Harrison County, Mississippi dated December 21, 2017. Base Flood Elevation is subject to change and should be verified with the local authority's Flood Plain Administrator before any design or construction.
6. Water and sewer services provided to subject property by City of Gulfport Public Works.

CERTIFICATION:

This is to certify to SRT Holdings, LLC that this survey was done by me or under my direct supervision and control, that the survey was done on the ground and was done in accordance with the most recent Minimum Standards of Practice for Land Surveyors as set forth by the State of Mississippi, Board of Examiners for Professional Engineers and Surveyors and that the accuracy specification and positional tolerances are in accordance with Class "B" surveys indicated in the above standards. I also certify there are no visible encroachments across any property lines except as shown.

Wayne M. Vice, Jr., PS
Wayne M. Vice, Jr., PS

This survey plat is not valid without the raised or colored seal and signature of the Registered Land Surveyor.

Reg. No. 32711

SHEET 2 OF 4

CASSADY-ACADIA
LAND SURVEYING, LLC Since 1947
Louisiana • Mississippi • Texas • Alabama
1714 22nd Avenue, Gulfport, Mississippi 39501
Phone • (228)898-7155 Fax • (228)898-8405
Email • Survey@Cassady-Acadia.com

FIELD WORK COMPLETED ON: July 28, 2022

CERTIFICATE OF RESUBDIVISION

In accordance with Section 9-4B of the Code of Ordinances (Subdivision Regulations) of the City of Gulfport as amended, it is hereby certified that the Gulfport City Planning Commission Chairman and Gulfport City Council have reviewed and approved this Final Plat for the Resubdivision of "Lots 1-7", into Two New Parcels (Parcel One & Parcel Two). The subject property is generally described as being located south of 31st Avenue. The ad valorem tax parcel number of the subject property is 0811L-04-122.000, (Instrument No. 2020-0013657-D-J1). The Case File Number is 22.09 PC.172.

LEGAL DESCRIPTION OF LAND PRIOR TO THIS RESUBDIVISION (PER DEED):

TAX PARCEL #0811L-04-122.000

INSTRUMENT NO. 2020-0013657-D-J1:

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), and Seven (7) in Block 194, ORIGINAL GULFPORT, less any portion thereof lying in the public right-of-way, as per the official map of plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, reference to which is hereby made in aid of and as a part of this description.

LEGAL DESCRIPTIONS OF THE PARCELS CREATED BY THIS RESUBDIVISION:

LEGAL DESCRIPTION OF PARCEL ONE: AS PER SURVEY

Lots One (1), Two (2), Three (3), and Four (4) in Block 194, ORIGINAL GULFPORT, less any portion thereof lying in the public right-of-way, as per the official map of plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, reference to which is hereby made in aid of and as a part of this description.

LEGAL DESCRIPTION OF PARCEL ONE: AS PER SURVEY

Lots Five (5), Six (6), and Seven (7) in Block 194, ORIGINAL GULFPORT, less any portion thereof lying in the public right-of-way, as per the official map of plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, reference to which is hereby made in aid of and as a part of this description.

PLAT SHOWING RESUBDIVISION SURVEY

OF

LOTS 1-7, BLOCK 194

ORIGINAL GULFPORT

INTO

PARCEL ONE & PARCEL TWO

(PLAT BOOK 11, PAGE 9)

#1301 31ST AVENUE

TAX PARCEL #0811L-04-122.000

CITY OF GULFPORT,

FIRST JUDICIAL DISTRICT OF

HARRISON COUNTY, MISSISSIPPI

SHEET 3 OF 4



CASSADY-ACADIA

LAND SURVEYING, LLC Since 1984

Louisiana • Mississippi • Texas • Alabama

1714 22nd Avenue, Gulfport, Mississippi 39501

Phone • (228)896-7155 Fax • (228)896-8405

Email • Survey@cassady-acadia.com

FIELD WORK COMPLETED ON: July 28, 2022

The applicant hereby covenants and agrees to indemnify and hold harmless the City of Gulfport, its agents, servants, and/or employees against any and all claims, demands, or causes of action of whatever nature which may arise as a result of the action of the Planning Commission, its agents, and/or employees concerning the petition for resubdivision of the real property described herein.

Ratified and Approved by:

[Signature]
(Signature)

By: Carlos Gautreaux, SRT Holdings, LLC

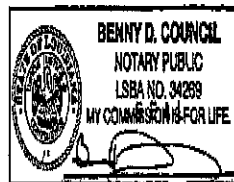
This 1st day of Sept, 2022.

ACKNOWLEDGE

Before me, the undersigned, personally appeared the aforementioned Carlos Gautreaux, who acknowledged that he is the Owner and he accepted this plat and executed the foregoing certificate and dedication for the purpose therein set forth.

[Signature]
NOTARY PUBLIC

My Commission Expires: LKZ



PLANNING COMMISSION

Submitted to and approved by the Gulfport City Planning Commission on the 22nd day of September, 2022.

[Signature]
Gulfport City Planning Commission
Keith Williams

[Signature]
Planning Division Administrator
Gregory Holmes

APPROVAL

Submitted to and approved by the City of Gulfport, City Council, at the regular meeting of said Council held on the 8th day of November, 2022.

ATTEST:

[Signature]
CLERK OF COUNCIL
Brittany Rodgers

ADOPT:

[Signature]
PRESIDENT OF COUNCIL
F. B. "Rusty" Walker, IV

This resubdivision plat and Certificate of Resubdivision, having been submitted and approved by the Mayor, this 9th day of November, 2022.

[Signature]
BILLY FEWES, MAYOR



PLAT SHOWING
RESUBDIVISION SURVEY
OF
LOTS 1-7, BLOCK 194
ORIGINAL GULFPORT
INTO
PARCEL ONE & PARCEL TWO
(PLAT BOOK 11, PAGE 9)
#1301 31ST AVENUE
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CITY OF GULFPORT,
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SHEET 4 OF 4

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1st JUDICIAL DISTRICT
INSTRUMENT 2022-0014935-D-J1
FILED/RECORDED 6/17/2022 8:19:01 AM
TOTAL FEES \$26.00
4 PAGES RECORDED

PREPARED BY AND RETURN TO:
Brad D. Wilkinson Esq. (MS Bar # 10285)
511 Keywood Circle, Flowood, MS 39232
Phone 601-355-0005
File # 2022-1938

INDEX: LOTS 1 - 7 BLOCK 194
ORIGINAL GULFPORT
HARRISON COUNTY, MS 1ST J.D.

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN and NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned

GRANTOR
THE VESTRY, LLC
1301 31st Avenue, Gulfport, MS 39501
Ph. 228-239-0115

DOES HEREBY GRANT, BARGAIN, SELL, CONVEY AND WARRANT SPECIALLY TO

GRANTEE
SRT HOLDINGS, LLC
301 Main Street, Suite 2200, Baton Rouge, LA 70825
Phone No.: (225) 224-6845

all of their right, title and interest in and to the following described land and property situated in Harrison County, State of Mississippi, to-wit:

SEE ATTACHED EXHIBIT A

Subject to easements, restrictions, covenants, agreements, and mineral exceptions, if any, of record.

It is understood and agreed that taxes for the current year have been prorated as of this date on an estimated basis and when said taxes are actually determined, if the proration is incorrect, then the Grantor agrees to pay to the Grantee any deficit on an actual proration and, likewise, the Grantee agrees to pay to the Grantor any amount overpaid by it.

WITNESS THE SIGNATURE OF THE GRANTOR, this 8th day of June, 2022.

GRANTOR: THE VESTRY, LLC
a Mississippi limited liability company

By: John Jason Wilson Member
John Jason Wilson, Member

STATE OF Nevada

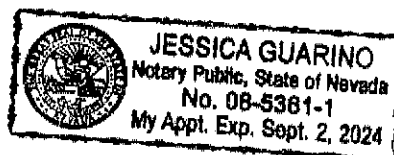
COUNTY OF CLARK

Personally appeared before me, the undersigned authority in and for the said county and state, on this 8th day of June, 2022, within my jurisdiction, the within named John Jason Wilson, Member, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he executed the same in his representative capacity, and that by his signature on the instrument, and as the act and deed of the person or entity upon behalf of which he acted, executed the above and foregoing instrument, after first having been duly authorized so to do.

Jessica Guarino
NOTARY PUBLIC

My Commission Expires:

9/2/2024



WITNESS THE SIGNATURE OF THE GRANTOR, this 8th day of June, 2022.

GRANTOR: THE VESTRY, LLC
a Mississippi limited liability company

By: Jennifer L. Wilson, Manager Member
Jennifer L. Wilson, Manager Member

STATE OF Nevada

COUNTY OF Clark

Personally appeared before me, the undersigned authority in and for the said county and state, on this 8th day of June, 2022, within my jurisdiction, the within named Jennifer L. Wilson, Manager Member who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed in the above and foregoing instrument and acknowledged that he executed the same in his representative capacity, and that by his signature on the instrument, and as the act and deed of the person or entity upon behalf of which he acted, executed the above and foregoing instrument, after first having been duly authorized so to do.

Jessica Guarino
NOTARY PUBLIC

My Commission Expires:

9/2/2024

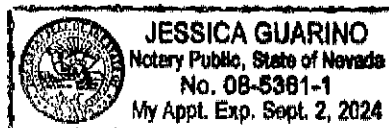


EXHIBIT "A"

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), AND SEVEN (7), IN BLOCK 194, ORIGINAL GULFPORT, LESS ANY PORTION THEREOF LYING IN THE PUBLIC RIGHT-OF-WAY, AS PER THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	378810	Print Legal Ad-IPL01082870 - IPL0108287		\$66.16	2	47 L

Attention: Matilda Welch

PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 PM., Thursday, February 23, 2023 In the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

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Planning Commission Approval 2302PC012, by agent Kristine Greb, tax parcel 0910B-01-046.000, Requests approval for a home occupation of a mobile provider for LED light facial treatments, 4800 Kendall Ave, Zoned R-1-7.5 (Single family district), Ward 4

Special Exception 2302SE015, by agents Twial & Terrance Johnson, tax parcel 0809K-01-001.019, Requests Special Exception for day care use, 9454 Three Rivers Rd, Zoned B-2 (General business), Ward 3

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

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Zoning Text Amendment 2302PC023, by the City of Gulfport, Amendments to the SmartCode Zoning Article 3, Section 3.1, to vacate the SmartCode Community Regulating Plans for Westside and Florence Gardens

This the 1st day of February, 2023
Keith Williams, - Chairman
City of Gulfport Planning Commission
IPL0108287
Feb 8 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/08/23

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

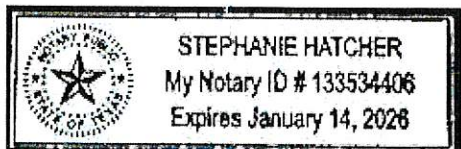
Stefani Beard

Sworn to and subscribed before me this 8th day of February in the year of 2023

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: Zoning Text Amendment 2302PC023:
Postponed to March Meeting:

Zoning Text Amendment 2302PC023, by the City of Gulfport, Amendments to the SmartCode Zoning Article 3, Section 3.1, to vacate the SmartCode Community Regulating Plans for Westside and Florence Gardens.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: **2302PC023**

Date Received: _____

Receipt #: _____

Received By: _____

Zoning: _____

Ward: _____ Flood: _____

GENERAL DESCRIPTION OF REQUEST: (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

Changes to the SmartCode Ordinance

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

City of Gulfport

Printed Name Of Owner

P.O. Box 1780

Mailing Address

Gulfport, MS 39501

City State Zip code

Home Phone Work/Cell Phone

Email

Signature Of Owner

Printed Name Of Agent

Mailing Address

City State Zip code

Home Phone Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

NAME OF OWNER (PRINT) _____

ADDRESS (STREET, CITY, STATE, ZIP CODE) _____

PHONE # (H) _____ (W) _____

TAX PARCEL NUMBER(S) OWNED _____

SIGNATURE: _____

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____

IMPORTANT NOTICE

1. Please be advised that failure to submit a complete application, with all supporting documents, could **delay your hearing date**. The Planning Commission will not consider a request until all information is submitted and accurate.
2. Please be advised that the application deadline dates posted are designed to allow the staff time to review the application and receive required comments from coordinating agencies. The application is not considered complete until all required information from the applicant is available for review by the staff and coordinating agencies.
3. Please see reverse of this sheet to determine the deadline dates for filing your application.

SUBMISSION REQUIREMENTS

- A. **Page one of this application, completed and signed.**
- B. **Proof of ownership** (Copy of deed or affidavit)
- C. If applicable, notarized proof of **authority to act as agent** for owner (board resolution, etc.)
- D. The City of Gulfport Planning Division Staff will notify, by letter, property owners adjacent to the requested action identified in this application using the Land Roll database from the County Tax Office. If you would like to have additional persons or property owners notified, please provide a list of **additional persons to be notified**.
- E. **Site Plan**: Showing proposed development (Optional).
- F. **Provide a written statement addressing the following reasons for your text amendment request:**

The Comprehensive Zoning and SmartCode Ordinances, including the zoning map, are based on comprehensive planning studies and are intended to carry out the object of sound, stable and desirable environment. It is recognized that casual amendment of the ordinance would be detrimental to the achievement of that objective, and it is therefore declared to be the public policy to amend this ordinance only when one or more of the following conditions prevail:

1. **Error** – there is manifest error in the ordinance.
2. **Change in Conditions**: - changed or changing conditions in a particular area, or in the city or metropolitan area generally, make an amendment to the ordinance necessary and desirable.

3. **Increase in need for sites** – increased or increasing needs for business or industrial sites, in addition to sites that are available, make it necessary and desirable to reclassify an area or to extend the boundaries of an existing district.
4. **Annexation** – it is necessary and desirable to classify territory hereafter annexed to the city to a district classification.
5. **Ordinance changes** – amendment of the ordinance not involving a change in classification of land necessary.
6. **Change in governmental property** – it is necessary to reclassify property as a result of acquisition or disposition of such property by the United States of America, the state of Mississippi or Harrison County.

G. The following items must be submitted when in a written statement you are requesting an amendment to the Comprehensive Zoning Ordinance or SmartCode Ordinance:

1. **Interest**: The applicant or applicants name(s), address(es) and interest of any individual(s), firm(s) or corporation(s) represented by the applicant(s) in the application.
2. **Condition for Change**: State which one or more condition(s) exists which warrants the change to the zoning amendment. The six conditions defined in the ordinance are above.
3. **Development Schedule**: A development schedule must also be submitted. This should show the time schedule for the beginning and completion of mall development planned by the applicant in the area. The successive stages and the development for each stages should be shown if applicable.
4. **Effects of Amendment**: Provide a report giving the nature, description, and effect of the proposed amendment.
5. **Error**: The error in this ordinance that would be corrected by the proposed amendment; if the intent is to correct an error.

H. Cash or check payable to the City of Gulfport in the amount of \$175.00.

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held the _____ day of _____, 2023.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL TEXT OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GULFPORT, MISSISSIPPI ADOPTED THE 29TH DAY OF JUNE, 1979, AS AMENDED, AND THE SMARTCODE ORDINANCE OF THE CITY OF GULFPORT ADOPTED THE 13TH DAY OF FEBRUARY, 2007 (ORDINANCE NO. 2522), AS AMENDED, APPENDIX D - SMARTCODE, ARTICLE 3. – NEW COMMUNITY SCALE PLANS, SECTION 3.1, TO VACATE THE SMARTCODE COMMUNITY REGULATING PLANS FOR WESTSIDE AND FLORENCE GARDENS.

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the text of the Comprehensive Zoning Ordinance, to add text amendments to the existing Comprehensive Zoning Ordinance. The case file number is 2302PC023.

In appendix D – Smartcode, Article 3. – New Community Scale Plans, 3.1 –General Instructions

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the Official text of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, as amended, be and the same is hereby amended to read as follows under appendix D – Smartcode, Article 3. – New Community Scale Plans, 3.1 – General Instructions, Specific to Westside and Florence Gardens

SECTION 2: For good cause being shown and the interest and welfare of the City of Gulfport, the citizens thereof require that the said Ordinance be in full force and effect immediately upon its passage should it pass unanimously and this ordinance shall be in full force and effect from and after its passage, but shall nevertheless be published and enrolled as provided by law.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by _____, seconded by _____ and was adopted by the following roll call votes, to-wit:

YEAS: ABSTENTIONS: ABSENCES: NAYS:

WHEREUPON the President declared the motion carried and the Ordinance adopted this the _____ day of _____, 2023.

(SEAL:)

ATTEST:

ADOPT:

CLERK OF THE COUNCIL

PRESIDENT

The above and foregoing Ordinance, having been submitted and approved by the Mayor, this
the _____ day of _____, _____.

BILLY HEWES, Mayor



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	378810	Print Legal Ad-IPL01082870 - IPL0108287		\$66.16	2	47 L

Attention: Matilda Welch

PO BOX 1780
GULFPORT, MS 39502

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IPL0108287
Feb 8 2023

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Stefani Beard, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

1 insertion(s) published on:
02/08/23

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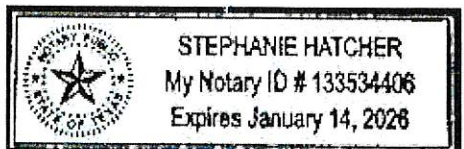
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Stephanie Hatcher

Notary Public

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Extra charge for lost or duplicate affidavits.
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MEMORANDUM

To: City of Gulfport Planning Commission

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: February 23, 2023

Re: **Zoning Text Amendment 2209PC171:**
Postponed to February Meeting:

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

Technical Report

ZONING TEXT AMENDMENT

GENERAL INFORMATION

Case File Number: 2209PC171

Hearing Date: Original – September 22, 2022
Remanded – December 15, 2022
Rehearing – January 26, 2023

Legal: Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

TECHNICAL DETAILS

The applicant requests to amend the text to the zoning ordinance to allow for the expansion of medical cannabis dispensaries into new zoning districts. Specifically, the applicant would like to add the B-1 and R-B zones. Further, the applicant would like to remove the Transect Zone limitation in the existing ordinance, thereby allowing the “hybrid” code areas access by the dispensaries.

Statistically, this change could open up an additional 3 square miles of potential locations for dispensaries within the city (see table provided). This would allow the use to be located within 18.7% of the city as opposed to the 13.8% currently allowed. Maps are attached to the report to assist in a more spatial view of the expansion.

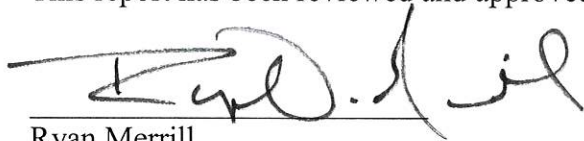
EXECUTIVE SUMMARY

Initial conversations about the new medical cannabis laws included taking a more conservative approach to these before allowing them throughout the city. As a dispensary has not yet opened in Gulfport, it is difficult to determine the affect this use will have on the surrounding properties under the current city and state guidelines.

Should there be bad results, changing the rules and then changing them back is problematic. The non-conforming rules are not quick when it comes eliminating uses that are causing distress.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Ryan Merrill
Director of Urban Development Department

Technical Report

ZONING TEXT AMENDMENT

GENERAL INFORMATION

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DIRECTOR APPROVAL

This report has been reviewed and approved by:

Ryan Merrill
Director of Urban Development Department



Technical Report

ZONING TEXT AMENDMENT

GENERAL INFORMATION

Case File Number: 2209PC171

Hearing Date: September 22, 2022

Legal: Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary

TECHNICAL DETAILS

The applicant requests to amend the text to the zoning ordinance to allow for the expansion of medical cannabis dispensaries into Zones. Specifically, the applicant would like to add the B-1 and R-B zones. Further, the applicant would like to remove the Transect Zone limitation in the existing ordinance, thereby allowing the “hybrid” code areas access by the dispensaries.

Statistically, this change could open up an additional 3 square miles of potential locations for dispensaries within the city (see table provided). This would allow the use to be located within 18.7% of the city as opposed to the 13.8% currently allowed. Maps are attached to the report to assist in a more spatial view of the expansion.

EXECUTIVE SUMMARY

Initial conversations about the new medical cannabis laws included taking a more conservative approach to these before allowing them throughout the city. As a dispensary has not yet opened in Gulfport, it is difficult to determine the affect this use will have on the surrounding properties under the current city and state guidelines.

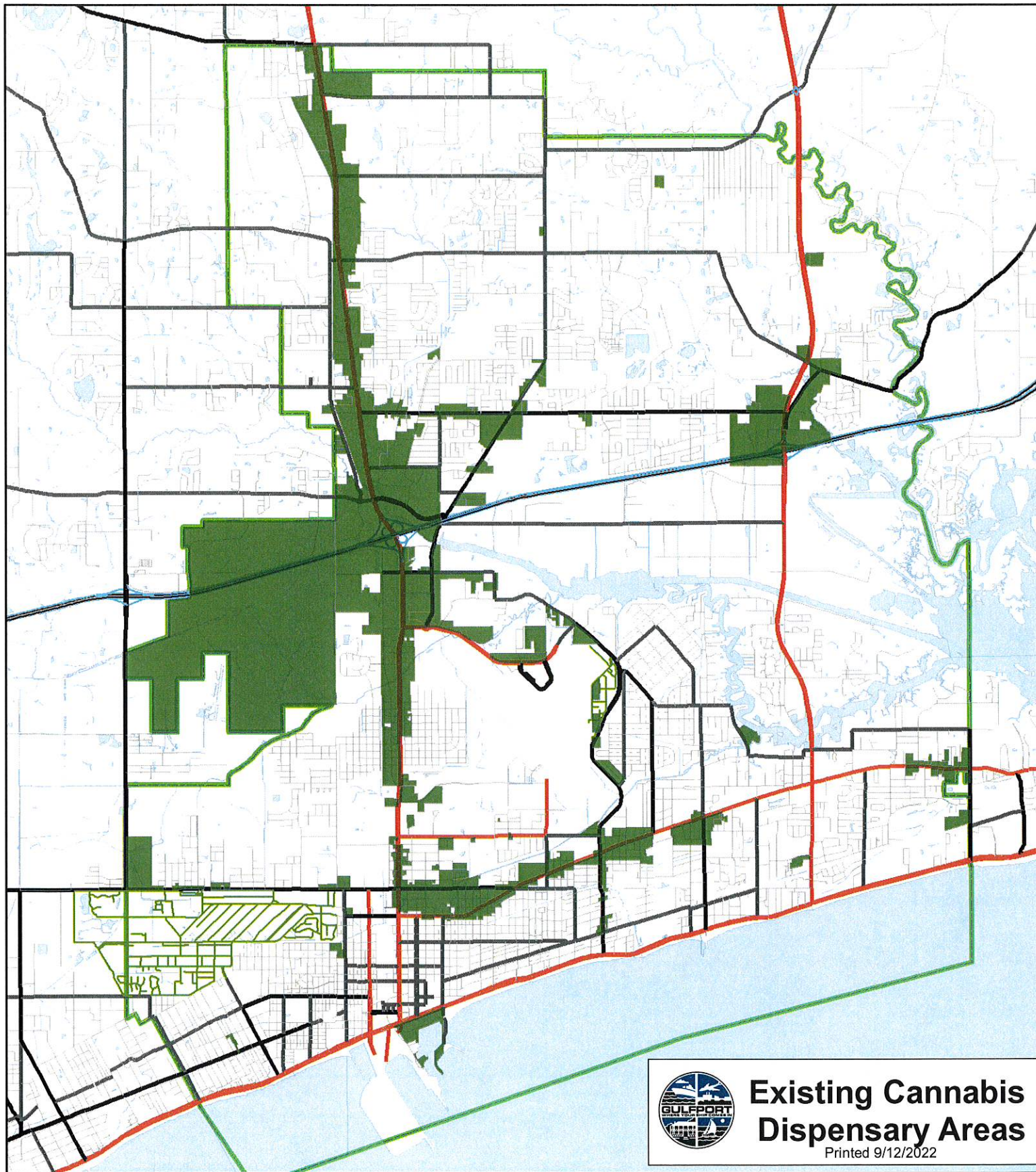
Should there be bad results, changing the rules and then changing them back is problematic. The non-conforming rules are not quick when it comes eliminating uses that are causing distress.

DIRECTOR APPROVAL

This report has been reviewed and approved by:

Greg Pietrangelo
Director of Urban Development Department

Existing Regulations		Proposed Regulations		SmartCode Community Impacts	
Zone	Acres Existing	Zone2	Acres Proposed	Zone5	Acres SmartCode
B-2	3689.8	B-2	3689.8	T4+	142.8
B-4	1751.2	B-4	1751.2	T5	1.6
		B-1	350.7	T6	0.0
		R-B	811.6		
		T4+	422.0		
		T5	205.2		
		T6	142.1		
Total Acres	5440.9		7372.5		144.4
Square Miles	8.5		11.5		0.2
City Square Miles	61.7		61.7		61.7
City Percentile	13.8		18.7		0.37

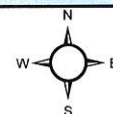


- Cannabis Areas**
- Existing
- Legend**
- Interstate Highway
 - Principal Arterial
 - Minor Arterial
 - Collector
 - Minor/Residential
 - Access Ramp
 - Military
 - Alley
 - Water Features



Existing Cannabis Dispensary Areas

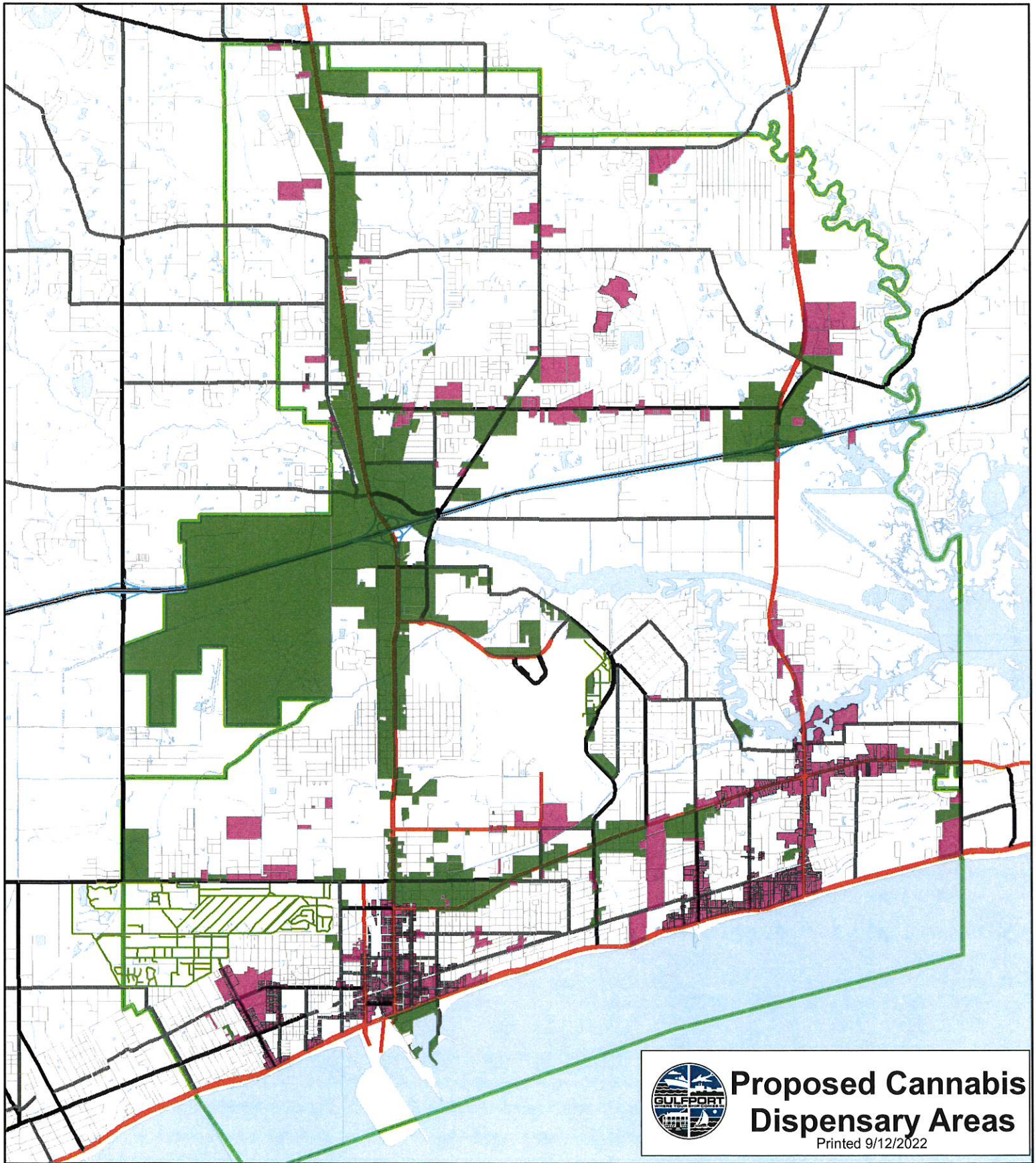
Printed 9/12/2022



1 inch = 6,500 feet

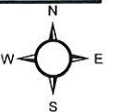
DATA DISCLAIMER:

All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness or adequacy of the information contained on this map are expressed or implied.



Proposed Cannabis Dispensary Areas

Printed 9/12/2022



1 inch = 6,500 feet

DATA DISCLAIMER:

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\$175.00



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR ZONING TEXT AMENDMENT

For Staff Use Only

Case File #: 2209PC171

Date Received: _____

Receipt #: _____

Received By: _____

Zoning: _____

Ward: _____ Flood: _____

GENERAL DESCRIPTION OF REQUEST: (If necessary, attach a separate sheet of paper detailing the purpose of the request.)

Ordinance 3130: Section 1, Medical Cannabis Establishment
definition - remove the sentence stating "The symbol
plus-minus"
Section 2, schedule of uses, Retail: Wholesale Trade - remove
legend entry stating "T zones removed (see definitions)."

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Lauren Lee Stuart Illing
Printed Name Of Owner

Printed Name Of Agent

2505 Greenview Dr.

Mailing Address

Mailing Address

Gulfport MS 39507

City State Zip code

City State Zip code

225-588-8783

Home Phone Work/Cell Phone

Home Phone Work/Cell Phone

laurenlee@luminoussolutions.org

Email

Email

[Signature]
Signature Of Owner

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH H. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

F. Reason for Text Amendment Request

3. Increase in need for sites

Increased needs for business sites, in addition to sites that are available, make it necessary and desirable to reclassify an area or to extend the boundaries of an existing district.

As a Gulfport resident planning to apply for licensure within the newly enacted state Medical Cannabis program, my team and I spent well over a year trying to find properties available for sale in Gulfport which met state requirements of being 1,000 feet from an active place of worship or school. There were very few properties that met this state eligibility requirement and only one that was also located in an existing medical hub. The zoning for that property (located at 1301 31st Ave, 39501) is T4+, which is allowed by right for use as an Apothecary per the City of Gulfport Chart of Permitted Uses.

G. Written statements requesting an amendment to the Comprehensive Zoning Ordinance or SmartCode Ordinance:

1. Interest

Applicant Name: Lauren Lee Illing

Address: 2505 Greenvue Drive, 39507

Corporation Represented: Chief Operating Officer, Southern Roots Therapeutics of Mississippi (SRT-MS)

Interest: SRT-MS would like to operate a licensed Medical Cannabis Dispensary at a property located within a T4+ zone, as part of an existing medical services hub.

2. Condition for Change

#3, increase in need for sites.

3. Development Schedule

Building renovations and build-out is expected to take 2-3 months to complete; expected business opening date (pending receipt of local Privilege License) is Q1 2023.

4. Effects of Amendment

Nature of proposed amendment:

*This amendment brings the City of Gulfport into alignment with Mississippi Senate Bill 2095. Section 19: Local Ordinances, which restricts municipalities from making dispensary operation **impracticable**.*

"(2) No municipality or county may prohibit dispensaries either expressly or through the enactment of ordinances or regulations that make their operation impracticable in the jurisdiction."

Description of proposed amendment:

By allowing Medical Cannabis Dispensaries to operate in the same zones as Apothecaries (R-B, T4+ B-1, T5 B-2, T6 B-3), the City of Gulfport is sufficiently limiting the location to appropriate retail and wholesale trade zones. This classification of permitted uses is reasonable given that a Medical Cannabis Dispensary, per SN2095, is essentially an Apothecary given that it is only allowed to sell medicine and medical supplies to eligible patients who have received recommendations from their physicians.

Effect of proposed amendment:

By allowing Medical Cannabis Dispensaries to operate in the same zoning as Apothecaries, the City of Gulfport will remain consistent with the stated intention of the Comprehensive Zoning and SmartCode Ordinances, "to carry out the object of sound, stable and desirable environment." Medical Cannabis Dispensaries licensed by the state Department of Revenue will undergo extensive operational scrutiny and compliance requirements. They will specifically serve patients who have received recommendations from their physicians to purchase pharmaceutical grade Cannabis medicine.

This proposed amendment will serve the citizens of Gulfport by bringing investment to the area, by honoring the will of the 82.7% of Harrison County voters who supported the implementation of a medical Cannabis program in the state of Mississippi, and by supporting effective and compassionate treatments for patients who are suffering with debilitating conditions.

There came on for consideration at a duly constituted meeting of the City Council and Mayor of the City of Gulfport held on the _____ day of _____, 2022, the following Ordinance:

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL TEXT OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GULFPORT, MISSISSIPPI ADOPTED THE 29TH DAY OF JUNE, 1979, SECTION I DEFINITIONS (B) WORDS AND PHRASES AND SECTION III DISTRICT REGULATIONS, (K) CHART OF PERMITTED USES, (2) SCHEDULE OF USES, MANUFACTURING, RETAIL AND WHOLESALE TRADE, SERVICES CATEGORIES.

WHEREAS, the Mayor and City Council of the City of Gulfport, Mississippi, find and do so determine, based upon the recommendation of the Gulfport City Planning Commission, that the Comprehensive Zoning Ordinance should be amended to add various definitions to the same and to allow additions and/or changes to certain uses in the Chart of Permitted Uses as they relate to particular zoning districts. The case file number is 2205PC085.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the Official text of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, as amended, be and the same is hereby amended to read as follows under Section I Definitions, (B) Words and Phrases, which adds the following definitions in the appropriate alphabetical location:

Sec. I. – Definitions.

(B) Words and phrases: Words and phrases used in this ordinance are defined as follows:

Cannabis cultivation facilities: means a business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

Cannabis disposal entity: means a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis. See definition of “medical cannabis establishment” for distance requirements and applicable zones.

Cannabis processing facility: means a business entity that is licensed and registered by the Mississippi Department of Health that:

- (a) Acquires or intends to acquire cannabis from a cannabis cultivation facility;
- (b) Possesses cannabis with the intent to manufacture a cannabis product;
- (c) Manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and
- (d) Sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.

See definition of “medical cannabis establishment” for distance requirements and applicable zones.

Cannabis research facility: means a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide

Medical cannabis establishment: means a cannabis cultivation facility, cannabis processing facility, cannabis testing facility, medical cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate agency. The main point of entry of a medical cannabis establishment shall not be located within one thousand (1,000) feet of the nearest property boundary line of any school, church or childcare facility. A medical cannabis establishment may receive a waiver to this distance restriction by receiving approval from the school, church or child care facility and by applying for a waiver with its respective licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility. No medical cannabis dispensary may be located within a one-thousand-five-hundred-feet (1,500) radius from the main point of entry of the dispensary to the main point of entry of another medical cannabis dispensary. The symbol plus-minus (“±”) used in the chart of permitted uses indicates the removal of all transect zones (T1, T2, T3, T4L, T+, T5, T6) from ~~any use constituting a medical cannabis establishment, except for a Retail and Wholesale Trade Use.~~

SECTION 2: That the official text of the Comprehensive Zoning Ordinance of the City of Gulfport, adopted the 29th day of June, 1979, be and the same is hereby amended to make the following additions and/or changes to certain uses in the Chart of Permitted Uses as they relate to particular zoning districts.

In Appendix A – Zoning – Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, MANUFACTURING – Cannabis Disposal Facility; and Cannabis Processing Facility should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = Not allowed ± = T zones removed (see definitions)																						
Names of Uses and Conditions	A — 1 , T 1 , T 2	R — E	R — U E	R — 1 — 1 5	R — 1 — 1 0	R — 1 — 7 · 5 , T 3	R — 1 — 5	R — 2	R — 3	R — 4	R — O , T 4 L	R — B , T 4 +	B — 1 , T 5	B — 2 , T 6	B — 4	E — G	I — 1	I — 2	I — 3	S B	W F	A E
MANUFACTURING																						
Cannabis Disposal	R ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	R	—	—	—

Entity; Cannabis Processing Facility (See definitions for distance requiremen ts)																				
Cannabis Disposal Entity; Cannabis Processing Facility (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requiremen ts)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—

In Appendix A – Zoning – Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, COMMUNICATION, TRANSPORTATION, AND UTILITIES – Cannabis Transportation Facility should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = Not allowed ± = T zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-U-E	R-1-1-5	R-1-1-0	R-1-7-5, T3	R-1-1-5	R-2	R-3	R-4	R-O, T4, L	R-B, T4, +	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
COMMUNICATION, TRANSPORTATION, AND UTILITIES																						
Cannabis Transportation Facility (See definitions for distance requirements)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	R	—	—	—
Cannabis Transportation Facility (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—

In Appendix A – Zoning, Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, RETAIL AND WHOLESALE TRADE – Medical Cannabis Dispensary, as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = Not allowed ± = T-zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-U-E	R-1-15	R-1-10	R-1-7.5, T3	R-1-5	R-2	R-3	R-4	R-O, T4L	R-B, T4+	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
RETAIL AND WHOLESALE TRADE																						
Medical Cannabis Dispensary (See definitions for distance requirements)	—	—	—	—	—	—	—	—	—	—	—	R	R	R±	R	—	—	—	—	—	—	
Medical Cannabis Dispensary (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)	—	—	—	—	—	—	—	—	—	—	—	R	R	P±	P	—	—	—	—	—	—	

In Appendix A – Zoning – Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, SERVICES – Cannabis Research Facility; and Cannabis Testing Facility should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = Not allowed ± = T zones removed (see definitions)																						
Names of Uses and Conditions	A-1, T1, T2	R-E	R-UE	R-1-15	R-1-10	R-1-7.5, T3	R-1-5	R-2	R-3	R-4	R-O, T4L	R-B, T4+	B-1, T5	B-2, T6	B-4	E-G	I-1	I-2	I-3	S-B	W-F	A-E
SERVICES																						
Cannabis Research Facilities; Cannabis Testing Facilities (See definitions for distance requirements)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	R	—	—	—
Cannabis Research Facilities; Cannabis Testing Facilities (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—

In Appendix A -- Zoning -- Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of uses, RESOURCES PRODUCTION OR EXTRACTION -- Cannabis Cultivation should be amended as follows:

* Need not be conducted entirely within a completely enclosed structure.																						
R = Allowed by Right P = Planning Commission approval X = Special exception — = Not allowed																						
Names of Uses and Conditions	A - 1, T 1, T 2	R - E	R - U E	R - 1 - 1 5	R - 1 - 1 0	R - 1 - 7 . 5, T 3	R - 1 - 5	R - 2	R - 3	R - 4	R - O, T 4 L	R - B, T 4 +	B - 1, T 5	B - 2, T 6	B - 4	E - G	I - 1	I - 2	I - 3	S B	W F	A E
RESOURCES PRODUCTION OR EXTRACTION																						
Cannabis Cultivation (See definitions for distance requirements)	R ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	R	R	—	—	—
Cannabis Cultivation (Within 500 feet of a Residential Use as shown in this chart. This will be measured property line to property line. See definitions for distance requirements)	P ±	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—

SECTION 3: With the specific finding made by the Governing Authority herein that the immediate effectiveness of this Ordinance is needed and necessary for the immediate and temporary preservation of the public peace, health and safety, most especially associated with the Mississippi Legislature's recent adoption of the "Mississippi Medical Cannabis Act" and the effect this has on the City and its inhabitants, this Ordinance shall be in full force and become effective immediately upon its passage by unanimous vote and enactment according to law and shall be spread on the minutes of the Gulfport City Council. For failure to be adopted unanimously as reflected by the votes registered herein, this Ordinance shall take effect thirty (30) days after the date of passage hereof.

SECTION 4. The Governing Authority further finds that the following shall serve as an explanatory statement of this Ordinance for purposes of publication: "This Ordinance amends Appendix A to the City's Code of Ordinances (the Zoning Ordinance) by adding various definitions associated with the Mississippi Medical Cannabis Act and amending the Zoning Ordinance's 'Chart of Permitted Uses' related thereto. A copy of the full text of this Ordinance is available to municipal residents upon request to the City Clerk." For the next thirty (30) days, a copy of the full text of this Ordinance shall be posted by the City Clerk: (a) in the first floor

lobby at City Hall (2309 15th Street, Gulfport, Mississippi 39501); (b) in the first floor lobby of the City's Hardy Building (1410 24th Avenue, Gulfport, Mississippi 39501); and (c) in the first floor lobby of the County Courthouse in Gulfport (1801 23rd Avenue, Gulfport, Mississippi 39501). The City Clerk shall further furnish any resident of the City a copy of the full text of this Ordinance upon request.

The above and foregoing Ordinance, after having been first reduced to writing, was introduced by _____, seconded by _____ and was adopted, by the following roll call votes, to wit:

YEAS: ABSTENTIONS: ABSENCES: NAYS:

WHEREUPON the President declared the motion carried and the Ordinance adopted this the _____ day of _____, 2022.

(SEAL:)

ATTEST:

ADOPTED:

CLERK OF THE COUNCIL

PRESIDENT

The above and foregoing Ordinance was submitted to and approved by the Mayor, this the _____ day of _____, 2022.

APPROVED:

MAYOR

PERMITS/INSP PAYMENT RECPT#: 11412474
CITY OF GULFPORT
GULFPORT MS 39501

DATE: 08/02/22 TIME: 17:16
CLERK: lbarefoot DEPT:
CUSTOMER#: 0

COMMENT:

CHG: PZD PLANNING AND ZO 175.00

AMOUNT PAID: 175.00

PAID BY: LAUREN L ILLING
PAYMENT METH: CHECK
REFERENCE: 2506

AMT TENDERED: 175.00
AMT APPLIED: 175.00
CHANGE: .00

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS

Order Number:
IPL0088455
Order Status:
Submitted
Classification:
Legals & Public Notices
Package:
BLX - Legal Ads
Final Cost:
59.04
Payment Type:
Account Billed
User ID:
IPL0024925

ACCOUNT INFORMATION

GULFPORT URBAN DEVELOPMENT IP
PO BOX 1780
GULFPORT, MS 39502
228-868-5705
AccountsPayable@gulfport-ms.gov
GULFPORT URBAN DEVELOPMENT

TRANSACTION REPORT

Date
September 1, 2022 10:59:14 AM EDT
Amount:
58.92
Date
September 1, 2022 11:00:32 AM EDT
Amount:
0.12

SCHEDULE FOR AD NUMBER IPL00884550

September 5, 2022
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL00884550**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, September 22, 2022 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Final Plat 2209PC160, by owners Necaise Land L.P. & Dennis Stieffel, tax parcels 08071-01-001.052 & 08071-01-001.053, Approval of Final Plat for 3-lot subdivision (The Hunington Phase 4), Three Rivers Rd, Zoned R-1-15, (Single-family), Ward 7

Planning Commission Approval 2209SE161, by agent Garlon Pamber-ton, tax parcel 1010H-02-030.000, Request automotive sales use, 2137 E. Pass Road, Zoned B-1 (Neighborhood Business), Ward 2

Resubdivision 2209PC162, by owner Michael Morken, Divide into two new parcels, tax parcel 0811E-03-043.000, 1723 31st Ave, Zoned T3 (Sub-Urban Zone), Ward 2

Zoning Map Amendment 2209PC166, by agent Donovan Scruggs, tax parcels 08091-01-020.000, 08091-01-021.000, Request to rezone property from B-2 (General Business) to I-2 (Heavy Industry districts), 9506 and 9524 Creosote Rd. Zoned B-2 (General Business), Ward 3

Planning Commission Approval 2209PC167, by owner Danyel Nichols, tax parcel 0710H-04-048.000, Requests a duplex use, Zoned R-1-5 (Single-family), Pear St & Hawthorn St, Ward 3

General Plan 2209PC168, by agent Heinrich and Associates, tax parcels 10090-02-002.015 & 10090-02-002.000, Approval of a General Plan for 10-Lot subdivision (Bayou Plantations Subdivision Phase 2), Bayou Plantation Ln, Zoned R-2 (Single-family), Ward 5

Planning Commission Approval 2209PC169, by owner Gregory Pittman, tax parcel 0810E-01-041.000, Requests mobile home use, 8250 Indlaria Ave, Zoned R-1-5 (Single-family), Ward 3

Planning Commission Approval 2209PC170, by agent Randy Kirby, tax parcel 0809N-03-006.002, Requests a medical cannabis dispensary use, 9113 Hwy 49, Zoned B-4 (Highway business), Ward 3

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses (Medical Cannabis Dispensary)

Resubdivision 2209PC172, by owners Nicholas Shay, Ronald David Brown, Leah Simon, & Carlos Gautreaux, tax parcel 0811L-04-122.000, Divide into two new parcels, 1301 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2
General Plan 2209PC173, by owner C&G Holdings, LLC, tax parcel 1010M-01-013.001, Requests approval for a 75-lot Zero Lot Line subdivision (Gulf Grove), Cowan Rd, Zoned T4+ (General Urban Zone "Plus") and T4L (General Urban Zone "Limited"), Ward 2

This the 1st day of September, 2022
Keith Williams, Chairman
City of Gulfport Planning Commission
IPL0088455
Sep 5 2022

[<< Click here to print a printer friendly version >>](#)

CITY OF GULFPORT PLANNING COMMISSION

2209PC171

TRANSCRIPT OF HEARING

September 22, 2022

TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT
PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS,
GULFPORT, MISSISSIPPI, ON THE 22ND DAY OF SEPTEMBER 2022
COMMENCING AT 4:30 P.M. AND REPORTED BY
NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

COMMISSION MEMBERS PRESENT:

VIRGINIA ADOLPH, Acting President
WILLIAM "PRINCE" JONES
VIRGINIA ADOLPH
B.J. SELLERS
CHARLIE HEWES
HAROLD SPANN
TIMOTHY DAIGLE, JR.
DOUG HANCOCK

NOT PRESENT:

KEITH WILLIAMS

STAFF PRESENT:

GREG PIETRANGELO
GREG HOLMES
SU-LIN FEATHERSTON
LESLIE ERVIN
CORY LONG
LORAIN HUGHES

1 9. Zoning Text Amendment 2209PC171

2 MR. LONG: Item Number 9, Zoning Text
3 Amendment 2209PC171, has been duly and timely noticed as
4 required by law. The applicant requests amendments to the
5 comprehensive zoning ordinance, as amended, Section I
6 Definitions (B) Words and Phrases Medical Cannabis
7 Establishment, and Section III District Regulations (K)
8 Chart of Permitted Uses (2) Schedule of Uses Medical
9 Cannabis Dispensary. A copy of the packet considered is
10 hereby offered to the record.

11 MS. ADOLPH: Since this is a zoning text
12 amendment, who will be speaking for this?

13 MS. ILLING: Good evening. My name is Lauren
14 Lee Illing. My address is 2505 Greenview Drive in Gulfport.

15 And I'm here as the chief operating officer
16 of Southern Roots Therapeutics of Mississippi. We were also
17 awarded a dispensary license from the State Department of
18 Revenue pending local permitting. And I'm here to request
19 commission support in amending the ordinance as implemented
20 due to insufficient site availability.

21 And I am distributing supplemental research
22 that updates that information.

23 Our team spent a year and a half searching
24 for properties suitable for use as a cannabis dispensary.
25 We were eagerly anticipating the state's application start

1 date. And under competitive pressure because the state does
2 not allow properties within 1500 feet, there can't be two
3 dispensaries.

4 So everyone was in a bit of a time crunch to
5 find real estate. And after a year and a half on the real
6 estate market in Gulfport searching for a property to
7 purchase, we found three that met state requirements
8 regarding a thousand feet from church or school.

9 We put in offers on all three of those. And
10 only one of those offers was accepted. And the property is
11 zoned appropriately to operate a medical facility, a
12 pharmacy, and we purchased the property with the expectation
13 that dispensaries would be treated like medical facilities
14 given that we have a license with the state and report to
15 the Department of Health and we can only make transactions
16 with eligible patients that have received a recommendation
17 from their doctor.

18 So at this time, I'm asking that the
19 ordinance be amended. And I have confirmed the real estate
20 search this week that indeed out of 31 commercial properties
21 available for purchase in Gulfport right now, less than half
22 of them meet the local requirements of being located in the
23 zone B-2 or B-4, and it's only 29 percent meet the state
24 requirements. And so when those two requirements are
25 stacked on top of each other, we have a single commercial

1 property available that's eligible to operate a dispensary,
2 and that particular property is not suitable for a
3 dispensary because, to quote the listing, it is great for
4 construction companies to house crew. It is a property with
5 a couple of shacks on it next to the airport. It's not
6 suitable for any retail purposes.

7 So I do believe that the site shortage
8 creates a real public need because patients are preparing to
9 have this medicine that they've waited a long time for, and
10 the state legislation passed in 2020, and now patients are
11 still waiting, and we want to be sure that patients have
12 access to safe and convenient locations to purchase their
13 medicine.

14 So we, you know, we want to recognize the
15 city and all of their effort because this is new and it's
16 difficult to figure out and try to anticipate what the
17 city's needs will be and how we can best serve the
18 constituents and especially the patients. And we respect
19 that to the best of your ability the city created an
20 ordinance that was intended to ease into the program gently.

21 But the reality is that by restricting
22 cannabis facilities to operating in only 13 percent of the
23 city, it makes it impracticable to operate one of these
24 businesses.

25 And as a local business, as a small business,

1 family owned operation, you know, we really are committed to
2 compliance. We are committed to navigating this process as
3 best as we can so that we can have a good result that is a
4 win-win for everyone. And we want to get to the point where
5 dispensaries are bringing in \$3 million of tax revenue to
6 the municipality which is my estimate based on four
7 dispensaries operating for five years.

8 So we see dispensaries as an asset to the
9 city. And as arduous as it is to receive a state license,
10 there is significant expense related, including a \$40,000
11 upfront fee to the state, you know, the local small
12 businesses that are entering this industry are very highly
13 professional. They are -- I think you can expect them to be
14 good contributors to the business community and good
15 neighbors.

16 So as part of our business operations, we
17 expect to operate like any other medical facility serving
18 between 20 to 40 patients per day. We will have operating
19 hours during business, normal business hours. There's no
20 access allowed to the property outside of operating hours
21 per the state guidelines. We have a detailed security plan
22 with full coverage monitoring camera system, security
23 features, and we're absolutely committed to strict
24 compliance with our state and local regulatory bodies.

25 We will operate under the same kinds of

1 regulatory frameworks that a pharmacy does. And so, as
2 such, I think it is appropriate that we be treated like a
3 medical facility and zoned accordingly.

4 So as part of this package, I am submitting a
5 letter from our Board of Directors and also a letter from
6 Gulfport residents that I'd like to read to you.

7 (Reading) As Gulfport residents who live in
8 the neighborhood near a proposed cannabis dispensary, we
9 believe that dispensaries should be allowed to locate in the
10 same commercial areas where pharmacies, apothecaries, or
11 medical offices are allowed to operate. Given the state
12 laws in place, we do not anticipate dispensaries causing any
13 negative impact to neighborhoods. Rather, we see this type
14 of medical facility as an asset to our area and
15 wholeheartedly welcome the business investment. Please
16 support this amendment to insure that patients in Gulfport
17 have safe, convenient, and unimpeded access to their legal
18 medicine. (End reading)

19 MS ADOLPH: Thank you. If we have any other
20 questions, we will call you back.

21 MS. ILLING: Thank you.

22 MS. ADOLPH: Anyone else to speak on this
23 zoning request?

24 PERSON IN AUDIENCE: I didn't hear what you
25 said.

1 MS. ADOLPH: Anyone else to speak for this
2 zoning text amendment request? For it.

3 MS. WORSHAM: For it. My name is Melody
4 Worsham. I live at 6474 Florence Road, Biloxi.

5 And I'd like to read my comments if you don't
6 mind.

7 But I would like to start with Ms. Adolph and
8 Mr. Spann, I heard you a minute ago about your concerns
9 that, you know, walking that fine line and making sure that
10 you're doing this appropriately and safely in order to do
11 this.

12 You are the ones blazing the trail here, you
13 know. That's your job. And I think that's wonderful.

14 One of the things that I've done is I have
15 followed the legislation since it started. As a matter of
16 fact, I followed this legislation for five years. And one
17 thing that I'm sure about is that our legislature consulted
18 very successful programs in other states and said how do we
19 make this safe, how do we make this proper, and how do we
20 keep this with integrity so that we're thinking about the
21 patients that we're trying to take care of here, the people
22 who need the medicine that can't handle the chemicals and
23 the alternatives that are in the pharmaceutical companies.
24 They can't handle those things.

25 And they have come up with an extremely

1 careful wonderful way for dispensaries to open and operate
2 so that I, as a patient, I can walk in with integrity.

3 So I'm a Harrison County resident, but I'm
4 also a mental health worker. And so I serve a lot of people
5 that have chronic pain and also people who live with PTSD.

6 I'm coming to you today to advocate for one
7 in four Gulfport residents who live with a chronic
8 debilitating condition. I'm asking you to adhere to the
9 spirit of SB 2095 in not creating such restrictions that it
10 makes it impossible for a dispensary to set up and operate
11 in a manner that is practical for the sake of patients who
12 need medical cannabis.

13 One in eight Gulfport residents lives with a
14 disability. Hundreds of Gulfport residents are battling
15 cancer. And due to the number of veterans that we have in
16 this city and those who have endured hardships, 16 percent
17 of the population of Gulfport lives with PTSD. They suffer
18 and battle with it every day.

19 Fifty thousand seventy-eight Harrison County
20 people voted for the medical cannabis program. And as
21 someone had already mentioned, it's 82 percent. They voted
22 to have access to the alternative relief for their suffering
23 besides opiates, anti-psychotics, and other medications with
24 potentially lethal and debilitating side effects.

25 These are people who are suffering, and

1 Gulfport right now has the opportunity to provide safe
2 secure access to medical cannabis for all of Harrison
3 County, not just your city's residents.

4 Right now, Gulfport zoning is limiting that
5 access to the detriment of suffering patients. As Ms.
6 Illing just mentioned, there's only one property that even
7 qualifies for a dispensary according to the zoning that has
8 been set forth.

9 Imagine if you will a person in Saucier
10 requiring to drive every single week which is required by
11 law to the one and only dispensary that's miles away.
12 Imagine a veteran living with PTSD only given one choice in
13 this beautiful robust city to purchase their medicine.
14 Imagine an elderly husband having to drive to a blighted or
15 industrial area every week to get medicine for his wife with
16 breast cancer.

17 And then please imagine if you will a head of
18 household that's able to return to the workforce because his
19 seizures are no longer controlling his life.

20 That's the difference that we're asking here.

21 I strongly believe that the zoning decisions
22 -- and it's happening all over the state, there's that
23 stigma and that understanding and that thought that we've
24 had of cannabis for so many years that this is something
25 that hippies do and we just want them to have psychedelic

1 time.

2 Well, I live with PTSD and chronic pain, and
3 I can assure you, I'm not trying to do that. I'm a
4 hard-working person, and I serve people every day in the
5 city, and I am not looking for just a good time here. I'm
6 looking to be relieved of my pain. I'm looking for relief
7 in my mind so that I can sleep and I can work well and I can
8 continue to serve our Gulf Coast residents.

9 It seems illogical that I can purchase
10 oxycontin and Xanax from a pharmacy inside of a busy grocery
11 store right by that hotel, by the way, and people don't
12 think anything less of me. But then suddenly we're nervous
13 about someone walking into a dispensary that I have to go
14 into like a jewelry store. You go into one part, I have to
15 show and verify that I have my card, I qualify to get in and
16 then the door unlocks for me to go into the next section.

17 And so it's not even having access like a
18 grocery store pharmacy does. It doesn't even have that
19 access. It's much more stricter.

20 These are not places with black light
21 posters. Dispensaries are for veterans, they're for people
22 fighting cancer, they're for our senior citizens, they're
23 for people who have been injured on the job, and we have a
24 lot of industry here, we have a lot of people that have been
25 wounded and injured from work that suffer in chronic pain.

1 Gulfport should be proud to provide this
2 service to its residents and neighbors and make every effort
3 to zone dispensaries the same way that they zone any other
4 medical or wellness providers in town.

5 The City of Gulfport has the opportunity to
6 provide dignity to the people who have asked for the medical
7 cannabis program in the community. And it's just a perk
8 that the city will benefit economically for doing the right
9 thing by the 50,000 people who voted for it.

10 I respectfully ask this commission for the
11 sake of our chronically ill community members to adopt the
12 zoning ordinances in keeping with the spirit and the
13 guidelines that are prescribed in SB 2095 Section 20.

14 Thank you so much for giving me your time.

15 MS. ADOLPH: Thank you so much.

16 Anyone else to speak for this?

17 Your name and address.

18 MS. CALHOUN: I'm Angie Calhoun at 10
19 Canebreak Boulevard, Flowood, Mississippi.

20 I come before you again asking you to please
21 look into your heart and your mind and to think about what
22 if it were your child, your loved one, who like my son, like
23 many of your residents, pharmaceutical drugs were not
24 working. They were making him sicker. Imagine your child,
25 your 17-year-old on 17 pharmaceutical prescriptions, some

1 that have lifelong side effects. And you're desperate. You
2 think that your child is going to die. You'll do anything.
3 I would have stood in front of an 18-wheeler gladly and let
4 it run over me to save my son's life.

5 And like I said, I went to another state, and
6 he eventually moved to gain that quality of life. He takes
7 one medication, one real medication. The School of
8 Pharmacy at the University of Mississippi soundly has the
9 proof and the science to prove that it is a medicine that
10 helps sick people.

11 And it really, really is bothersome to hear
12 the naysayers or to think that -- because I did hear things
13 in the background. But I want you to realize that you're
14 blocking access of safe clean medicine to your residents, to
15 your people. And they're going to have to go somewhere else
16 to get that medication.

17 And it is like Ms. Worsham said, they don't
18 feel like driving. When my son was at his sickest, I had to
19 take him everywhere. He could not drive because he, too,
20 had a seizure disorder. I had to push him into a doctor's
21 office in a wheelchair.

22 These people need ease of access to get their
23 medicine. And I'm asking you to please, please -- the
24 research has been done. Other cities, Oxford, Mississippi,
25 Pearl, Mississippi, Richland, Mississippi, there are many

1 cities that you can look at their ordinances and look at
2 that.

3 It's not -- it is new, but it's not rocket
4 science. This is something that is -- you're delivering a
5 safe clean legal medicine to your sick people.

6 And I get calls every week from people in
7 your area along the coastline. Y'all have so many disabled
8 veterans. And, I mean, they're having to drive somewhere
9 else. And they are suffering. They have seen the worst of
10 the worst. And if they have given their time and their
11 energy and their soul to saving our country so we can be
12 free, we should be giving them the medical freedom to treat
13 their PTSD and their pain with a safe legal medicine.

14 So I just please, I ask you to please
15 reconsider and think about the people that are suffering in
16 your area and to help make a way for dispensaries to be here
17 in Gulfport.

18 MR. HEWES: Just a couple of questions.

19 What's the closest dispensary to Gulfport
20 where people are dispensing medical marijuana?

21 MS. CALHOUN: You know, I work for patients,
22 and so I would assume that Biloxi potentially could have
23 one. You know, I don't keep track of all of them. But when
24 it's made aware to me that a city is blocking access, then,
25 you know, I do try to intervene because it affects my

1 patients.

2 MR. HEWES: And then another question. Since
3 y'all mentioned, a lot of people mentioned the veterans, has
4 the V.A. adopted anything where they could have a medical
5 dispensary for medical marijuana, or any of the DOD
6 facilities?

7 MS. CALHOUN: You know, they haven't, sadly.
8 They refuse to acknowledge that it is true medicine for sick
9 people. But the University of Mississippi does.

10 MR. HEWES: I think it helps people. But I
11 just have an issue with the zoning. And that's the concern.
12 Not whether it works for the right person.

13 I think everybody on this board would
14 consider the same thing. It's just a matter of zoning.

15 MS. ADOLPH: Anyone else to speak for this
16 request?

17 Can we get you to fill out a card, sir? Go
18 ahead and speak, and you can do it afterwards.

19 Can you give us your name and address.

20 MR. FLAGGS: Thank you for allowing me to
21 come up. I'm Elliot Flaggs. My address is 400 North Point
22 Parkway, Jackson, Mississippi 39211.

23 So in support of, I simply come with a
24 question. I understand that it was the City Council's
25 decision to opt into the -- well, rather the City Council's

1 decision not to opt out when they had the opportunity before
2 I think the May 3rd date which was in the legislation.

3 So I know this isn't the City Council. I
4 know this is the planning commission, but just out of
5 curiosity, what was the intent or do you know what the
6 intent was behind the City Council's decision not to opt
7 out, but instead in theory opting in, but yet severely
8 limiting the availability of locations for dispensaries to
9 what research has shown as one parcel?

10 So as an attorney, I'm just curious if anyone
11 knows the intent.

12 Again, I know this is not the City Council,
13 but just a --

14 MS. ADOLPH: Mr. Flaggs, now, you know we're
15 private citizens that serve on this planning commission to
16 make the best decisions that we can. And we dare not, dare
17 not interpret or try to second guess the decisions of our
18 City fathers and our Mother because with Ella, I think I'd
19 be in trouble in terms of their decisions on the City
20 Council.

21 MR. FLAGGS: Yes, ma'am.

22 MS. ADOLPH: Our decisions are that of
23 citizenry that make the best decisions that we can in terms
24 of recommendations that will then go to the City Council.

25 I think Mr. Hugh Keating is back there. And

1 did I say that right, Mr Keating?

2 MR. KEATING: (Indicates yes.)

3 MS. ADOLPH: Thank you, sir.

4 So we can't speak for them at all. We can
5 only speak for the the minds, the hearts, the expertise of
6 the citizens that have been appointed to this commission.

7 MR. FLAGGS: Yes, ma'am. And I appreciate
8 that answer.

9 Again, it was just simple curiosity. Thank
10 you for your time.

11 MS. ADOLPH: Yes, sir.

12 MR. HANCOCK: Let me just make one quick
13 question, statement, while you're sitting here. This may
14 address your question.

15 I don't know, I wouldn't characterize it as
16 the City opting in and severely limiting locations. When I
17 look at the chart that the previous lady gave us and the
18 number of locations, I see that the local, the number of
19 locations out of 29 that meet the local requirements is 13
20 of 29, that only nine meet the state requirements.

21 So, to me, that doesn't look like something
22 that the City is trying to opt out of what the state
23 intended. Looks like the City of Gulfport is pretty open
24 and what we voted on is pretty open. So I don't really
25 agree with what your assessment.

1 MR. FLAGGS: I understand. Thank you.

2 MS. ADOLPH: Anything else, Mr. Flaggs, that
3 you want to share with us?

4 MR. FLAGGS: That's it.

5 MS. ADOLPH: Please fill that out.

6 MR. FLAGG: Yes, ma'am.

7 MS. ADOLPH: Anyone else to speak for this
8 request? Yes, sir.

9 MR. FARRIS: Hello. My name is Colton
10 Farris, and my residence is 1504 Wilhurst Street, Jackson,
11 Mississippi.

12 And I've become somewhat the cannabis
13 insurance specialist for, I'd say unofficially, the State of
14 Mississippi. My agency, we have cannabis clients from
15 California to Maine and sprinkled everywhere in between, and
16 I've worked directly with the two that have come before you
17 today, and I can say that both of them are by far two of the
18 most professional establishments I personally have the
19 pleasure of working with.

20 I have, like I said, coincidentally several
21 of them, of my clients, are all hoping to be in the downtown
22 area City of Gulfport, and each of them have the same goal
23 in mind which is to open up a professional run medical
24 establishment in Gulfport and help make Gulfport a medical
25 hub for these up and coming cannabis patients.

1 Now, every single one of my clients that has
2 come into downtown Gulfport or south of I-10 for that matter
3 is aware that they're going to have some increased costs
4 such as property, wind and hail insurance, I'm sure all of
5 you are familiar with.

6 My client here today, Southern Roots, for
7 example, has spent \$36,000 here to date just on insuring
8 their Hattiesburg, Jackson, and Gulfport locations. Thirty
9 thousand of that \$36,000 alone has gone to the Mississippi
10 Wind & Hail pool to their wind and hail insurance on their
11 property.

12 Now, I'm also sure that each of you are aware
13 that this same property was vacant for two years prior to
14 them purchasing it. No one had even really bat an eye at it
15 from my understanding.

16 Well, it's again my understanding that the
17 City of Gulfport, as well as all the other cities in the
18 Tier 1 counties, have been working directly with Mississippi
19 Power on the cultivation side of things where they have
20 identified six to 12 I think warehouse style facilities that
21 they have marked as vacant property locations, and a total
22 cultivations that if you move in and operate out of one of
23 these marked vacant locations that have been vacant for over
24 six months that they'll give them 50 percent rebates on
25 their LED lights and they'll also discount their utility

1 bills for 15 percent for the first two years.

2 Now, neither of my clients here today are
3 asking for any preferential treatment or any discount on
4 their bills. They're just simply asking that they can use
5 their property for the intended purpose of running
6 professional medical facility and hopefully bringing a more
7 medical hub to downtown Gulfport.

8 I just think that if you deny this request, I
9 think it's just going to send a message to all these
10 cannabis operators that they should go to the next city over
11 or more north to Hattiesburg or Jackson. There are a lot of
12 -- the Gulf Coast has been very favorable to cannabis
13 operators throughout this entire process until downtown
14 Gulfport in this whole incident.

15 MS. ADOLPH: Thank you. Anything else you
16 want to share with us, sir?

17 MR. FARRIS: Right now I think that's it.

18 MR. SELLERS: I must ask, you may know, the
19 same question that Mr. Hewes asked a while ago. Where is
20 the nearest current operating dispensary to where we're
21 sitting right now?

22 MR FARRIS: So I don't think -- there's none
23 open yet is the catch. None of the dispensaries are opening
24 yet because none of the cultivations have product yet. So
25 becoming operational right now would be -- it wouldn't be

1 smart business practice to open up with no product. In
2 fact, a lot of them can't even get a cannabis policy yet
3 until they have product in the store or going to be
4 operational within 30 days.

5 Most product will be available come -- it
6 will be scarce, let's say that -- November through the end
7 of the year I would say. But November you'll start seeing
8 probably some product.

9 MR. SELLERS: Are there any that are ready to
10 open when the product is available?

11 MR. FARRIS: I've not heard of any -- like I
12 said the -- so the real kicker for most people in doing
13 business anywhere near I-10 or south of I-10 has really been
14 an insurance and property issue, again, property being
15 limited, hard to find, just based on all the rules and regs.
16 They said there's not a licensing cap. But there is a
17 licensing cap because the State of Mississippi is only so
18 big, and a thousand feet here, a thousand feet there will
19 start dwindling down those properties pretty quickly.

20 But the insurance costs alone operating down
21 here is astronomically more expensive. And because cannabis
22 is still federally illegal, you actually can't get insurance
23 for -- you can't get insurance from a Nationwide or State
24 Farm or anybody like that because they have exclusions in
25 their contracts that say, you know, excludes illegal

1 activity. So you actually have to go to specific cannabis
2 carriers or your options are very much dwindled compared to
3 if this were a bar or a restaurant or an accounting firm,
4 anything like that, I could write that policy all day every
5 day. But things get a lot more complicated and a lot more
6 expensive when cannabis comes involved.

7 MS. ADOLPH: Mr. Farris, thank you so much.

8 MR. FARRIS: Thank you very much for having
9 me.

10 MS. ADOLPH: I mean, this is just
11 enlightening, I'm telling you. I appreciate you, sir.

12 MR. FARRIS: Well, thank you. I appreciate
13 your time.

14 MS. ADOLPH: Thank you.

15 MR. HANCOCK: I want to ask him more
16 questions before he leaves.

17 MS. ADOLPH: Before he leaves? Okay.

18 MR. HANCOCK: I heard you say something just
19 a minute ago that the State Farms and some of the other I
20 guess bigger outfits won't insure them because of the
21 illegal activity, but it's legal in the State of Mississippi
22 now.

23 MR. FARRIS: Yes. So they have the -- it's
24 pretty much just the fact that they're so big they view it
25 as we're making so much money over here, I'm going to let a

1 thousand other people get their turn before we even think
2 about it.

3 And so some of them just don't want to play
4 ball with them really. I mean, we have more I'd say
5 Progressive has been the most favorable in coming around.
6 They're helping insure a lot of the transportation guys, or
7 at least they're allowing them to get transportation for the
8 auto and then we provide through a cannabis carrier the
9 insurance for the cash or the cargo.

10 But they could insure it if they wanted to,
11 they're just choosing not to. So then you have to go to
12 cannabis carriers who pretty much have created their own
13 contractual policies, not traditional policies, their own
14 specialized policies with specialized wording to make sure
15 that this stuff is insurable so that they can meet the state
16 and city guidelines with the general liability and product
17 liability requirements because the last thing we want is any
18 operation here or any operation in the state operating
19 without product liability insurance. I mean, it would be a
20 nightmare.

21 MR. HANCOCK: So it's really more -- it's not
22 that they --

23 MR. FARRIS: It's not that they can't.

24 MR. HANCOCK: It's not that it's illegal,
25 they're just choosing not to.

1 MR. FARRIS: They're choosing to -- they have
2 such a nationwide umbrella that they're choosing to look at
3 federal law and not state law. Simplest way to put it.

4 MR. HANCOCK: And in my mind, that's their
5 mistake. It's better, more business for you.

6 MR. FARRIS: Exactly. Actually it hurts the
7 cannabis operators. They end up paying what I call a
8 cannabis tax, and our hope is to get enough of these guys
9 together that in the end when these guys do come around we
10 can bundle it and get them better deals whenever those guys
11 do come about because we do that all the time with, you
12 know, Liberty Mutual, not State Farm but Liberty Mutual,
13 Nationwide, those type people.

14 If this were a liquor store, I could do it --
15 I mean, it would be -- I could teach a monkey how to put it
16 in a system.

17 MS. ADOLPH: Thank you, sir.

18 MR. FARRIS: Thank you all.

19 MS. ADOLPH: Anyone else to speak for this
20 request?

21 Yes, ma'am. We'd ask you to fill out a card
22 when you finish.

23 MS. BONNER: Good evening. Thank you for
24 your time this evening. My name is Natalie Bonner. I
25 reside at 1012 Township Road, Gulfport, Mississippi.

1 I am the Director of Minorities for Medical
2 Marijuana. And I'm also a social equity and inclusion
3 activist.

4 And I come before you in support of this
5 amendment asking you to strongly give it your utmost
6 consideration as a member of the most disenfranchised with
7 the cannabis industry.

8 One available property just doesn't support
9 the free enterprise model of our state or our nation. And
10 it actually impedes and prevents free enterprise for small
11 business, women owned small businesses, minority business
12 enterprises to operate in the City of Gulfport, as well as
13 patients with medical marijuana cards.

14 Mr. Hancock consistently asked where will
15 citizens be able to get the medicine, their medicine, where
16 is the closest dispensary, and that question has not been
17 answered. No one knows. And that question will continue to
18 be posed because of the lack of available spaces in the City
19 of Gulfport.

20 The current zoning is restrictive and further
21 impedes access in my opinion to those most disenfranchised
22 communities. And when I say that for those who aren't
23 aware, a disenfranchised community member, such as myself,
24 are greatly impacted by the failed war on drugs.

25 So we are impeding access to medicinal medicine

1 for the State of Mississippi, and by adopting this amendment
2 you will create an opportunity for jobs for those
3 communities that have been harmed by the war on drugs.

4 More dispensaries within the city is not only
5 about patient access, as Ms. Melody and Ms. Angie Calhoun
6 has mentioned, but it's also about access to jobs for people
7 in our community, access to medicine for people in our
8 community, and, for me, that access is very important for
9 those people of color.

10 I would like to also help you to understand
11 that if this was something labeled an apothecary, this would
12 not be an issue. When you look at the raw definition of
13 apothecary, it's a place where medicine is made and
14 dispensed. A medical marijuana dispensary falls within that
15 same definition. It's a place where medicine is made and
16 dispensed. People can get jobs there which helps to benefit
17 the community.

18 By adopting the zoning text amendment, you
19 are allowing Southern Roots Therapy to open up a business
20 that will employ our local citizens. And those citizens,
21 because they have a very robust social equity plan as part
22 of their business operation, it's going to allow the
23 disenfranchised community to participate in the industry
24 that is heavily regulated and also heavily represented by
25 people who don't look like the disenfranchised. But we all

1 know that our incarceration system is heavily represented by
2 the disenfranchised.

3 So I really implore you to really give this
4 your utmost consideration. It will not bring any additional
5 crime to the city. It's actually going to help patients and
6 make this medicine more accessible, as well as create
7 employment. And as Ms. Illing's presentation to you showed,
8 the revenue that it will bring to the city. And part of
9 that revenue is because of employment opportunities, not
10 only by Southern Roots Therapies, but other dispensaries
11 that are going to come to the city.

12 So that is what I'd like to present to you as
13 part of your consideration is not the harm, and I know this
14 isn't about the plant itself, but it's about the opportunity
15 by adopting this amendment that will help people that look
16 like me with access and employment.

17 And that's all that I'd like to speak, to
18 say.

19 MS. ADOLPH: Thank you, Ms. Bonner. Thank
20 you, ma'am.

21 Anyone else to speak for this zoning
22 amendment?

23 Yes, sir. You were gracious enough to let
24 the lady speak.

25 MR. PETTEY: I'm Bill Pettey. My address is

1 1225 31st Avenue, Gulfport, Mississippi.

2 Just speaking strictly to, just two short
3 comments to make about this.

4 Number one, I am two doors down from the
5 location where this is seeking to be located and wanted to
6 express to the commission that speaking at least on behalf
7 of myself that I have absolutely no objection whatsoever and
8 welcome that to the neighborhood. Would be a great
9 improvement to the neighborhood.

10 And secondly, as a property owner in the
11 neighborhood, to describe for those who may not be familiar
12 on exactly where this is located. It is cater-corner
13 directly across the street from physicians offices and an
14 outpatient surgical clinic. Therefore, at least in my
15 opinion, it would be a perfect fit for the neighborhood.

16 And for those reasons, I would just recommend
17 that it would be approved.

18 MS. ADOLPH: Thank you, Mr. Pettey, for the
19 clarification.

20 MR. DAIGLE: Could I ask him one quick
21 question?

22 MS. ADOLPH: Yes.

23 MR. HANCOCK: So what we're doing here it
24 looks like changing what we approved a month or so ago to
25 include among others R-B. So we're not really approving

1 specific locations, but more changing the zoning but you
2 spoke about one in particular. What's the address of the
3 one you're talking about?

4 MR. PETTEY: The address, I think it's -- is
5 it, what? -- 1301? 1301 31st Avenue which is two doors
6 north of my property.

7 MR. HANCOCK: 31st Avenue?

8 MR. PETTEY: That's correct. It's what used
9 to be the old St. Matthews Lutheran Church, that property.

10 Thank you.

11 MS. ADOLPH: Thank you, Mr. Pettey.

12 Anyone else to speak for this request?

13 Anyone else to speak for this request? Anyone to speak for
14 this request?

15 Anyone to speak against this proposed text
16 zoning amendment?

17 MR. BRIGHT: Good evening. My name is Howard
18 Bright, 1213 31st Avenue, Gulfport.

19 We all know the old saying, location,
20 location, location. And I've heard a lot of these people
21 speak. None of them live in that neighborhood in that close
22 proximity.

23 Mr. Pettey owns a house there. That thing is
24 a piece of shit.

25 MS. ADOLPH: Sir.

1 MR. PETTEY: It's falling down. It needs to
2 be torn down. Excuse me, I'm sorry.

3 MS. ADOLPH: Yes, sir.

4 MR. BRIGHT: That house is a complete eyesore
5 to our total neighborhood. People have complained about it
6 constantly. And it hasn't achieved anything.

7 There's also in that area eight to nine
8 airbnbs. Most of those people aren't here. They only live
9 there part-time.

10 How is this going to affect them and their
11 business and their livelihoods when somebody goes to a GPS
12 to rent this airbnb and they see, oh, my kids are going to
13 be staying next to a medical marijuana facility. They're
14 not going to come.

15 These people have worked on those houses,
16 bought them, rebuilt them, cleaned them up, cleaned the
17 yards up to make part of their livelihood off of that, and
18 they're going to be introduced to some situation like this.

19 Another point I'd like to make is there is no
20 way that I believe that there's no locations in the City of
21 Gulfport that can support this legally. There's plenty of
22 vacant lots in commercial areas, industrial areas. You can
23 go to some of these malls, there's empty storefronts. Now,
24 whether they would fit into the zoning, I'm not really sure.
25 But I do not believe unless they showed me a map that they

1 checked every property for sale or available in Gulfport
2 that could not support this business.

3 To get back into, okay, so there's emotional
4 speakers, and I feel sorry for these individuals. But,
5 okay, we'd have nothing left, so maybe I'll put one in your
6 subdivision. I'd run it out of my basement. Is that
7 acceptable?

8 You have zoning laws. We need to stick to
9 them.

10 I think that's about all I have to say.

11 MS. ADOLPH: Thank you, Mr. Bright.

12 MR. BRIGHT: Thank you.

13 MS. ADOLPH: Anyone else to express their
14 discontent?

15 MR. HENDERSON: How y'all doing? My name is
16 Ken Henderson. I live at 1212 32nd Avenue.

17 I also would like to ask Mr. Pettey, first of
18 all, you don't live there, and it would be great if you'd do
19 something with your house.

20 In the last two --

21 MS. ADOLPH: (Pounds gavel)

22 MR. HENDERSON: I'm sorry, ma'am.

23 MS. ADOLPH: Now, we will not have --

24 MR. HENDERSON: I'm sorry, ma'am.

25 In the last two years, I've spent --

1 MS. ADOLPH: -- inappropriateness. And we're
2 not going to have this.

3 MR. HENDERSON: I'm so sorry, Ms. Virginia.
4 My bad. So sorry.

5 I want to say that I'm not against medical
6 marijuana. I was one of the 82 percent that actually voted
7 for it.

8 I don't want it in my back yard. I have four
9 children. I just put a couple of hundred thousand dollars
10 into remodeling a house, and I'm directly behind it in the
11 alley. I own two properties, as a matter of fact. I bought
12 one about six months ago that is also there, an investment
13 property on 12th, 3116.

14 Owning multiple properties there, it's a very
15 big concern. It's a residential area. It's a lot different
16 than the motel or the hotel. But it's a big deal.

17 Would you want it in your back yard is all I
18 can say to you guys.

19 I don't think you would.

20 I hate that these folks -- this property was
21 -- it's been vacant for two years since the church moved.
22 It was actually purchased, and the gentleman wanted to make
23 it a wedding venue. And he came before you guys, and I
24 think it was shot down. He had to go jump through some
25 hoops. But then his wife ended up getting a position in Las

1 Vegas with -- a very good job with one of the casinos, and
2 they moved. And they sold this property to these folks.

3 So, yes, there's some half-truths there.

4 Again, I'm not anti-cannabis. This isn't
5 about pro or anti. This is about opening a cannabis
6 dispensary in a 100-year-old residential neighborhood that
7 was a church just two and a half years ago. Okay? And
8 that's tongue in cheek. I don't know.

9 I apologize so much for what I did. I
10 apologize. But when you care about your property and you
11 care about where you live, ma'am, and you see a house that
12 is blighted or you see someone coming in and you just want
13 to fight for it. And I apologize.

14 So, please, all of y'all, accept my apology.

15 MS. ADOLPH: We do, indeed.

16 MR. DAIGLE: Hold on a second.

17 MR. HENDERSON: I know that, sir.

18 MR. DAIGLE: I have a question. I'm --
19 because it was mentioned earlier, and I'm trying to figure
20 out. This is a zoning text amendment where they're trying
21 to -- the case being made is that they want to amend the
22 text for it to be legal to be able to sell in B-1 and R-B.

23 Am I correct on that?

24 Why do we keep hearing about a specific
25 properties? This is the second time St. Matthews Church has

1 been brought up.

2 MR. HENDERSON: That's the property that
3 they're in, sir.

4 MR. DAIGLE: Who?

5 MR. HEWES: I don't think he understands what
6 was asked.

7 This is not about the property. This is
8 about city zoning.

9 MR. DAIGLE: But we keep hearing about a
10 specific property. So I'm curious is there something else
11 going on, if there's already some sort of an agreement that
12 we're not aware of, or something going on where they're
13 trying to change this to suit a specific property that's
14 already been bought, being operated out of in some form or
15 fashion.

16 MR. HENDERSON: You're asking me --

17 MR. DAIGLE: I am asking you.

18 MR. HENDERSON: -- if they're operating out
19 of it?

20 MR. DAIGLE: No. I'm asking you is there
21 something else that you know of that -- because you're the
22 second person to mention this specific property.

23 MR. HENDERSON: Forgive me. I want to make
24 sure I'm clear. What you're asking, sir, is if I realize
25 that this is -- this is a zoning -- yeah, they're trying to

1 amend the 500 foot regulation so they can have it zoned as
2 eligible to sell cannabis, that's correct.

3 MR. DAIGLE: No.

4 MR. HENDERSON: Okay.

5 MR. DAIGLE: They're trying restate the text.
6 So the text now does not allow them to operate in R-B and
7 B-1.

8 MR. HENDERSON: Okay. Yeah, the're trying to
9 restate --

10 (Talking over each other.)

11 MR. HENDRSON: Yeah. They want to make it a
12 right of ownership versus a planning commission issue. Is
13 that correct?

14 MR. DAIGLE: That it's guaranteed by right
15 that they can operate in R-B or B-1. But you're referencing
16 a specific property, you said would you want them --

17 MR. SELLERS: I think I may possibly clarify
18 that.

19 MR. DAIGLE: Go ahead, please.

20 MR. SELLERS: And I recommend, I suggest that
21 we bring the lady from Southern Roots back to discuss this
22 because she's actually the one that brought this
23 application. The site he's talking talk about I think is
24 Southern Roots site is my understanding.

25 MR. HENDERSON: The next issue that we're

1 going to be hearing after this is also a Southern Roots
2 issue where they're seeking to split the property so that --

3 MS. ADOLPH: Mr. Henderson, we can only
4 address this issue right now. Okay?

5 MR. HENDERSON: Oh, I'm sorry. We'll wait
6 for that one. I'm sorry. I'm excited. I like being up
7 here.

8 MS. ADOLPH: And we appreciate as a citizen
9 your passion, believe me.

10 MR. HENDERSON: Well, it's my home.

11 MS. ADOLPH: Well, just hold it a little
12 back.

13 MR. HENDERSON: I can pull the reins back.

14 MS. ADOLPH: Pull it in.

15 MR. HENDERSON: Sorry, ma'am.

16 MS. ADOLPH: Thank you, sir.

17 Anyone else to speak against this? And we
18 need your card.

19 MR. HANCOCK: Can I say something?

20 MS. ADOLPH: Yes.

21 MR. HANCOCK: So just to clarify on why we
22 had to gavel earlier I think is because you're not allowed
23 to address people in the audience. You have to address the
24 commission. That was the mistake he made. So just to
25 clarify that.

1 So my question, and this may clarify his
2 comments, is to Greg, and that is: I think what we're
3 getting at is if we add the additional zones by approving
4 this measure, then they won't have to come back before the
5 commission to open dispensaries in these additional zones,
6 just like they wouldn't have to open or come back here and
7 get our approval to open a dispensaries in the two that
8 already exist. Is that right?

9 MR. HOLMES: Correct. They would be allowed
10 by right.

11 MR. HANCOCK: Okay. And then another
12 question for you that was a little bit confusing --

13 THE COURT REPORTER: Can you talk into your
14 microphone? I'm having a problem hearing.

15 MR. HANCOCK: Sorry about that.

16 Another question that's a little bit
17 confusing for me is does this change the 500 foot
18 requirement? One of the zones is R-B, so you're going to be
19 right in the middle of residences if we were to approve this
20 measure that includes R-B. So would this add R-B and they'd
21 still have to be 500 feet from a residence, or does that
22 eliminate the 500 feet?

23 MR. HOLMES: It's my understanding that they
24 want to add the R-B, B-1, and the remove the 500 feet.

25 MS. ADOLPH: Can you speak a little louder,

1 Mr. Holmes? We can't understand.

2 MR. HOLMES: I'm sorry. I'm not a loud
3 person, but I can try.

4 MS. ADOLPH: I know.

5 MR. HOLMES: It's my understanding that
6 they're requesting to add this use in B-1 and R-B and remove
7 the 500 foot distance requirement.

8 MR. HANCOCK: Okay. Is that listed in this
9 request somewhere? I didn't see the removal of the 500 foot
10 requirement.

11 MS. ILLING: (From audience) I'm sorry, that's
12 not the intent.

13 MS. ADOLPH: Wait, Ms. Illing. One moment.

14 MR. HANCOCK: We'll get you back.

15 MR. COLA: My name is Gordon Cola.

16 MS. ADOLPH: Wait one moment. Let us finish
17 this to the staff.

18 MR. COLA: Oh, y'all looked at me.

19 MR. HOLMES: According to the information you
20 guys submitted, that's the request. You'd have to clarify
21 from the applicant if they want to amend that. But based on
22 information that we got, that's what the request is.

23 MR. HANCOCK: So the request is to add the
24 zones but not to eliminate the 500 foot requirement? Or the
25 request is to eliminate the 500 foot requirement?

1 MR. HOLMES: The way it's written in there
2 instead of it being planning commission approval for 500
3 foot, it's an R to be by right. So that would make it that
4 you don't need planning commission approval if you're within
5 500 feet of residential use.

6 PERSON IN AUDIENCE: Please speak up.

7 MR. HANCOCK: So you would have to -- they
8 would still have to get approval from the planning
9 commission and --

10 MR. HOLMES: They would not.

11 MR. HANCOCK: Oh, they would not?

12 MR. HOLMES: Right.

13 MR. HANCOCK: Okay.

14 MS. ADOLPH: So at this point for clarity
15 purposes, would you stand up and say that again? Because I
16 know that everyone didn't hear what our expert said coming
17 from the city.

18 MR. HOLMES: Based on the information that
19 was submitted to us, they're removing that requirement for
20 it to be within -- to be planning commission approval within
21 500 feet. In the chart, it's listed as P which is planning
22 commission approval. What was submitted to us has an R for
23 right. So the request is for it to be by right.

24 MS. ADOLPH: By right. So they -- it would
25 not have to come before planning for any additional

1 ventures --

2 MR. HOLMES: Correct.

3 MS. ADOLPH: -- in our city.

4 Thank you, sir, for the clarity.

5 Anything else for our experts right now?

6 MR. HANCOCK: No.

7 MS. ADOLPH: Sorry, sir.

8 MR. COLA: No problem.

9 MS. ADOLPH: Could you state your name and
10 your address.

11 MR. COLA: Yeah. My name is Gordon Cola,
12 C-O-L-A. I've lived at 1123 32nd Avenue for 36 years. No,
13 I'm sorry. For 30 years, I'm sorry. Thirty years, after
14 Katrina and before Katrina.

15 This is a historical residential
16 neighborhood. My house is 112 years old with several other
17 houses that are 100 plus years old that people have sunk
18 hundreds of thousands of dollars in.

19 We are trying to hold this neighborhood
20 together, even though we have several vermin in our
21 neighborhood, and that's a nice way to say it.

22 We have our own problems. And we are
23 sticking together as a neighborhood to try to solve those
24 problems without the city's help. We have pleaded to the
25 city.

1 I don't know if I'm speaking proper on the
2 agenda here tonight, but as far as I know, they want to put
3 this dispensary at that location of the old church.

4 I don't have a problem with legal marijuana
5 or medical marijuana. This is America. Do what you want if
6 it makes you feel good as long as you don't hurt anybody.
7 If it's your medicine, it's good.

8 But in that location, I feel it's bad.
9 There's plenty other locations in this city and the Gulf
10 Coast.

11 We already have a gas station, a Chevron
12 station, right there two blocks from me, one block from
13 where the supposed site is going to be, that causes major
14 chaos in that neighborhood.

15 We don't need anything to attract any other
16 type of element in that neighborhood because once me and
17 other people leave that neighborhood, that neighborhood is
18 gone. It's over with. It will be nothing but rentals. And
19 Gulfport don't need any more rentals. They need home
20 ownership. They need people to invest.

21 So please do not allow that business to go at
22 that location. There are other locations in this area for
23 that.

24 MS. ADOLPH: Is there anything else you want
25 to share with us pertinent to this right now?

1 MR. COLA: No. I'm just saying, you know, I
2 mean, I'm proud of my house. Like I said, it's 112 years
3 old.

4 MS. ADOLPH: It's beautiful. I got one of
5 those.

6 MR. COLA: Please don't push me out of the
7 neighborhood. My house was built before this dispensary,
8 and this dispensary will be built close to my house.

9 That's all I have to say.

10 MS. ADOLPH: Thank you for coming to talk to
11 us as a citizen. Thank you.

12 MR. COLA: All right. Thank you.

13 MS. ADOLPH: Anyone else to speak against
14 this request? Anyone else to speak against this request?

15 MR. FOSTER: Good evening. My name is Jim
16 Foster. I live at 816 Lewis Avenue in Gulfport. That's the
17 West Side.

18 So I'm here to speak against this text
19 amendment because, as I understand it, it will affect the
20 West Side in the Smart Code district by allowing what
21 currently is allowed through planning commission approval in
22 a T4+, a T5, and it appears to me also a T6 generally to be
23 allowed by right instead of planning commission approval.

24 And so I believe that the reason that these
25 are currently by planning comission approval is because the

1 intent is to get input back from the community so that you
2 folks can make a deliberative decision as to whether that
3 would be appropriate use in that particular area or not.

4 And if these are changed by right, then
5 that's exactly what's going to happen. They're going to go
6 in in those areas without any consideration of what the
7 neighborhood particularly thinks.

8 And I know it wasn't intended, but there's
9 been a lot of discussion about the next agenda item which is
10 currently a planning commission approval. If it was to be a
11 medical marijuana dispensary, it would be planning
12 commission approval and would have to come before this body
13 and you've already heard a number of people are opposed to
14 that.

15 If the proposed change were to be enacted,
16 they could withdraw that request right now because it would
17 be allowed there by right.

18 So I would just urge you, I think you've got
19 a good set of rules to go by right now, and I would urge
20 you to not approve this text change amendment.

21 And that kind of leads me to, you know, why,
22 why would you want to change that from planning commission
23 approval to a by right, especially something new like this
24 which we have no idea how it's going to impact the
25 communities when these dispensaries are opened.

1 It seems to me that the reason, the why, the
2 answer is because they do want to take out that public
3 feedback of whether it's right for this particular area,
4 this particular location or not. And it would be a by
5 location decision since these would be by right.

6 So that pretty much sums it up. And I do
7 appreciate you all. This is why they call it a thankless
8 job, I guess.

9 MS. ADOLPH: Thank you, Mr. Foster.
10 Appreciate it.

11 MR. FOSTER: Thank you. Questions?

12 MS. ADOLPH: Anyone else to speak against
13 this?

14 MR. MCCOWN: Good evening.

15 MS. ADOLPH: Good evening.

16 MR. MCCOWN: First, let me try to clear up a
17 little bit --

18 MS. ADOLPH: Your name and address.

19 MR. MCCOWN: Jeff McCown, William J. McCown,
20 702 Camp Avenue, in the West Side.

21 Let me try to clear up a little bit of I
22 think some confusion because there's several speakers that
23 have spoke on Item Number 10 in your agenda when what we're
24 focused on is Item Number 9.

25 And how did that come to be?

1 Well, Item Number 10 mentions a specific
2 address, and apparently there's some community knowledge.
3 How did I learn about Item Number 10? It's because that
4 address was mentioned in the application for Item Number 9.
5 This 1301 31st Avenue is the address that I believe Ms.
6 Illing referred to as the only one that accepted their offer
7 out of three possible offers that they made.

8 So I'm not trying to speak on Item Number 10
9 because we're focused on Item Number 9 which is a zoning
10 amendment.

11 MS. ADOLPH: Thank you, sir.

12 MR. MCCOWN: Okay? But I believe that's
13 exactly how we got some input on Item Number 10 a little
14 early here.

15 With regard to Item Number 9, a zoning text
16 amendment, part of the application that I saw comes from
17 this Chart of Permitted Uses. I ran a copy of one specific
18 page here. And this is along the lines that Jim Foster, the
19 person just before me, mentioned. It appears that some
20 things in here that are currently listed as planning
21 commission approval with a P designation are hand modified
22 with an R for by right, including the question around
23 whether this 500 feet within a residential would be affected
24 by this. And if that was voted on and approved as a by
25 right, I believe what I heard, what I thought before I came

1 here anyway, was that that would essentially remove that 500
2 feet within a residential situation from a requirement.

3 Well, in doing so, that means that people
4 would not be able to come and voice any kind of approval or
5 disapproval should a specific address, like Number 10, in
6 the agenda come up as for discussion. And by removing the
7 input of the community, that's exactly the wrong way that
8 this whole zoning situation with regard to the dispensary
9 was set up.

10 So I've heard that this is a fairly new
11 section having to do with a new use, and I've heard how it
12 was set up. I've heard that there are more city locations
13 that would be permissible by the conditions than what the
14 Mississippi state conditions would allow. I believe I heard
15 that correctly.

16 MR. HANCOCK: Correct.

17 MR. MCCOWN: From that, it appears to me that
18 this is a zoning issue, number one, that the request is to
19 make things by right rather than planning commission
20 approval, number two, and that my personal opinion that that
21 would be the wrong direction, especially given that it's a
22 new use where public input should be on a location specific
23 situation be allowed.

24 That's the nature of my request tonight, to
25 disallow this zoning text amendment. I don't know if

1 there's other situations in here that I may have overlooked.
2 I'm specifically referring to this one that I saw the pencil
3 marks on that changed planning commission approval to by
4 right.

5 If there are others in the definitions or
6 otherwise, I'm not sure about the cannabis dispensary use,
7 but I'm really against anything having to do with removing
8 public input to the planning commission.

9 MS. ADOLPH: Thank you, sir.

10 Anyone else to speak against this text
11 amendment? Anyone else to speak against this? Anyone else
12 to speak against this measure?

13 Yes, sir. Take your time.

14 MR. CAMERON: You have to forgive me. I'm
15 blind, so it's difficult to maneuver.

16 MS. ADOLPH: Take your time. Take your time.

17 MR. CAMERON: My name is Drew Cameron. My
18 family has owned the property at 1219 31st Avenue since
19 1947. My family has lived there, different members of my
20 family have lived there.

21 I hate to see a facility of this nature go
22 into this residential neighborhood. They're talking about a
23 500 foot boundary from the actual dispensary if that's what
24 that's going to be.

25 Our home is 225 feet from this facility. You

1 have four other residential homes in approximately that same
2 distance, way less than 300 feet.

3 I hate to see the scope of the neighborhood
4 change like this. I, like so many others, don't have a
5 problem with medical marijuana.

6 What I have a problem with is locating this
7 facility in a residential neighborhood. It's true, we do
8 have Memorial's Outpatient Surgical Center, as well as
9 medical offices, right there.

10 I have talked with a doctor who practices in
11 that medical clinic. He said, Drew, I am not against
12 medical marijuana. He said, I am for it but this in my
13 opinion is not a proper location to locate this facility.

14 Since CSX closed the railroad crossing there
15 at 31st Avenue, it's a dead-end, if you will. There is not
16 a lot of parking around this property except for the Gulf
17 South or Memorial Outpatient Surgical Center which is
18 directly across the street. I'm afraid if you have a lot of
19 people coming in here seeking medical assistance through
20 cannabis it's going to create a problem for them.

21 But it's also going to create a problem on
22 the street. There's very, very little parking. Our lot is
23 a 25 foot lot. It's part of Original Gulfport. They don't
24 build them like that any more I don't think. But that's an
25 issue.

1 The house immediately south of us stayed on
2 the market for over 12 years because there was no parking.
3 It had been a pediatric cardiologist's office. And I don't
4 know what he was thinking when he bought that place but
5 there are two parking spots out front and maybe four in
6 back.

7 Prior to that, it was a law office with 16
8 attorneys, secretaries, receptionist. They had to move out
9 because after they bought it they realized there's no
10 parking here.

11 So one of the issues for us is what happens
12 to the parking. We've got one space in front of our house.
13 That's it. Most people own two cars. We can't park in the
14 back because people when they come they choose to park in
15 front.

16 I just don't think our neighborhood can
17 survive the number of people that would be coming into a
18 proposed dispensary there.

19 The other thing is several years ago, we had
20 a hookah bar just on the other side of the doctors' offices
21 over there. About 3:00 a.m. one morning, we heard -- we
22 were woken up by three shots. People came out of the hookah
23 bar to rob a guy shooting three times, left him for dead.
24 As we understand it, they got \$20 out of it.

25 Medical marijuana, I'm sure, is much, much

1 more valuable than that. If they put that in there, I'm
2 worried about security. Someone has spoken to the issue of
3 security in there, and it would be properly supervised.
4 But, you know, you're going to have to convince me of that
5 if it goes in there.

6 I'm really concerned about that there will
7 probably be robberies, holdups, shootings. I don't know
8 that. I can only suppose. But it does cross my mind. I
9 have a very big concern about that.

10 I would appreciate it if you would not allow
11 this in a primarily residential neighborhood. We've got
12 five houses right there on 31st Avenue just immediately
13 south of this facility. You have other homes on 32nd Avenue
14 that people have talked about. It's residential. It's not
15 something that would be -- I can't imagine any pharmacy
16 locating in there. Just it doesn't make sense.

17 But at any rate, that's my opinion. I
18 appreciate your time. Thank you for hearing me.

19 MS. ADOLPH: Thank you, Mr. Cameron. Thank
20 you.

21 Anyone else to speak against this? Anyone
22 else to speak against this zoning text amendment?

23 MR. DIX: My name is Brian Dix. My address
24 is 23920 Stablewood Drive, Pass Christian, Mississippi.

25 I appreciate y'all's time this evening.

1 I'm a physician. I've practiced in Harrison
2 County 29 years. I'm an anesthesiologist. I know a little
3 bit about opioids. I also deal in chronic pain management.
4 I deal in opioid interventional treatment. We do a lot of
5 it right down the street. Gulf South Outpatient Surgery
6 Center with Memorial Hospital is renting that property now.

7 I am not opposed to medicinal marijuana. I
8 have a lot of patients I see in my office who are on
9 medicine marijuana, and they get it at other areas.

10 I am opposed to the zoning change because if
11 you all change this zone tonight, it's going to allow a lot
12 of other people to put these in a lot of places that you
13 might not otherwise want them.

14 I'll just leave it at that. I agree with the
15 last two people ahead of me who spoke very eloquently. If
16 it does pass, I'll be back to speak on the next issue.

17 Thank you for your time.

18 MS. ADOLPH: Thank you, Dr. Dix.

19 Anyone else to speak against this zoning text
20 amendment?

21 I have recognized you to come back and give
22 some clarity as the author presenting this.

23 MS. ILLING: Thank you.

24 So just to clarify, yes, per the application,
25 the property that is intended to be leased for the

1 dispensary and the property where the state has awarded a
2 license is at 1301 31st Avenue. That is zoned T4+ which,
3 you know, as illustrated by the clinics on the street is a
4 zoning that is commercial. It is a zoning that allows for
5 medical facilities to operate.

6 So that zoning extends to 32nd, and then up
7 north of the railroad tracks a couple of, one or two blocks
8 north of the railroad tracks.

9 That is a transect zone that from my research
10 through public record request was established to create
11 hybrid uses so that downtown Gulfport could be a vibrant
12 place to live and work, a place where someone could choose
13 to live downtown and be able to walk to go out to eat and
14 walk across the street to see their doctor or go to their
15 pharmacy.

16 So it is a commercial zone. And the -- that
17 is not especially relevant to this particular request which
18 is about the text amendment generally. And I think there
19 might have been -- well, a little misunderstanding, but I
20 certainly would -- I would support -- I would be happy if
21 the commission did support adding the zones by commission
22 approval.

23 These additional zones that are being
24 requested including T4+ and T5, they, you know -- if those
25 zones were to include planning commission approval, I think

1 that is very warranted because, you know, I trust that
2 you're the body that has the best interest of the city at
3 heart and is able to make determinations on a case by case
4 basis.

5 MS. ADOLPH: Thank you for the clarity.
6 Thank you.

7 MR. DAIGLE: So, before you go. I'm sorry.

8 I guess I'm not understanding what your --
9 because now you're talking T4+ and T5, and, Greg, what I'm
10 understanding is that the application is to include B-1 and
11 R-B. Is that correct?

12 MR. HANCOCK: No. There's a list of about
13 eight of them. It's on Page 215 of your packet. Currently
14 in the existing regulations of B-2 and B-4, what they want
15 to add is in addition to B-2 and B-4, they want to add B-1,
16 R-B, T4+, T5, and T6. Is that correct?

17 MR. LONG: Do you want me to speak on this?

18 MR. DAIGLE: Please.

19 MS. ADOLPH: I think you have to trade now.

20 MS. ILLING: Thank you.

21 MS. ADOLPH: And who are you?

22 MR. LONG: I'm Cory. My name is Cory Long.
23 I work for the City of Gulfport, staff member, 1410 24th
24 Avenue, Gulfport, Mississippi.

25 If you look through her application, one of

1 the things in there is the ordinance that was actually
2 passed by the planning commission and then by the City.

3 One of the items that she wrote on there, one
4 of the definitions was a strike-through on any use that is
5 specific to the T zones. Okay? So that was allowed to
6 stay, the T zones were allowed to stay. But there were some
7 modifications to that under her request to open up the T
8 zones.

9 So right now you're only allowed in the B-2,
10 B-4 zones for medical cannabis dispensaries. So her request
11 is going to allow the zones to jump to a B-1 and an R-B. In
12 addition to that, the equivalents to those in Smart
13 Code/Hybrid Code, which would include T4+, T5, T6.

14 So if you look at the maps under the request
15 -- sorry, Mr. Spann, I'm sorry to have to pivot you around.
16 This map is actually in your packet. It's just we zoomed in
17 on the locations to help you see them a little better.

18 The green zones are the areas that are
19 currently allowed for medical cannabis dispensaries.

20 Now, that area right there in the southwest
21 corner is deceptive because a lot of that is city owned
22 property. But ultimately I believe that turned into about
23 13.8 percent of the city for just the B-2 and B-4 for
24 medical cannabis dispensaries.

25 And, Greg, if you don't mind moving through

1 the slides because this jumps from quadrant to quadrant of
2 the city, assuming I-10 and Highway 49 create a quadrant.

3 So the northeast quadrant of the city, you would
4 see where these zones could potentially open up. And, yes,
5 it includes some of the areas along eastern Dedeaux Road, a
6 little bit further north along 605, Florence Gardens
7 potentially, and Three Rivers Road.

8 Greg, if you don't mind, please.

9 And then you get to the southeastern quadrant
10 of the city, and then you see where the T zones scatter
11 along Pass Road, all the way down 605 to Highway 90. And
12 then back toward the downtown area, if you don't mind one
13 more time, Greg, please, you'll see that it opens up onto
14 downtown, 20th Street heading west, and then potentially
15 some areas of West Side.

16 That being said, her request was by right..
17 That was her request for that. But the planning commission
18 has the authority to modify that request to planning
19 commission approval, special exception, allowed in certain
20 zones and not allowed in certain zones. It is within your
21 latitude the way I understand it. Greg, is that correct?

22 That's the way I understand it's within your
23 latitude. I was just up to provide information for you guys
24 to help you make a better decision.

25 MR. DAIGLE: Thank you.

1 MS. ADOLPH: Any other questions of Mr. Long?

2 Thank you.

3 Commissioners, you've heard the discussion.

4 MR. HANCOCK: Let me ask another question. I
5 think I've already convinced myself of what the answer is.

6 But typically when there's a zoning text
7 amendment, in the years that I've been here, that's always
8 been brought to us by the city. I don't recall a time when
9 the zoning text amendment has been brought to us by someone
10 other than the city.

11 MR. SELLERS: I agree with that.

12 MS. ADOLPH: I agree.

13 MR. HANCOCK: And it even says it was -- this
14 is why I was confused because if I'm reading the agenda, it
15 says zoning text amendment PC 171 by Lauren Illing, City of
16 Gulfport.

17 She's not with the City of Gulfport. So I'm
18 not sure why it says that. This is somebody outside of the
19 city, outside of the administration, that's bringing this to
20 us. I don't think I've seen that before. Am I correct?

21 MR. SELLERS: I'd agree. I don't think in
22 all the time I've ever seen that either, to my recollection.

23 MR. LONG: Cory Long again, staff.

24 So during the records search that I was doing
25 this, I actually have found that there's been several

1 instances of this historically. It has not happened in the
2 relatively recent past. But when you get back historic and
3 you fall back about eight, ten years, even before I started
4 with the planning office, I found that there are some
5 records of other people requesting zoning changes.

6 And so it's well within the applicant's
7 right. If I made a mistake on the legal description, it was
8 mostly probably because it's a City of Gulfport ordinance,
9 and there may have been some misreading on my part. But it
10 is our ordinance that the applicant is requesting to amend.

11 MS. ADOLPH: If that is the case, Mr. Long,
12 could it be designated as a citizen of the City of Gulfport
13 rather than saying just City of Gulfport which then presents
14 a lack of clarity for us as commissioners.

15 MR. LONG: I understand. That's all I can do
16 really is apologize on that. Just like everybody else,
17 we're hit with a lot of cases. So all we can do is our
18 best.

19 MS. ADOLPH: Okay. Not complaining. You do
20 a good job.

21 MR. HANCOCK: I'll also point out this real
22 quickly that this is -- we passed a plan in this body within
23 the last few months, and this, to me, this would be a major
24 overhaul to the plan that we passed a few months ago. It's
25 kind of odd that it includes R-B which is going to get you

1 really, really close to some residents.

2 If we had heartburn against about the last
3 one, this is a lot -- this goes a lot farther in that
4 direction.

5 So I'm really kind of surprised that they
6 even put that in this request. The last case, I was kind of
7 on the fence about it because I really kind of disagree with
8 the classification of a hotel as a house as a home. But
9 nevertheless it is.

10 But in this case, we would basically be
11 approving by right because they've scratched through the
12 code and put an R instead of a P.

13 So to put these things in all the R-B
14 locations, that would be a gross, a really, really big
15 change to what we passed three or four months ago.

16 So just something that makes me
17 uncomfortable.

18 MS. ADOLPH: I hear you thinking out loud,
19 Mr. Hancock. Do you want to offer a motion then?

20 MR. HANCOCK: I will eventually, but I'll
21 give other people a chance to talk.

22 MS. ADOLPH: Still thinking out loud? Anyone
23 else?

24 MR. SELLERS: I would say I agree with Doug
25 in the fact, in several matters there, but one I don't ever

1 remember a text amendment coming from the public.

2 I am one of the ones who felt like a hotel
3 was somewhat restrictive considering it a residence, but in
4 this particular application, you are talking about by right
5 allowing R-B zones and all that, and I just can't go that
6 far and agree to that.

7 My suggestion would be that the groups in
8 favor of making changes get with the city planning
9 department and discuss the possibilities and see if some
10 reasonable agreement can't be arrived at to maybe possibly
11 open up some other venues, areas, to dispensaries.

12 But I can't approve this as presented. And I
13 don't really see any way we can even modify it at this point
14 without more information and more discussion.

15 So I will go ahead and make a motion to deny
16 the request Case File 2209PC171 and again suggest that
17 continued discussion be carried on in this matter with the
18 planning department.

19 MR. HANCOCK: I'll second that.

20 MS. ADOLPH: We have a motion and a second to
21 deny Zoning Text Amendment request 2209PC171. Is there any
22 need for further discussion?

23 MR. DAIGLE: I just want to throw out I'm in
24 favor of figuring out a good avenue so this medical
25 marijuana can find a place in the community. I've heard a

1 lot of good compelling arguments where I think it's going to
2 find a place. I think that my opinion is because I was also
3 in favor of the previous case that we had with the hotel. I
4 don't think -- I know hotel is considered in a residential
5 zoning area, but I don't think it's a personal residence.
6 But that's my opinion.

7 I do think there's a place for this. There
8 were other options I think that they could have gone down.
9 I just want to state what is out there in the future.
10 There's B-3, there's B-1. If you're trying to do one zoning
11 area at a time, seeing if maybe we can grab a little bit
12 this, spread it out, I think though that my opinion is this
13 is just too much. I can't support it, especially without it
14 having planning commission approval.

15 So that's my thought. But I do think it has
16 a place, and I don't want to just throw out there that I'm
17 not in favor of medical marijuana because I think it has a
18 place in our community.

19 MS. ADOLPH: Thank you, Mr. Daigle.

20 Any other comments coming from commissioners?

21 Reverend Spann?

22 MR. SPANN: I just feel strongly about what
23 we voted on last time. And this one here, yes, it has a
24 place in our community. And I would implore them to find,
25 look to find those places that are permitted by what we

1 voted on as a planning commission.

2 MS. ADOLPH: Thank you, sir.

3 Coach Jones?

4 MR. JONES: Basically, I'm in agreement with
5 90 percent of this committee. And when you think about
6 across the state, you may have 27 or 29, whatever. It's not
7 a great number.

8 Now, I do know marijuana works. My
9 brother-in-law died taking it, but it gave him an appetite.

10 But at this time, I just can't support it as
11 for it being where they want it to be, and we don't know
12 enough about the background.

13 MS. ADOLPH: Thank you, sir.

14 Any other comments? We have a motion and a
15 second on the floor to deny Zoning Text Amendment 2209PC171.
16 Those all in favor of denial, please raise your hand.

17 (Unanimous vote.)

18 MS. ADOLPH: The motion is then denied.

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2209PC171

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroee, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the hearing held before the City of Gulfport Planning Commission and that the foregoing 60 pages constitute a true and correct transcription of said hearing held on the 22nd day of September 2022.

I do further certify that my certificate annexed hereto applies only to the original and certified transcript. The undersigned assumes no responsibility for the accuracy of any reproduced copies not made under my control and direction.

Witness my signature this the 26th day of October
2022.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter

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SCHEDULE FOR AD NUMBER IPL01042980

January 11, 2023
SunHerald (Biloxi)

PREVIEW FOR AD NUMBER IPL01042980**LEGAL NOTICE
PUBLIC HEARING**

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979 as amended, notice is hereby given advising that the Gulfport City Planning Commission will hold a public hearing in the City of Gulfport, Mississippi at 4:30 P.M., Thursday, January 26, 2023 in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development, Planning Division, located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Planning Commission Approval 2301PC002, by agent Bryce McMurry, tax parcel 08100-02-012.000, Requests to convert portion of Mobile Home Park into RV use, 2800 19th Ave, Zoned B-2 (General business), Ward 3
Special Exception 2301SE006, by agent Austin Keith, tax parcel 0911B-02-013.000, seeking approval of a liquor store use at 111 Courthouse Rd, Zoned T-6 (Urban Core Zone), Ward 2

Planning Commission Approval 2211PC194, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Seeking approval for an outdoor entertainment venue at 942 1/2 Beach Blvd, Zoned T5 (Urban Center Zone), Ward 2

Zoning Text Amendment 2209PC171, by Lauren Illing, City of Gulfport, Amendments to the Comprehensive Zoning Ordinance, as amended, Section I Definitions (B) Words and Phrases Medical cannabis Establishment and Section III District Regulations, (K) Chart of Permitted Uses, (2) Schedule of Uses Medical Cannabis Dispensary, to allow a Medical Cannabis dispensary as a matter of right in R-B, B-1, B-2, B4, T4+, T5, T6 zoning districts.

Zoning Map Amendment 2211PC195, by owner Daniel Conwill IV, tax parcel 1011D-03-008.000, Requests rezone from T5 (Urban Center Zone) to T6 (Urban Core Zone), 942 1/2 Beach Blvd, Ward 2

Zoning Text Amendment 2212PC225, by CRC Westside, amendments to the SmartCode Zoning Article 5, as amended, Section 5.3.3 (a), 5.4.3 (a), 5.5.3 (a), 5.6.3 (a), and Article 6, Table 10; to establish how unspecified uses of property are addressed in areas subject to SmartCode.

Zoning Map Amendment 2301PC001, by agent Greg Smith, tax parcels 1011D-01-036.000 and 1011D-01-038.001, Requests to rezone from T6 (Urban Core Zone) to T4+ (General Urban Zone "Plus"), 146 Oleander Dr., Zoned T6 (Urban Core Zone), Ward 2

Zoning Map Amendment 2301PC003, by owner Advanced Contracting Services, tax parcel 0710M-01-053.003, Requests to rezone from B-2 (General business) to I-1 (Light industry), 0 28th Street, Ward 1

Zoning Text Amendment 2301PC007, by agent Freddie Fountain, Amendments to the Comprehensive Zoning Ordinance, as amended, to amend Section III. District Regulations (K) Chart of Permitted Uses (2) Schedule of uses - REDUCING SALON; to allow a reducing salon (i.e. a gym/fitness facility) in I-2 zoning districts

Zoning Text Amendment 2301PC008 by City of Gulfport, amendments to the accessory building ordinance Sec. IV. Supplementary regulations. (2) Accessory building; to consider changes to limitations on size, height, setbacks, and number allowed.

This the 4th day of January, 2023
Virginia Adolph, Vice - Chairman
City of Gulfport Planning Commission
W00000000
Publication Dates

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