

Mayor Schafer IV

Councilmember Depreo Councilmember Moran Councilmember Morgan

Councilmember L'Ecuyer At-Large Ward 1 Ward 2 Ward 3 Ward 4 Vacant



### **AGENDA**

### REGULAR MEETING OF THE CITY COUNCIL

### Tuesday, March 03, 2020 6:00 PM CST

Council Chambers, City Hall and via teleconference, if necessary

### Call to Order.

Invocation - Councilmember L'Ecuyer

Pledge of Allegiance

Roll Call

Confirm or Adjust Agenda Order

### Presentation Agenda.

### **Council Comments.**

- 1. The next Regular Meeting of the City Council will be held Tuesday, March 17, 2020 in Council Chambers in City Hall at 5000 Diamondhead Circle.
- 2. Proclaim March 11, 2020 as "Coastal Mississippi Day" in the City of Diamondhead.
- 3. Robert Barber, Orion Planning + Design Comprehensive Plan

### City Manager's Report.

**Public Comments on Agenda Items.** 

Policy Agenda.

#### Minutes:

a. Motion to approve February 18, 2020 Minutes.

### **Resolutions:**

- a. 2020-063: Motion to adopt Resolution 2020-012 thereby approving a text amendment for off-street parking requirements in Table 8.1 of the Zoning Ordinance for "Restaurants with Drive=Thru or Drive-On". Change to 1 per 2 seats and (1) 9' x 50' queuing space beginning at pick up station\*. \*All queuing shall be contained on private property and shall not be allowed on public. Eliminate in its entirety the current language.
- b. 2020-064: Motion to approve Resolution 2020-010 thereby appointing John Rubar to serve as Planning & Zoning Commissioner for a four (4) year term beginning March 1, 2020 and expiring March 2020.

**c. 2020-066:** Motion to adopt Resolution 2020-010 thereby accepting as a donation real property from donor Rouse Land Company, LLC and for other related purposes.

### **Consent Agenda:**

- **a. 2020-042**: Motion to declare surplus property and proceed with proper disposal.
- <u>b.</u> **2020-055:** Motion to accept Substantial Completion as of January 29, 2020, approve Change Order 1 in the amount of \$1,000 and approve final pay application in the amount of \$13,123.14 to J.E. Borries, Inc for the Devil's Elbow Dredging Project.
- **c. 2020-056**: Motion to approve payment in the amount of \$2,662.50 to James J. Chiniche for professional services related to Shepard's Square Design.
- **d. 2020-057**: Motion to approve payment in the amount of \$3,804.35 to James J. Chiniche for CEI services for East Aloha Widening.
- e. 2020-058: Motion to approve final payment to James J. Chiniche in the amount of \$1,125.00 for Montjoy Creek Improvements.
- **f. 2020-059:** Motion to approve payment to James J. Chiniche in the amount of \$2,156.25 for the design of East Aloha Improvements Phase 1.
- **g. 2020-060**: Motion to authorize travel and related expenses for Aaron Jones of the Hancock County Sheriff's Office Diamondhead Division to attend Mississippi Command College in Jackson.
- h. 2020-065: Motion to establishment compensation for election workers and officials for the March 3, 2020 Ward 4 Special Election.

### Action Agenda.

- a. 2020-061: Motion to approve the rear yard setback variance as requested by Sharon I. Gerchow to construct a covered patio (12'11" x 24') within 18' of the southwest corner and 14' of the southeast of the rear property line on parcel 067K-1-36-138.000. The property address is 8812 Manoo Street. The tax parcel number is 067K-1-36-138.000.
- **b. 2020-062:** Motion to approve the conditional use permit requested by Mini Meanie, LLC, owner Frederick Larry Tomlinson to allow a "concrete sub-contracting and consulting firm" in a C-1 district. The conditions set forth by the Planning Commission are: to allow a contractor's yard for a temporary time not to exceed 11-30-2021 for the storage of materials, equipment, vehicles and utility trailers; construct a wooden privacy fence 6' in height completely surrounding this area to obstruct view from all sides. An occupancy inspection shall be conducted by the Building Department and compliance required i.e. minimum parking spaces.
- <u>c.</u> 2020-067: Motion to approve the conditional recommendation of the Planning Commission for "the Master Sketch Plat for Diamondhead Lakes", a 210 lot development by Elliott Homes. Motion to approve the recommendation of the Planning Commission to approve the variance request as petitioned for Lots 11 and 12, Northern Section-Minimum Road Frontage; Lots 28 and 33-Southern Section-Lot Width at Setback Line; Lots 38, 43 and 106 Southern Section-Minimum Lot Width (Corner Lot)

### Routine Agenda.

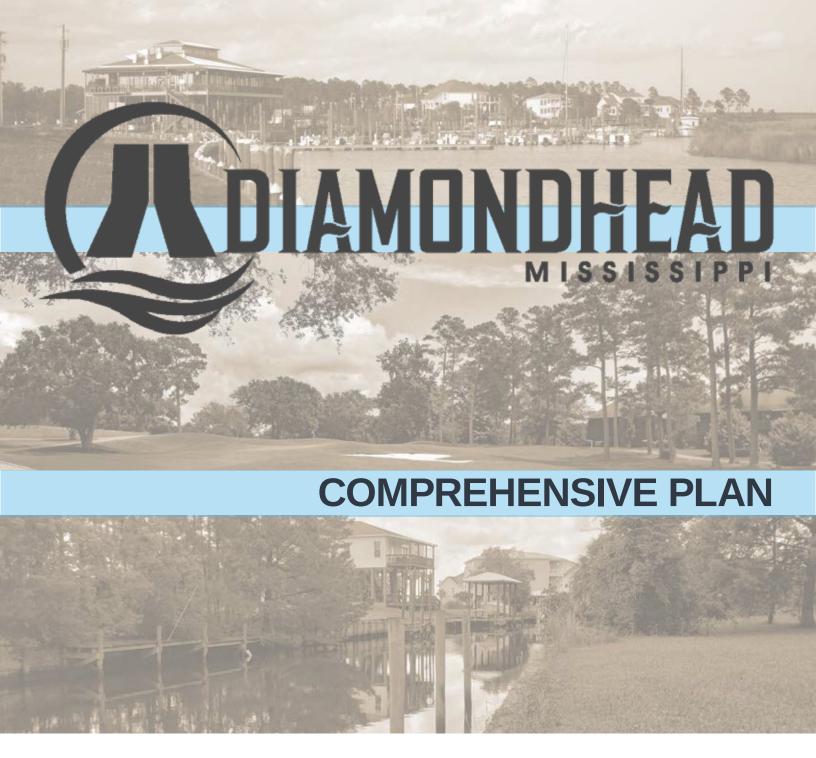
- <u>a.</u> Motion to approve the Docket of Claims (Claims DKT156892- DKT156924) in the amount of \$72,973.88.
- b. Motion to accept the January 2020 Financial Report.

**Public Comments on Non-Agenda Items.** 

**Executive Session, if necessary.** 

Adjourn/Recess.

NOTE: THE CITY OF DIAMONDHEAD WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD INDIVIDUALS WITH DISABILITIES AN EQUAL OPPORTUNITY TO SERVICES AND ACTIVITIES OF THE CITY. A WRITTEN REQUEST BY OR ON BEHALF OF QUALIFYING INDIVIDUALS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE CITY CLERK.

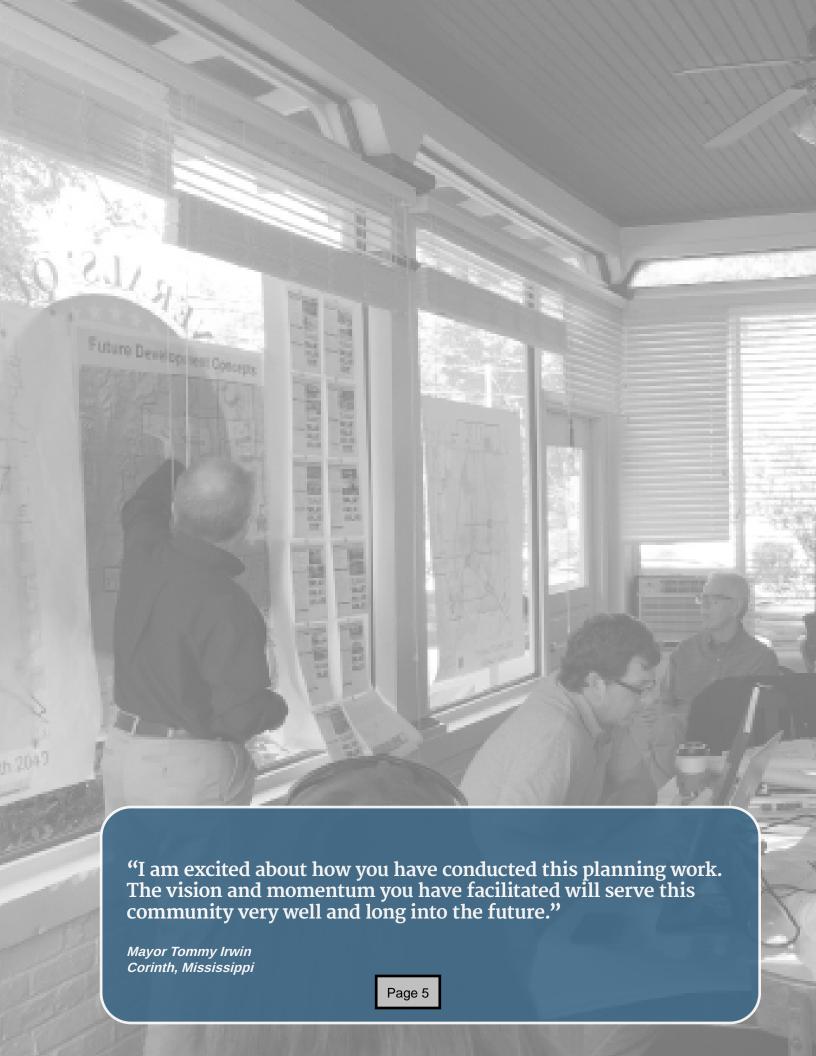


### **PROPOSAL**

Submitted November 29, 2019 by:
Orion Planning + Design
Robert L. Barber, FAICP, Partner
919 Getwell Road
Hernando, Mississippi 38632
901.268.7566

### **PROJECT TEAM**

Orion Planning + Design MōD Transportation Consulting Arnett Muldrow & Associates

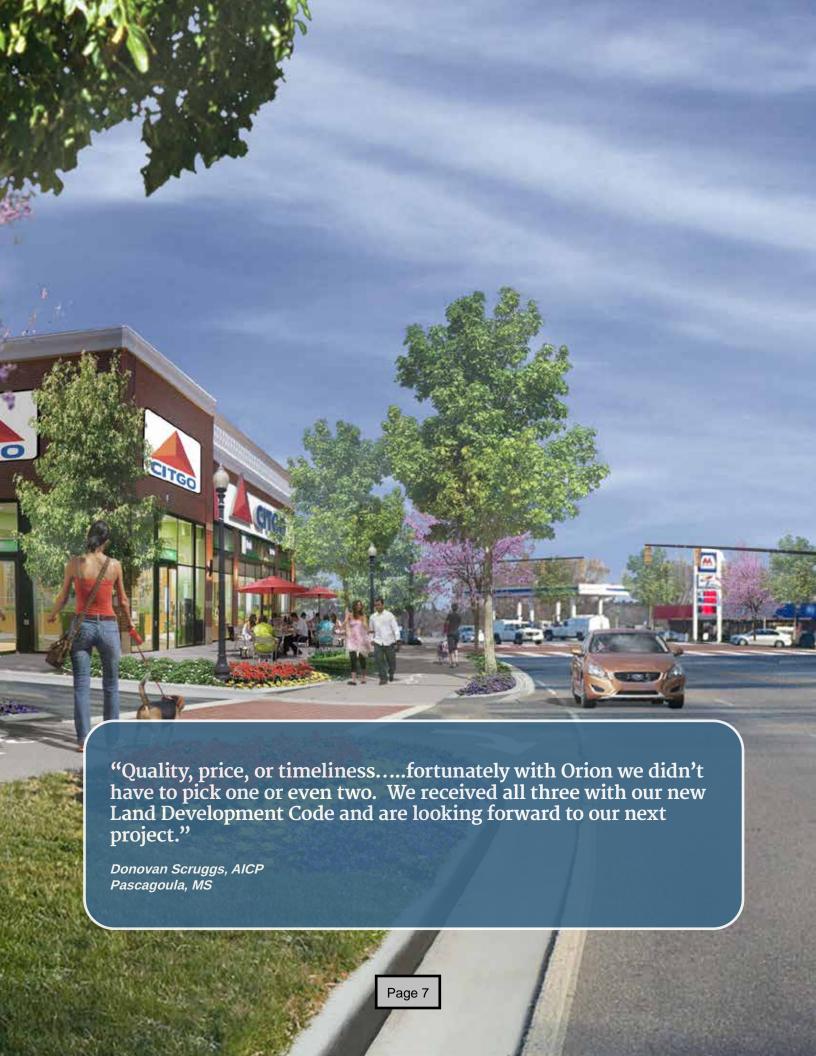


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PROJECT SITES







November 29,2019

Mr. Mike Reso, Administrator City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Mr. Reso:

Orion Planning + Design and our team are pleased to submit this proposal to assist the City of Diamondhead in the update of your long-range comprehensive plan. The partners of Orion have a wealth of experience working for and with cities, towns, counties, and regions across the United States to create award-winning plans, designs, strategies and codes using our highly effective and proven process outlined in this submission. Our team includes MōD Transportation to assist with mobility and connectivity planning, Arnett Muldrow & Associates specializing in demographic, market research, housing and branding.

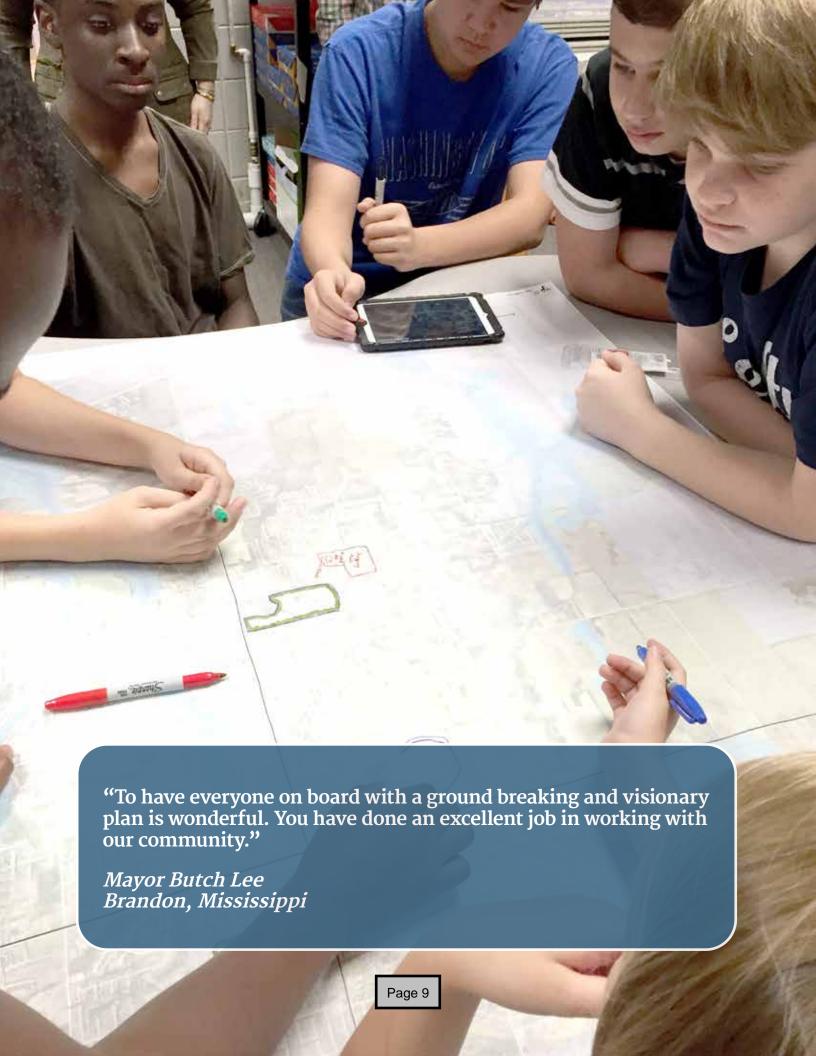
Our ability to work in diverse contexts nationally and our proven track record distinguish Orion Planning + Design from our colleagues. We are passionate about our work and eager to work closely with staff, local officials, and citizens. Creating effective working relationships is a key element of our approach and scope. We value partnerships and believe that the combination of our experience and knowledge of plans and policies coupled with your knowledge of and experience will result in the very best plan. We apply high standards in managing and executing the planning process. Our deliberate quality assurance and quality control process ensures a professional product for the community.

We believe this proposal will reflect all of these qualities. We encourage you to contact any of our references, explore our website, request copies of a specific product that interests you, or otherwise fully evaluate us. Please do not hesitate to let me know if you have any questions or want additional information. We look forward to having the opportunity to discuss our experience and our approach to your project soon.

Kindest Regards,

Robert Barber, FAICP

Partner



### **TEAM SUMMARY**

The members of our team are listed in the table below. Their qualifications are also summarized later in this proposal and can be viewed at each member firm's website. The team will be organized as shown in the diagram on page 19, Project Team. We have carefully created our team of nationally recognized planners, economists, and engineers to facilitate Diamondhead's comprehensive planning proess.

TEAM MEMBER	TEAM POSITION	WEB SITE					
Orion Planning + Design	Team Lead	www.orionplanningdesign.com					
MōD Transportation Consulting	Sub-consultant	www.MōDtc.net					
Arnett Muldrow & Associates	Sub-consultant	www.arnettmuldrow.com					







### **APPROACH**

With its advantageous location on the Mississippi Gulf Coast, excellent transportation access, high quality of life, and potential to expand opportunity and improve livability, Diamondhead is well positioned for growth.

Diamondhead's natural assets such as its beautiful and accessible waterfront and its community concerns for developing attractive and walkable nodes of commerce, potential expansion of walking and biking paths and the opportunity to plan the ongoing vibrancy of existing neighborhoods create a rich context for city planning. They also form a strong basis from which to successfully address Diamondhead's challenges.

These challenges include long-term community governance arrangements, livability elements such as neighborhood development and aesthetics, those related to auto-centric development patterns, and those linked to the city's broad economic development potential. The current Diamondhead plan was completed just after the city incorporated and a new vision is needed to ensure Diamondhead captures its full potential. As part of our approach the City of Diamondhead will be a full partner in the project, both designing the project scope and providing key direction as the project progresses.



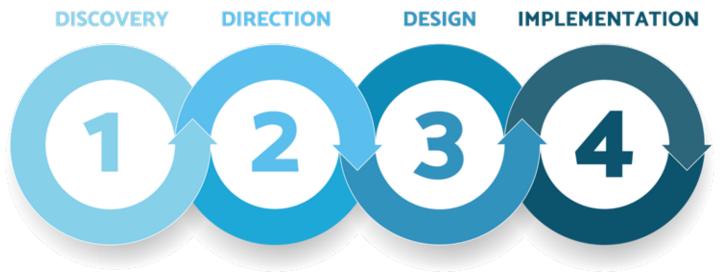


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### **OUR METHODOLOGY**

Based on our collective experience in successful comprehensive growth and development planning, we anticipate the following approach to your project. Orion Planning + Design's holistic planning philosophy, values, and methodology for developing successful plans, from individual sites to entire communities, consists of the following four fundamental components.

# PLANNING PROCESS



COMMUNITY HISTORY & BACKGROUND

DATA COLLECTION & ANALYSIS

UNDERSTANDING WHO YOU ARE **VISION & MISSION** 

SPECIFIC GOALS & OBJECTIVES

PUBLIC ENGAGEMENT THE GENERAL PLAN

POLICY FORMULATION

PROJECTION OF DESIRED FUTURE DEVELOPMENT PATTERNS SPECIFIC POLICY

**PROJECTS** 

MANAGEMENT

PUBLIC ENGAGEMENT

**ADOPTION** 

# DISCOVERY

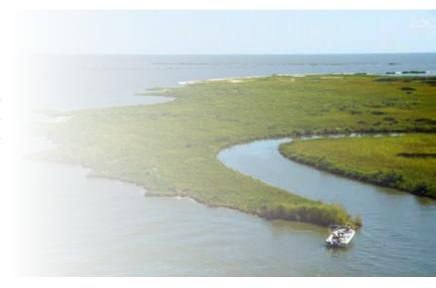
## Revealing, insightful, and accurate discovery, research, and analysis

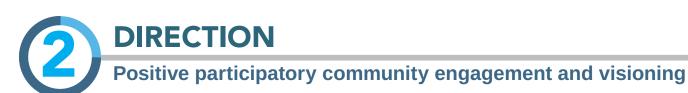
Community discovery forms the basis on which the planning process is built. Discovery analysis includes both quantitative and qualitative analysis of developmental dynamics. Specific subjects include development history, land use and build-out, natural environment, economics, community appearance and design, mobility, housing and infrastructure. Based on our current project understanding, key elements specifically related to Diamondhead will include:

- Mapping of community assets and development catalysts.
- Thorough market and economic assessment of housing, retail and other market sectors.
- Identification of place types of existing desirable development patterns, those that may be obsolete or less than desirable, and those place types that do not exist but should be introduced.
- Review of housing and neighborhood conditions.
- Identification of key focal areas for more detailed planning consideration such as a town center, waterfront development options, potential bikeway and pedestrian paths and areas as identified in the planning process.
- Complete understanding of mobility options and opportunities for connectivity throughout Diamondhead.

Our team members are accomplished in the analysis of each of these elements and in documenting results in a way that is engaging, interesting, and facilitates effective decision making.







Based on the results of the discovery process, Diamondhead's vision of itself into the future will be developed in close partnership with the community. Direction will be developed from both public and private sectors through input from key groups and stakeholders, city leadership, and the overall Diamondhead community in general. Community engagement will be conducted throughout the planning process. However, we have provided two options for the core of the engagement process:

- Community Planning Week
- Neighborhood Meeting Series

The community planning week approach would include a central community workshop to review discovery analysis, facilitate the creation and mapping of community vision, and the presentation of a concept plan back to the community in a span of several days. A neighborhood meeting series would facilitate visioning and planning through interactive neighborhood listening and feedback sessions.

Community participation will be cultivated to meet the specific communication needs and habits of Diamondhead. Our team believes it is critical to collaborate with city staff and officials to define public engagement goals, desired methods, and schedule. Our engagement toolbox is listed on the following page.

Well-facilitated community engagement will achieve a community driven plan embraced by Diamondhead and inspiring to citizens and all those with an interest in the city.

# River Walk team ready for input

By PAYTON TOWNS III

A joint consultant team is in Dublin this week, gathering data and information about the River Walk Project for Downtown Dublin.

Oliver Seabolt with Orion Planning Group has joined Katie Lloyd, Brittain Storck and Thomas Tavella (all from Alta Planning and Design) to go over the project. Alta specializes in creating active communities where bicycling and walking are safe, healthy, fun and normal daily activities.

"They are really professional and a terrific group of planners," said Joshua Kight, executive director of the Downtown Development Authority. Seabolt said they will be in town the rest of the

Seabolt said they will be in town the rest of the week and look forward to getting information from the public about their thoughts on the river walk and a countywide trail, which would be a bicycle route through Laurens County on Highway 80.

"We want to look for ways we can improve connectivity and walkability through Downtown Dublin," Scabolt said. "Dublin has some great attractions. The connectivity between each attraction can be improved. One thing we'll be looking at is how we can tie in all of these things to have a cohesive walkable city."

sive walkable city."

The group will have a table set up at the First Friday Concert this Friday evening and the Market on Madison this Saturday.

"We'll have a table set up to show some of the drawings we've been working on this week and some of the things we've learned," Seabolt said. "It's also an opportunity to spread the word about the project

See RIVER page 8a





OUR ENGAGEMENT TOOLBOX	Online Surey and Quick Polling	Questions posed for online response.
TOOLBOX	<u>Random Sample</u> <u>Survey</u>	A more scientifically valid method with questions posed to a random sampling.
	Traditional Media	Maintaining information flow through newspa- per, broadcast media, and/or email blasts.
CONTROLLED ENVIRONMENT	Social Media	Engagement via Facebook, Instagram and Twitter.
Participants cannot engage with each other. Information is collected and evaluated by the project administrators.	Project Website	A project web site can generally serve as the central repository of project information.
	<u>Door-to-Door</u>	Door-to-door information campign may be used to reach those who do not have comput- er access.
	<u>Feedback Cards</u>	After participating in a public event, private feedback can be submitted upon exiting the event or at a later date online.
MIVED	Focus Groups	This method involves discussion with a small group of people of similar interests.
MIXED ENVIRONMENT Participants can see other	Stakeholder Interviews	Group of those personally invested in the community are invited to specific meetings.
participants contributions however there may be limited peer-to-peer interaction. Information may	Neighborhood or Special Area Meetings	This method involves a series of interactive meetings at the neighborhood level.
become visible to the public.	Planning Week	The Planning Week is typically a community-wide event of 4 to 5 days.
	Pop-up Projects	These events take place in public spaces and demonstrate or test plan ideas such as traffic calming or a pocket park.
OPEN ENVIRONMENT	Student Workshops	This method intentionally engages the city's young people through an interactive workshop format.
Participants can easily engage with each other. Comments and ideas are visible.	Walking Audit	Conducting a walking audit is an excellent way to engage the community in assessing itself.
	Community Event Page 15	A presence at community events such as a Farmers Market, festival or general community event can generate excellent input.

# 3

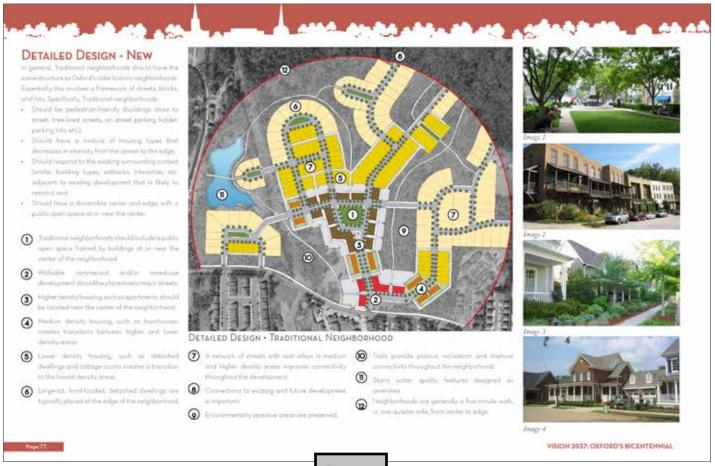
### **DESIGN AND PLANNING**

### Inspired, community-driven design excellence

Once consensus on a concept plan is achieved a detailed comprehensive plan can be developed. Preliminary planning and design ideas are fully articulated into an actionable plan. Elements will include future development patterns and place types, design of key community focus areas, design of future mobility systems, provisions for the natural environment, other infrastructure considerations and any other applicable planning elements that may emerge during the planning process.

Diamondhead is a major part of the Gulf Coast region and the plan will build on its assets in a distinctively positive manner. In advancing Diamondhead's livability and desirability, the plan will address city vitality and coordinate future land use and character with emphasis on key focal areas such as a town center and the waterfront.

The plan will create an updated vision that strategically incorporates appropriate development economic tactics into the planning process. The plan will be aimed at encouraging innovative design rather than counterproductive regulatory restraints. Connectivity for development throughout the community will be addressed, along with Diamondhead's unique challenges and opportunities.



# IMPLEMENTATION Clear practical and achieval

### Clear, practical, and achievable implementation programming

To conclude the planning process an implementation strategy for the Diamondhead plan will be developed. We typically organize implementation into the categories of policies, projects and management. The process will result in specific strategies and actions for each of these categories that lists not just the 'what' but also the 'who, when, and how' of moving plan provisions to reality. Implementation is presented in a way that can be managed, measured, and tracked for progress. Benchmarks and milestones are provided to assist in this process.

For Diamondhead particular attention will be given to assessing the City's current plan implementation, strategies, land development regulations, and development-related processes to better understand the types of implementation actions needed and the steps it will take to get started. We will also include a list of catalytic projects intended to have strategic impact far beyond the project itself.

### SHERIDAN LAND USE PLAN IMPLEMENTATION TABLE

The guiding principles related to the Plan's themes of system efficiency, transportation, open space, commercial nodes, housing mix, and suitable industrial locations are listed in the table which follows, detailing the goals, actions, measures of progress, time frame, next steps, and partners that will pursue the implementation of the Land Use Plan.

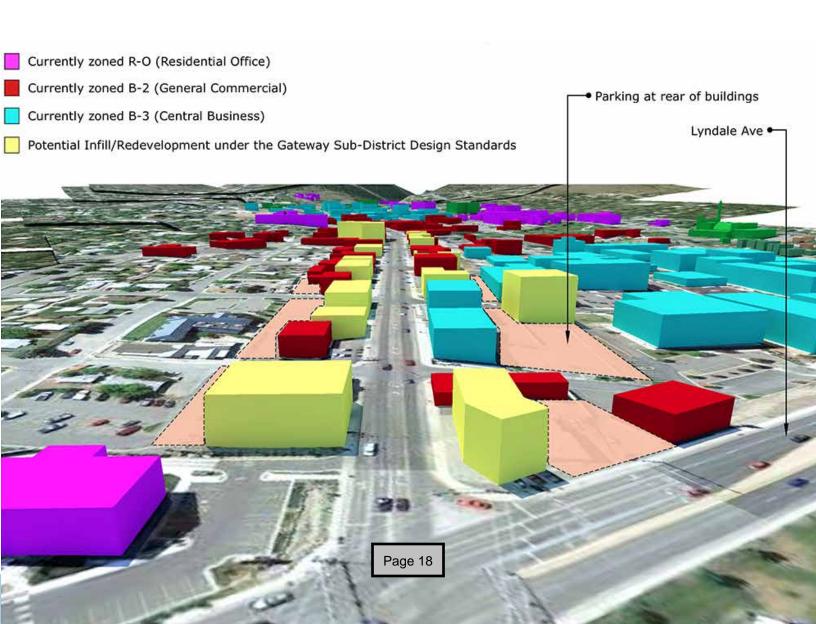


Jse Plan.		<b>OG</b> = Ongoing; <b>ST</b> = Short To	erm; <b>MT</b> = N	Medium Term; <b>LT</b> = Long Term	कुर कर्युं				
GOALS	actions	MEASURES OF PROGRESS	PARTNERS						
		SYSTEM EFFICIE	NCY	·					
Compact urban development	Monitor system efficiency indices to measure service delivery and effectiveness.	Cost efficiency and measures of sustainable development	<u>og</u>	Track efficiency indices	Public Works Department				
Compact urban development	Guide development to locations where available infrastructure and services exists.	Efficient development	<u>og</u>	Use the Future Land Use Map to guide the direction of development	Planning Division, Planning Commission				
Compact urban development	Include the installation of sidewalks and/or pathways in residential neigh- borhoods to promote walkability and non-motorized transportation options.	Connectivity of neighborhoods and increased pedestrian safety	<u>og</u>	Review development plans for compliance with City Codes and requirements for Complete Streets	Public Works Department				
Compact urban development	Investigate and encourage new housing options, including clustering that blends with surrounding land uses and maximizes the use of available infrastructure.	Increased housing choices	<u>og</u>	Investigate options for cluster development and infill development     Promote new housing alternatives to provide housing near major activity centers.	Planning Division, Chamber Commerce, N. Main Associ ation, Downtown Sheridan Association, Developers, She dan College				
		TRANSPORTATI	ON						
Neighborhood con- nectivity with easy and safe access	Develop on-street bicycle lanes or off- road paths for bicyclists.	Additional designated bicycle lanes and paths	<u>MT</u>	Consider and implement recommendations of Sheridan Bikeway Plan and local bicycle clubs such as Bomber Mountain Cycling	Public Works Department, WYDOT, Sheridan Commun Land Trust				
Neighborhood con- nectivity with easy and safe access	Extend existing pathways and trails as opportunities arise.	Extended pathways and trails	<u>og</u>	Determine locations for potential extensions     Seek opportunities to acquire easements as needed	Public Works Department, WYDOT, Sheridan County, Sheridan Community Land Trust				
Neighborhood con- nectivity with easy and safe access	Continue to implement the Complete Streets program that connects neighborhoods and provides safe options for transportation by vehicle, foot, bicycle, and other non-motorized methods.	Accessible neighborhoods for safe transport by vehicle and non-motor- ized methods	<u>og</u>	Review new development proposals to make sure Complete Streets are addressed     Investigate programs and options to encourage retrofitting older neighborhoods with Complete Streets standards.	Public Works Department, WYDOT				
Neighborhood con- nectivity with easy and safe access	Continue to pursue the development of the West Corridor.	Easements obtained as opportunities arise	<u>LT</u>	Initiate or maintain dialog with land owners     Include connectivity chapters in Pathway Master Plan and Transportation Master Plan	Public Works Department, WYDOT, Property Owners Sheridan Community Land Trust				
		OPEN SPACE							
Access to and conservation of the natural environment	Develop design standards for the sensitive development of land near creeks, waterways, riparian areas, and other lands with high environmental value.	Approved and adopted design stan- dards for sensitive lands	<u>MT</u>	Create working committee to develop standards     Prepare draft standards	Planning Division, Planning Commission, Sheridan Cour Conservation District				
Access to and conservation of the natural environment	Continue to set aside land for use as natural habitats and as active parks.	Implementation of Sheridan Parks and Recreation Master Plan	<u>og</u>	Set priorities for acquisition     Pursue acquisition and partnerships	Planning Division, Parks Division, Sheridan Communi Land Trust, Nature Conserva cy, Public				
Access to and conservation of the natural environment	Protect creek corridors and areas of riparian value from intrusive land uses.	Adopted standards for stream bank protection	<u>LT</u>	Create working committee to develop standards     Identify areas for protection	Planning Division, Sheridar County Conservation Distri				
		COMMERCIAL NO	ODES						
Convenient and di- versified commercial	Cluster commercial and retail land	Concentrated commer	$\neg \tau$	Alian zoning with Future Land Use Map	Planning Division, Planning				

### CONCLUSION

Our project methodology is proven. We frequently achieve substantial community momentum and inspiration through our engagement efforts. The ideas that emerge allow our team to shape community concerns and ideas into unique and innovative solutions. From our basic understanding, we would expect similar results in Diamondhead.

Our services will be characterized by providing the very best in discovery research, carefully listening to the community, providing superior professional guidance as direction emerges, drawing on deep and broad professional experience to solutions and best practices, and ensuring plan provisions are achievable through insightful and organized plan implementation. We are convinced that the quality of this approach as conducted by our team will result in real developmental progress for Diamondhead.



### PROPOSED SCOPE OF SERVICES

The following scope is based on our understanding of the project, our approach, and guiding conversations regarding Diamondhead's needs for updated planning that is inspired yet practically achievable.

### DIAMONDHEAD COMPREHENSIVE PLAN SCOPE OF SERVICES

### PART 1: DISCOVERY AND START-UP

Part 1 focuses on organization and information collection. If not already established, the Advisory Group may be created during this time and the plan brand introduced. The Orion team will also work with Staff to identify key stakeholders that should be engaged during the project and begin outreach to these individuals and groups as soon as possible.

### Task 1.1 - Establish Project Infrastructure

- a. Generate plan branding and project title (e.g.. Envision Diamondhead 2040) . Existing Diamondhead branding will be used as a baseline.
- b. Create project website and engagement plan.
- c. Advisory Group polling on initial priorities, perceptions and project direction.
- d. Establish plan templates. Layout and overall document design options will be presented and a basic template chosen.
- \* MILESTONE 1 On site team Discovery orientation, introductory Advisory Group meeting to review the project, proposed schedule, results of initial committee polling and overall project sequencing, initial public engagement meeting
- DELIVERABLES Project branding, project calling cards, project website, document template

### Task 1.2 - Existing Plans and Studies Overview

- a. An inventory and overview of all existing and applicable plans and studies will be conducted to identify and leverage previous research and planning and strategically focus current planning. (e.g. Gulf Coast Business Councils TIPS Strategies). Strategic attention will be given to the unique aspects of Diamondhead's community governance organizations and structures.
- b. Develop summary of findings and conclusions.
- c. Develop and propose interim polices for critical areas needed to insure planning options until the conclusion of the planning process (i.e. interim overlay district, targeted moratorium, etc.)

### Task 1.3 Existing Development Conditions Baseline Analysis

- a. Land use and build-out analysis The land use and build-out analysis will establish the existing land use and development patterns in the City. Vacant Land will be identified by current zoning and capacity for future development will be forecast.
- b. Market and economic analysis The Diamondhead market and economy will be studied with emphasis on housing, current and future employment opportunity, retail market assessment, role in the region and forecast of future conditions.
- c. Demographic trends analysis Demographic characteristics and trends will be studied to forecast likely changes future growth trends and prospects.
- d. Mobility assessment Diamondhead's mobility systems (vehicular and non-vehicular) will be assessed to identify opportunities for connectivity, expansion or retrofit for place making.

# DIAMONDHEAD COMPREHENSIVE PLAN SCOPE OF SERVICES

- e. Natural environment assessment Natural environmental features will be assessed for current and future impact on development patterns, healthy functioning, and opportunity for rest and recreation.
- f. Community facilities Diamondhead community facilities will be inventoried and assessed in the context of the city's overall development conditions.
- g. Report Synthesis The above analysis will be synthesized into a single summary report (powerpoint format) which shall form the basis of the next phases of the project.
- DELIVERABLES Baseline Summary Report (ppt.) including findings and conclusions of the analysis of the components listed and a complete suite of mapping.

### PART 2: DIRECTION - VISIONING AND CONCEPT PLAN DEVELOPMENT

Part 2 of the planning process will provide a significant opportunity for meaningful, hands-on involvement in creating the major conceptual plan components. The result of Phase 2 will be a working draft of goals, priorities, and policies as well as a concept plan that outlines future growth areas and types as well as future land use and general mobility infrastructure locations. Under the direction of staff and the Advisory Group, the Orion team will design the public engagement process from one of the two options below:

- a. Option 1 Planning Week This on-site work session involves the presence of the planning team for approximately 4.5 days for intensive on-site community engagement and concept plan creation. The option requires strong teamwork between the city and the planning team. Typically, the city will provide the logistical arrangements, advertise the event, recruit participants and schedule the public events. The planning team will facilitate all workshops and interviews. Special effort will be made to make the meetings broadly inclusive.
- b. Option 2 Neighborhood or area meeting series In option 2, a series of three neighborhood or area meetings will be conducted to review the baseline report and to engage participants in hands-on planning of Diamondhead. At the conclusion of the meeting series, results will be aggregated and reported back to the Advisory Group.
- \* MILESTONE 2 Opening public engagement meeting, Advisory Group meeting, closing public engagement meeting.
- DELIVERABLES Vision, Goals and Concept Plan

### **PART 3: DESIGN - PLAN CREATION**

Part 3 involves the creation of the detailed comprehensive plan based on all previous steps of the process.

- a. Completion of draft plan A draft plan to include community vision and planning principles, future land use and place types, and future mobility will be created incorporating and addressing project objectives.
- b. Review and Edits Once submitted, the plan will be reviewed by staff and "red lined" for edits and adjustments. Edits will be returned to the team in a single red lined PDF.
- \* MILESTONE 3 Advisory Group meeting to present the draft plan.
- DELIVERABLES Draft Plan

### PART 4: IMPLEMENTATION AND ADOPTION

Part 4 consists of creating the implementation component of the plan and the plan's adoption.

# DIAMONDHEAD COMPREHENSIVE PLAN SCOPE OF SERVICES

- a. Implementation strategies Detailed strategies will be created that address how the plan is to be implemented. Provisions will include recommendations on policy with emphasis on recommended zoning amendments, catalytic projects, and best practices in the development process. Performance metrics will also be included.
- b. Public comment, final review and edits The plan will be reviewed to incorporate final edits. Edits will be returned to the team in a single red lined PDF.

### ■ DELIVERABLES - Final Plan

- a. Presentation to Planning Commission
- b. Presentation to City Council

DIAMONDHEAD	ROLE
Full Partner	Diamondhead will be a full partner on the planning team. The means that the consulting team will communicate frequently with staff for information and guidance as the project proceeds.
Provision of Data	Diamondhead will provide GIS (.shp format) files to the parcel level along with all other applicable mapping files.
Logistics and Promotion	Diamondhead will provide meeting scheduling, logistics and advertising for Advisory Group meetings, public engagement meetings and team work space. Meeting spaces will require a reliable high speed Internet connection.
Prior Studies	Diamondhead will scan all previous studies into a PDF format for summary and reference purposes.
Timely Review	Diamondhead will provide timely review with the goal of maintaining the project schedule. However, the consulting team recognizes that unforeseen delays may occur, in which case the city and the team will propose an alternate schedule.

## **PROJECT TEAM**



**Advisory Group Diamondhead Appointed** PROJECT MANAGER ORION PLANNING + DESIGN **Robert Barber, FAICP ALTERNATE PROJECT MANAGER** ORION PLANNING + DESIGN Carol Rhea, FAICP **Balanced Mobility and Connectivity** Economic, Demographic, Housing Planning, Land Use, Environment **Public Engagement and Outreach** and Market Research Bert Kuykendall, P.E., AICP **Robert Barber, FAICP Aaron Arnett, AICP Robert Barber, FAICP** Allison Mouch, AICP Carol Rhea, FAICP Oliver Seabolt, ASLA Oliver Seabolt, ASLA Carol Rhea, FAICP Allison Mouch, AICP Allison Mouch, AICP **Urban Design** Infrastructure Oliver Seabolt, ASLA **Implementation Ron Slade** Bert Kuykendall, P.E. **Entire Team** 

# SPECIFICATIONS, QUALITY, AND INNOVATION

Specific considerations of technical specifications, our assumptions of Diamondhead's role in the process and quality assurance process are listed in the following table.

	SPECIFICATIONS
Mapping	All mapping will be completed using ArcGIS software and will primarily incorporate GIS data from the city as well as from other respected sources as needed and available. All data developed by the consultants will be provided in a mutually agreed upon format and media at the completion of the project.
Documents	All documents will be generated in MS Word or Adobe InDesign and shared as PDFs during the creation of the plan. At the end of the planning process, the adopted plan, graphics, and materials will be transmitted to the City in their native format and PDF via the shared Dropbox.

### **QUALITY ASSURANCE**

Quality assurance and quality control is fully integrated into the plan development process. This is a critical component when working with multiple teams and phases, varied deliverables, and review time lines.

To ensure the Diamondhead plan meets the highest standards, the following quality control protocols will be used:

- Multiple iterations of grammar and spell check programs from MS Word, Grammarly, and the Chicago Manual of Style.
- Highlighting of cross-references in draft materials to be proofed at the conclusion ensuring all references are up-to-date and accurate and all web links function.
- MS Word's Review feature and Acrobat commenting features will be used to track changes and comments between versions of documents.
- Drafts of deliverables are cataloged and saved until the project is complete to meet public records retention requirements and to allow the ability for re-review if needed. After internal editing procedures, draft documents are shared with Staff and the Advisory Group for review and editing prior to release to the public.
- Use of an editor's or style sheet listing text and numbering conventions to guide proofing.
- All illustrations are proofed for accuracy.

### INNOVATION

Our team is composed of leaders in innovative planning methods in order to produce a very high value products in constrained resource environments. Our methods include use of the most current design, rendering and interactive mapping technologies. Other tools used include drone reconnaissance, web-based interactivity, and web-based publishing.

# **COMPENSATION**

The project will be compensated based on standard practices of Diamondhead. The schedule below includes all services and travel. Printed materials and maps are proposed to reimbursed at cost of production.

TOTAL COSTS BY PHASE							
Phase 1 - Discovery and Start-up	\$47,470						
Phase 2 - Direction and Concept Plan Development (2 options)	\$46,500						
Phase 3 - Plan Creation	\$25,850						
Phase 4 - Implementation and Adoption	\$ 8,140						
Contingency	\$ 3,000						
Total Costs	\$130,960						



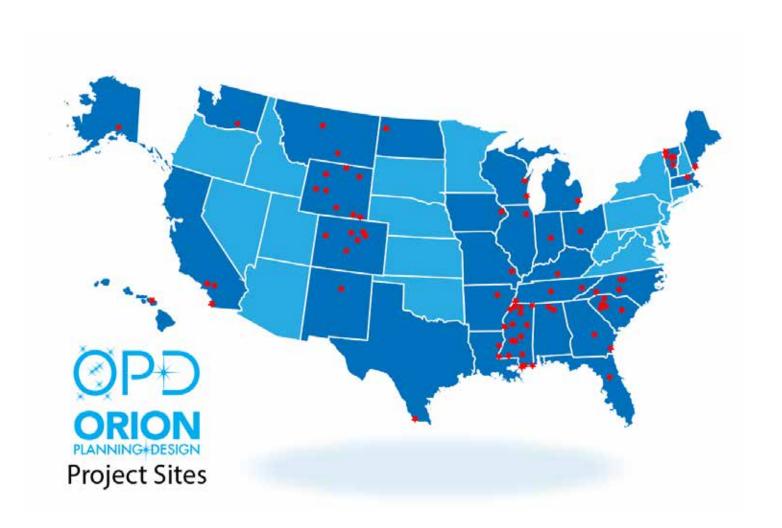
# **Projected Schedule**

	MONTH											
	1	2	3	4	5	6	7	8	9	10	11	12
PHASE 1 - PROJECT START-UP AND I	DISC	OVI	ERY									
Task 1.1 a. Generate plan branding												
Task 1.1 b. Create project web site												
Task 1.1 c. Create project cards												
Task 1.1 d. Polling of Advisory Group												
Task 1.1 e. Document templates												
* MILESTONE 1	*											
Task 1.2 Existing plans review												
Task 1.3 a. Land analysis												
Task 1.3 b. Market and economic analysis												
Task 1.3 c. Demographic trends												
Task 1.3 d. Mobility assessment												
Task 1.3 e. Natural environment												
Task 1.3 f. Community facilities assessment												
Task 1.4 g. Report synthesis												
PHASE 2 DIRECTION - ENGAGEMENT, V	VISIC	NIN	IG A	ND	СО	NCE	ΞPΤ					
Option 1 - 4.5 Planning Week												
Option 2 - 3 Neighborhood Meetings												
* MILESTONE 2					*							
PHASE 3 DESIGN - PLAN CREATION	,	'	'	<u> </u>	'		'	'	'		1	
a. Completion of draft plan												
b. Review and edits												
* MILESTONE 3									*			
PHASE 4 - IMPLEMENTATION	,	'		<u>'</u>	1	'		'			1	
a. Implementation strategies												
b. Final review and edit												
c. Presentation to Planning Commission												
d. Presentation to City Council												
Note: Schedule is projected and may be adjust meeting delays, or on unforeseen circumstance		mu	tually	y agı	reed	bas	ed a	djus	ted s	scop	Э,	





# **Relevant Experience**









Brandon is a fast growing historic town located in the Jackson, Mississippi metropolitan area with a population of about 21,000. Brandon has been recognized twice as one of the top 100 small towns in America. After completing an award winning downtown plan, the City recognized the effectiveness of the charrette approach used by the Orion Planning + Design and decided to commission a city-wide comprehensive plan to address the future of the entire community.

With rapidly changing demographics and economic drivers the purpose of the plan is to position Brandon for quality, sustainable growth and enhanced livability over the next decades. To do so, the current plan which promotes inefficient growth and sprawl must be updated to account for better urban design, mobility choice, and form-based elements in planning policy.

The plan is serving as a basis for updating development codes, guiding investment decisions and prioritization of use of resources.

### PROJECT INFORMATION

Orion led planning, design, and public engagement.



Brandon, Mississippi



Adopted in 2016



Client: City of Brandon



Contact: Jordan Rae Hillman



601.720.6048

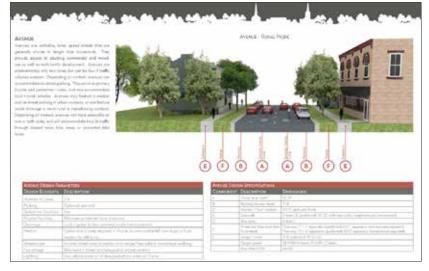


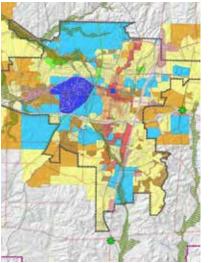
jhillman@jacksonms.gov



www.brandonms.org







Oxford, Mississippi, home to the University of Mississippi, is widely recognized as one of America's leading cultural centers and the University as one of America's best public universities. The City, having experienced extreme growth pressures and highly undesirable development patterns over the last decade, commissioned a comprehensive plan effort, called Vision 2037, to address the acute development issues. Orion Planning+Design was selected to lead this effort based on Orion's outstanding ability to diagnose community development dynamics and facilitate the creation of effective, workable solutions. With thorough and insightful analysis, focus group engagement and a design charrette with broad public participation, Orion guided plan creation that introduces new form based techniques, including highly articulated mobility provisions, to produce desirable future development outcomes that are sensitive to the natural environment and the preservation of Oxford's timeless historic neighborhoods. Orion's place type planning strategy is producing fundamental and positive change in the City's development approach even prior to plan adoption, demonstrating current and future effectiveness.

### **PROJECT INFORMATION**

Orion led planning, design, and public engagement.

Oxford, Mississippi

2015 - 2016

Client: City of Oxford

Contact: Judy Daniel Director of Planning

662.232.2305

jdaniel@oxfordms.net







Orion Planning + Design was retained to assist the City of Madison with the development of a parcel-specific master plan for the west side of the city. The West Side Master Plan encompassed approximately one-third of the total land area of the city and virtually all of it large tracts of developable land.

A place-based approach was used for the plan incorporating mobility and parks and recreation elements that help to provide greater livability and direction for future residents and developers. Extensive analysis was conducted to identify desirable place types and to locate public facilities and services in ways that maximize public benefit and minimize future incompatibilities. For example, expansions to Huntsville International Airport, which borders Madison, and its petition to the FAA to allow landing of the next generation space shuttle was factored in to place type location.

The West Side Master Plan involved extension public involvement including steering committee meetings, stakeholder interviews, public charrettes, and visioning exercises with students from Liberty Middle School located in the West Side area. This feedback was layered with land use fiscal analysis results completed by TischlerBise to create a plan that is visionary, economically sustainable, and implementable.

### PROJECT INFORMATION

Orion led planning, design, and public engagement.



Madison, Alabama



2015 - 2016



Client: City of Hattiesburg



Contact: Mary Beth Broeren



256.772.5630



MaryBeth.Broeren@madisonal.gov







This project creates the implementation pieces of urban design guidelines, standards, and zoning districts. They are based on the original corridor plan developed by Teska Associates and reflect broad neighborhood and business involvement and support. These standards and zoning regulations define three distinct districts, the highway/coliseum oriented business area; pedestrian/neighborhood oriented mixed use development; and University of North Carolina - Greensboro related housing and commercial mixed use areas.

For this project, OPD created a Corridor Design Encyclopedia which explained and illustrated various design elements. For example under the category of building context, written and illustrative explanations were created for building orientation, setbacks, build-to-lines, relationship to adjacent development, etc. In addition to building context, categories included building form and design, connectivity, and site and building details.

Based on this Encyclopedia, OPD then developed the design guidelines, and the design standards for the new zoning district.

### **PROJECT INFORMATION**

Greensboro, North Carolina

Client: City of Greensboro

Contact: Sue Schwartz, Planning Director

336.373.2149

sue.schwartz@ci.greensboro.nc.us







Orion Planning + Design was hired by the City of Helena to assist in the development of a new zoning code for the heart of downtown. The project is one of the first steps toward implementing the vision and goals identified in the Downtown Master Plan, adopted in the fall of 2016.

The project involves consolidating nine unique zoning districts into a streamlined form-based code for the area. The OPD team has worked closely with City staff, the Zoning Commission and key members of the Business Improvement District to craft design standards and incentives that will spur reinvestment in downtown while supporting the historic integrity of the community through redevelopment. A robust outreach strategy was developed to include meetings with key stakeholders, a public workshop to introduce form-based concepts and highlight the community's preferences for the urban environment, a project website and social media content for information-sharing purposes, and a quick-poll survey for additional feedback. With code drafting underway, the project team meets with the Zoning Commission regularly to review draft content and evaluate standards for appropriateness when applied to the historic downtown.

Drafting will conclude in early fall, with stakeholder round-tables and a public workshop for review scheduled at the end of October.

### **PROJECT INFORMATION**

Orion led code development and public engagement.



Helena, Montana



2017



Client: City of Helena



Contact: Sharon Haugen, Community Development Director



406.447.8445



shaugen@helenamt.gov







Orion Planning + Design led a team of consultants in developing a comprehensive master plan for the renovation and revitalization of Mary Ross Waterfront Park in Downtown Brunswick, GA. Working under a Coastal Incentive Grant, Orion was challenged to reinvent the existing waterfront park. Issues with connectivity, aging infrastructure, safety hazards, lack of programming, understated landscape, and deferred maintenance resulted in an underutilized waterfront for the past two decades.

Working with the City of Brunswick, stakeholders, and the local community, Orion developed a multi-phased plan that addresses site specific opportunities and constraints, physical and programmatic improvements, urban redevelopment strategies, and multi-modal connectivity to Downtown Brunswick. The plan focuses on activities and amenities that would consistently attract both locals and tourists to a reinvented waterfront destination. The park's new identity is defined by a mixed-used development, an iconic pier, waterfront event venue, comfortable outdoor spaces, native landscaping, and an emphasis on water-based recreation and activities. The Master Plan provides a comprehensive road map to future developments and improvements over the next 10 years in order to make Mary Ross Waterfront Park a local and regional waterfront destination.

### **PROJECT INFORMATION**

Orion led planning, design, and public engagement.

Brunswick, Georgia

2015

Client: City of Brunswick

Contact: Arne Glaesner
Planning & Zoning Director

912.267.5502

aglaeser@cityofbrunswick-ga.gov







As part of the effort to update the Hattiesburg Land Development Code of 1987, two corridors were identified as needing specific regulatory attention. These are the Hardy Street Corridor between Highway. 49 and downtown, and the corridor defined by West Pine and Broadway from Highway 49 east to their junction. This plan covers the Broadway-West Pine area and is organized with a summary of background information, design decisions from the Broadway-West Pine Condensed Charrette, an explanation of design issues, and recommended policies and projects for implementation including code revisions.

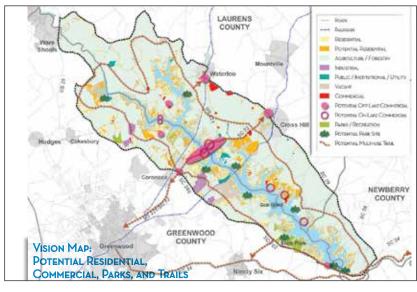
The corridor is two major streets, one dominated by automobile sales and related uses, and the other community and regional commercial including a 1970s mall which has finished its useful life. The plan includes streetscape and urban design strategies to update the corridors, and infill development including a redevelopment of the mall.

### **PROJECT INFORMATION**

Orion led planning, design, and public engagement.

- Hatttiesburg, Mississippi
- 2014
- Client: City of Hattiesburg
- Contact: Patti Brantley,
  Director of Urban Development
- 601.545.4675
- pbrantley@hattiesburgms.com







Plan Lake Greenwood was a three-county comprehensive plan for a lake owned by Greenwood County, but enjoyed by residents and visitors from all three counties and the Southeast. It represented not only the first tri-county plan, but the first time all three counties came together to talk about this shared resource, its challenges, and its future. Lake Greenwood is used for power generation, water supply, and recreation. Planning considerations included FERC permits, state environmental policies, siltation rates, public safety, recreation, access, industrial and business growth, and tourism. Lake Greenwood is a top crappie lake in South Carolina and is home to a popular crappie tournament.

A significant amount of the project was devoted to facilitation--helping the three counties and their elected leaders come together to talk about the lake and agree on a shared vision. To encourage and inform discussion, the plan was released in two parts: a data and information-rich Community Profile which preceded visioning, and the Lake Greenwood Master Plan, which summarized the vision. Also included was a robust implementation element, and was presented for adoption.

### **PROJECT INFORMATION**

Orion led planning, design, and public engagement.

- Greenwood, Laurens, Newberry Counties, South Carolina
- Adopted 2015
- Client: Greenwood, Laurens, Newberry Counties
- Contact: Phil Lindler, AICP
  Planning Director Greenwood County
- 864.942.8716
- plindler@greenwoodsc.gov



# **Relevant Experience**

# Mod TRANSPORTATION CONSULTING



#### Comprehensive Plan Support, New Albany, MS

Mōd provided transportation planning support to Orion Planning + Design for the New Albany Next Plan. Services provided include inventory of existing sidewalks and bicycle facilities, analysis of traffic patterns, field review of existing conditions, and planning charrette support, resulting in a comprehensive network plan for new sidewalks, greenways, bike lanes, new street connections, and blueway access points, and revisions to City transportation standards.

#### Bicycle, Pedestrian and Trails Master Plan Jackson County, MS

An important aspect of this planning effort was the drafting of engineering standard drawings for pedestrian and bicycle facilities, and the creation of schematic designs for prototype bicycle facilities in the County. Bert led these efforts as senior engineer and planner at Gresham Smith, partnered with Alta Planning+Design, and facilitated public input at project community meetings.





# **Greenway and Bikeway Master Plan Pigeon Forge, TN**

This project included a master plan for greenways, bike lanes and routes, and safe pedestrian crossings to support walking and biking throughout the city for users of all ages and abilities. As senior engineer and planner with Gresham Smith, Bert directed this effort including phase 2 implementation elements such as unpaved trail layout, greenway schematic design, and regional bike route designation.



# **Relevant Experience**



### Hernando,

### Mississippi

#### **Client Contact**

Randy Wilson, former Director of Design Services, Mississippi Main Street 803.240.9050. randy@communitydesignsolutions.com





**CHAMBER of COMMERCE** 

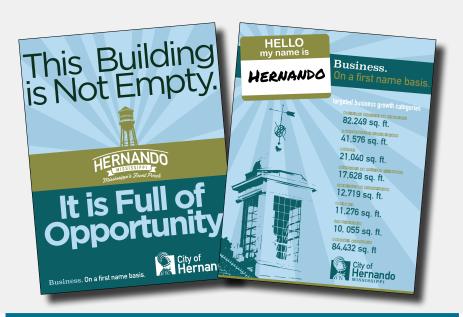


In 2015, Arnett Muldrow conducted a market assessment and economic development study and developed a community branding strategy for Hernando, Mississippi.

Funded by an EPA Brownfileds Redevelopment grant, the project culminated in a three day charette with community leaders, business owners and residents.

The Mississippi Main Street team consisted of Arnett Muldrow, Mahan Rykiel Associates, and Community Design Solutions.





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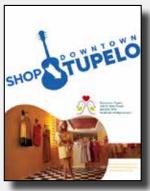


## **Tupelo,** Mississippi

#### **Client Contact**

Debbie Brangenberg
Executive Director
Downtown Tupelo Main
Street Association
108 South Broadway St.
Tupelo, Mississippi 38804
662.841.6598
www.tupelomainstreet.com
debbieb@tupelomainstreet.com





Arnett Muldrow & Associates, Ltd. has worked with the Downtown Tupelo Main Street Association as well as the Tupelo Redevelopment Authority on a number of projects over the past three years. The first was a market study of downtown to help understand the dynamics of this truly unique market that serves a large geographical area as well as tourists attracted to the birthplace of Elvis Pressley.

Ongoing work with the Downtown Tupelo Main Street Association involved creating a new brand identity for Tupelo. The Association maintains a unique relationship with Elvis Presley Enterprises in order to cooperatively and positively market Elvis alongside the community of Tupelo itself. Arnett Muldrow designed logos for the organization, the downtown itself, and a revised logo for the Tupelo Elvis Festival, which required cooperation and approval from Elvis Pressley Enterprises.

Tupelo's downtown continues to enjoy phenomenal investment with new restaurants, shops, and entertainment destinations opening and planned.





## Pascagoula, Mississippi

#### Client Contact

Stacy Pair, Executive Director Mississippi Main Street 2515 Demaret Drive Gulfport, MS 39507 228.365.9090 stacypair@msmainstreet.









Arnett Muldrow & Associates began work in Pascagoula as part of a team of professionals that prepared a physical, marketing, and economic development plan for downtown.

Pascagoula went on to hire Arnett Muldrow to complete a retail market study of the community targeting both downtown oriented and suburban retailers. Arnett Muldrow continued to work with Pascagoula as an economic development consultant to the full-time staff of the city. In that capacity the firm assisted Pascagoula in creating a retail incubator with fifteen units in restored Katrina Cottages, established the Pascagoula Redevelopment Authority to oversee public private partnerships in the city, and worked to market key development sites in the city.





# **Travelers Rest,**South Carolina

#### **Client Contact**

Dianna Turner, Former City Administrator (864) 967-9526 dianna@simpsonville.com











Over the last decade, Arnett Muldrow & Associates has completed several projects in Travelers Rest. The earliest projects was a market analysis in 2003 which made recommendations for funding sources to improve downtown. Using bond funding from food and beverage tax and other sources, Travelers Rest Completed the physical improvements to downtown in 2009 just in time for the opening of the 11 mile Swamp Rabbit Bike trail. Later that year, AMA conducted a community branding initiative that capitalized on the fact that most

community branding initiative that capitalized on the fact that most people refer to the city as "TR." In 2011, AMA completed a wayfinding master plan designed to draw visitors into downtown and promote community assets.

In 2012, Arnett Muldrow completed an update to the original 2003 Economic Development Strategy. As many of the goals set in 2003 had been completed, AMA worked with the community to develop a new series of ambitious economic development goals and strategies. At the forefront of the City's business development and placemaking strategies is the Swamp Rabbit Trail, which serves as a redevelopment, recreation, tourism, identity, and residential recruitment asset for Travelers Rest.

AMA continues to serve the community as an ongoing economic development consultant to special projects related to business recruitment and real estate development.



## **Gulf Coast,** Mississippi





Soon after the massive destruction of Hurricane Katrina, the Mississippi Renewal process embarked on an ambitious planning process that looked at the long-term vision of what Mississippi Gulf Coast communities would look like in the future.

As funding came in place to implement the plans created by the Mississippi Renewal teams, Arnett Muldrow was selected as part of a multi-disciplinary team to determine practical first, next, and long term recovery steps for downtowns along the Gulf Coast. The plans dealt with community design and revitalization, market studies, community branding and marketing, and detailed implementation strategies.

The plans built on prior efforts while focusing on what could be funded in downtowns, specifically tailoring the team and approach to each community. The team completed plans for Gulfport, Biloxi, Ocean Springs, Pascagoula, Waveland, Bay Saint Louis, and Picayune over the course of 2007 and 2008. Since the plans' completion, the

communities have implemented many of the recommendations. Gulfport used components of the branding system created by the team, implemented the streetscape improvements recommended, and completed the façade renovation of dozens of buildings. Bay Saint Louis implemented a temporary sign system and built a new parking deck on a location identified in the plan. Pascagoula implemented Anchor Square – an award winning retail incubator that is fully leased to fifteen start-up retail businesses.

After the Deepwater Horizon oil spill in 2010, the team was asked to return to three Gulf Coast communities not served in 2008: Moss Point, Pass Christian, and Long Beach. These plans are currently being implemented.

For their work, the team was awarded the Sam Kaye Excellence in Design Award by the Mississippi Main Street program. The effort became a template replicated in communities across other parts of Mississippi and funded through the Appalachian Regional Commission.



#### **OUR FIRM**

Orion Planning + Design (OPD) is a multi-disciplinary firm specializing in the creation of dynamic places. We advocate inclusive, healthy communities that can adapt and thrive in a changing world.

Our team of professionals has experience in nearly every aspect of local, regional, and state planning. We are a Montana-based LLC formed in 2011 with offices in six states.



Using a holistically integrated team approach, OPD provides the highest level of service to our clients. Our processes engage and motivate, and our products inspire and enrich. OPD believes in collaborative planning and place-based context-sensitive solutions. We facilitate locally driven processes and strong working relationships with staff, committees and boards. We distinguish ourselves from our competitors by:

- 1. Building capacity. We strengthen communities. We educate, train, and support our clients and communities so that they have the knowledge and confidence to implement plans, codes, and recommendations.
- 2. Emphasizing implementation. Our consulting services always include detailed guidance on how to get from vision to reality.
- 3. Integrating plans and codes. Our approach and experience focuses on implementing plans through local codes. We plan with coding in mind and our code products reflect plan priorities.
- 3. Valuing volunteerism. We respect the role of community volunteers and can boast significant time serving communities at home and abroad.

#### **OUR SERVICES**

OPD offers a variety of professional community planning and design services ranging from turnkey products and services such as comprehensive plans, site design, and land development regulations to on-call staff assistance, mapping and analysis. OPD serves a variety of clients including government, developers, private businesses, landowners, and non-profits.









MISSOULA, MONTANA (419) 297-1604 HERNANDO, MISSISSIPPI (901) 268-7566 HUNTSVILLE, ALABAMA (256) 763-1542 St. Simons Island, Georgia (404) 933-0143 BOULDER, COLORADO (303) 551-2488 SHERIDAN, WYOMING (307) 763-0570

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www.OrionPlanningDesign.com

#### BOB BARBER PARTNER, FAICP





Bob has 28 years of experience in planning and community development at the regional, county, and municipal levels including substantial practice with private sector development. He has served as a teacher and mentor at the university level, as an advocate for disadvantaged and minority communities in both professional and private life, created successful private/public partnerships for redevelopment, and successfully implemented nationally recognized and award winning place making principles.

#### PROFESSIONAL EXPERIENCE

PARTNER — ORION PLANNING & DESIGN Hernando, MS, 2011 to date

DAL DODERT L DARRED & ASSOCIATES

PRINCIPAL — ROBERT L. BARBER & ASSOCIATES Hernando, MS, 1986 - 2012

DIRECTOR OF PLANNING — HERNANDO, MS Retired 1996 - 2012

DEPUTY DIRECTOR OF PLANNING — DESOTO COUNTY. MS

DeSoto County, MS, 1988 - 1996

REGIONAL PLANNER — NORTH DELTA PLANNING & DEVELOPMENT DISTRICT

Clarksdale, MS, 1984 - 1986

#### **EDUCATION**

MASTER OF URBAN AND REGIONAL PLANNING
University of Mississippi

BACHELOR OF ARTS, MAJOR IN PHILOSOPHY AND RELIGION

University of Mississippi

#### **ACTIVITIES, AFFILIATIONS, AWARDS**

REGION III COMMISSIONER-AMERICAN INSTITUTE OF CERTIFIED PLANNERS MEMBER-AICP COLLEGE OF FELLOWS & PAST CHAIR PAST CHAIR-APA CHAPTER PRESIDENTS COUNCIL

MISSISSIPPI APA - BEST PLAN AWARD 2013

Brandon Downtown Plan, Brandon, MS

MISSISSIPPI APA - BEST PLAN AWARD 2017 Brandon Comprehensive Plan, Brandon, MS

2013 AMERICAN INSTITUTE OF CERTIFIED PLANNERS
AWARD FOR EXCEPTIONAL PRACTICE

MISSISSIPPI'S LIVABLE CITY AWARD FOR OUTSTANDING PLAN IMPLEMENTATION

Hernando, MS, 2000

AMERICAN HOMETOWN LEADESHIP AWARD, AMERICAN INSTITUTE FOR SMALL TOWNS

Hernando, MS, 1999

#### RELEVANT PROJECTS

CORINTH COMPREHENSIVE PLAN AND DEVELOPMENT CODE

Project Director, Corinth, MS

BRANDON COMPREHENSIVE PLAN AND DEVELOPMENT CODE

Project Director, Brandon, MS

OXFORD COMPREHENSIVE PLAN AND DEVELOPMENT CODE

Project Director, Oxford, MS

HATTIESBURG LAND DEVELOPMENT CODE UPDATE Project Director, Hattiesburg, MS

**BELMONT COMPREHENSIVE PLAN** 

Team Member, Belmont, NC

GREENVILLE COMPREHENSIVE PLAN

Project Director, Greenville, MS

**BRANDON DOWNTOWN MASTER PLAN** 

Project Director, Brandon, MS

PARK AVENUE FORM-BASED CODE DISTRICT

Project Director, Greenwood, MS

PASCAGOULA COMPREHENSIVE PLAN

Project Director, Pascagoula, MS

SEVIERVILLE LAND DEVELOPMENT CODE

Project Director, Sevierville, MS

HELENA DOWNTOWN ZONING CODE UPDATE Helena, MT

#### **TEACHING**

LAND USE PLANNING LECTURER-CERTIFIED MUNICIPAL OFFICIALS INSTITUTE

Mississippi Municipal League, 1999 to present.

DESIGNED AND WROTE CURRICULUM USED IN TRAINING OVER 1000 MUNICIPAL MAYORS AND BOARD MEMBERS IN PLANNING AND COMMUNITY DEVELOPMENT.

ADJUNCT PROFESSOR OF CITY AND REGIONAL PLANNING-UNIVERSITY OF MEMPHIS

School of Urban Affairs and Public Policy, Graduate Program in City and Regional Planning





901.268.7566



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# CAROL RHEA PARTNER, FAICP





#### - PROFESSIONAL EXPERIENCE

PARTNER-ORION PLANNING & DESIGN Huntsville, AL, 2011 -

> PRESIDENT-RHEA CONSULTING Shelby, NC, 2001-2011

ASSISTANT DIRECTOR-PLANNING AND DEVELOPMENT SERVICES

York County, SC, 2008 - 2009

DIRECTOR-PLANNING AND DEVELOPMENT City of Monroe, NC, 1996 - 2001

COMMUNITY DEVELOPMENT PLANNER-NC DEPARTMENT OF COMMERCE

Division of Community Assistance, Winston-Salem, NC 1987 – 1996

REGIONAL PLANNER-SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Fort Myers, FL, 1985 - 1987

#### **EDUCATION**

MA IN GEOGRAPHY

University of North Carolina - Charlotte

**BA IN EARTH SCIENCE** 

University of North Carolina - Charlotte

#### - ACTIVITIES AND AFFILIATIONS

IMMEDIATE PAST-PRESIDENT-AMERICAN PLANNING
ASSOCIATION

BOARD OF DIRECTORS-AMERICAN PLANNING ASSOCIATION

2004-2012, 2014-present

AMERICAN INSTITUTE OF CERTIFIED PLANNERS- COLLEGE

OF FELLOWS
AL, NC & SC-AMERICAN PLANNING ASSOCIATION

NC LID CERTIFIED PROFESSIONAL. #061

BOARD OF DIRECTORS-HISTORIC SHELBY FOUNDATION Shelby, NC, 2001-2007

SHELBY NC PLANNING AND ZONING BOARD 2004-2007

Carol has over 30 years of experience in a variety of public and private sector planning positions. Her areas of specialty include planning, group facilitation, ordinances and regulations, board training, permitting, and customer service. Carol spent more than 15 years working in municipal, county, regional, and state government, managing increasingly complex programs involving current and long range planning, community development, code enforcement, building inspections and solid waste. She served two terms as the APA Region II Director (2004-2012), and is currently immediate past-president. Carol has spoken on a variety of planning and ordinance related topics at conferences and routinely facilitates meetings with a wide range of planning participants. Carol is a certified planner and Fellow of AICP.

#### **RELEVANT PROJECTS -**

SEVIERVILLE LAND DEVELOPMENT CODE

Principal Planner, Sevierville, TN

COMPREHENSIVE PLAN AND DEVELOPMENT CODE

Principal Planner, Brandon, MS

COMPREHENSIVE PLAN AND DEVELOPMENT CODE

Principal Planner, Oxford, MS

LAND DEVELOPMENT CODE UPDATE

Principal Planner, Hattiesburg, MS

PLAN LAKE GREENWOOD

Project Director, Greenwood, SC, 2015

WESTSIDE MASTER PLAN

Project Director, Madison, AL, 2016

**COMPREHENSIVE PLAN** 

Principal Planner, City of Corinth, MS, 2017

KENTON COUNTY ZONING CODE AUDIT (14 JURISDICTIONS)

Principal Planner, Kenton County, KY, 2017 (ongoing)

MAUI ZONING CODE AUDIT

Project Director, Maui County, HI, 2017 (ongoing)

NEWBERRY COUNTY LAND DEVELOPMENT REGULATIONS UPDATE

Principal Planner, Newberry County, SC, 2017 (ongoing)

BELMONT COMPREHENSIVE LAND USE PLAN Project Director, Belmont, NC, 2017 (ongoing)

#### SPEAKING -

Carol has spoken at numerous state, regional, national and international conferences hosted by APA, AIA, ASLA, National League of Cities, leagues of municipality, the NC Bar Association, the Royal Town Planning Institute, the Planning Institute of Australia, Hong Kong University of Science and Technology, the Ministry of Housing and Urban and Rural Development, Zhejiang University, and the Shandong Provincial Land and Resource Bureau among others.







#### **OLIVER SEABOLT PARTNER**





Oliver has more than 19 years of combined experience in landscape architecture, urban design, and real estate. He has extensive experience in the design, management, and implementation of complex domestic and international projects of varying scales. Working closely with both public and private entities, he has successfully led planning, design, and real estate development projects throughout his career. His unique multi-disciplined skill set is instrumental in providing innovative and implementable solutions for challenging projects.

#### PROFESSIONAL EXPERIENCE

PARTNER — ORION PLANNING & DESIGN

St. Simons Island, GA, 2015-

SENIOR DESIGNER — ALTA PLANNING + DESIGN St. Simons Island, GA, 2012-2015

ASSOCIATE — SWA GROUP

Los Angeles, CA, 2010-2012

PRINCIPAL — SEABOLT ASSOCIATES Atlanta, GA, 2003-2010

PROJECT MANAGER — HARGREAVES ASSOCIATES San Francisco, CA, 2001-2002

PROJECT MANAGER — REECE, HOOPES, & FINCHER Atlanta, GA, 1997-1999

#### **EDUCATION**

HARVARD UNIVERSITY

Post-Professional Master in Landscape Architecture

**UNIVERSITY OF GEORGIA** Bachelor of Landscape Architecture

#### **ACTIVITIES, AFFILIATIONS, AWARDS**

AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS

AMERICAN PLANNING ASSOCIATION

**GUEST SPEAKER ON "BENEFITS OF TRAILS"** Camden County Round Table, St. Mary's, GA, 2015

**COMMISSIONER - ISLANDS PLANNING COMMISSION** Glynn County, GA, 2012 - 2015

VISITING REVIEW CRITIC USC School of Architecture, 2011

VISITING CRITIC IN LANDSCAPE ARCHITECTURE Harvard University Career Discovery, 2001

> MISSISSIPPI APA - BEST PLAN AWARD 2013 Brandon Downtown Plan, Brandon, MS

> MISSISSIPPI APA - BEST PLAN AWARD 2017 Brandon Comprehensive Plan, Brandon, MS

> ALABAMA APA - BEST PLAN AWARD 2017 West Side Master Plan, Madison, AL

#### RELEVANT PROJECTS -

CORINTH COMPREHENSIVE PLAN

Corinth, MS

WEST SIDE MASTER PLAN

Madison, AL

**OXFORD COMPREHENSIVE PLAN** 

Oxford, MS

PASCAGOULA COMPREHENSIVE PLAN

Pascagoula, MS

WILLOW OAKS TND REDEVELOPMENT PLAN

Greensboro, NC

BELLA VISTA TRAIL & GREENWAY MASTER PLAN,

Bella Vista, AR

**BELMONT COMPREHENSIVE PLAN** 

Relmont NC

PLAN LAKE GREENWOOD

Greenwood, SC

**BRANDON DOWNTOWN & COMPREHENSIVE PLANS** 

Brandon, MS

BICYCLE, PEDESTRIAN, GREENWAYS, AND TRAILS

**MASTER PLAN** 

Sunrise, FL

HELENA DOWNTOWN ZONING CODE UPDATE

Helena, MT

LOS ANGELES HARBOR COLLEGE MASTER PLAN

Wilmington, CA

LOS ANGELES VALLEY COLLEGE URBAN FOREST

**MASTER PLAN** 

Valley Glen, CA

SEVIERVILLE LAND DEVELOPMENT CODE

Sevierville, TN

**CSULB LANDSCAPE MASTER PLAN** 

California State University - Long Beach, Long Beach, CA

**DUBLIN RIVERWALK PARK & TRAIL MASTER PLAN** Dublin, GA

MAIN-TO-MAIN MULTIMODAL CONNECTOR

Memphis, TN





404.933.0143



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# ALLISON MOUCH PARTNER, AICP





Allison has twelve years of professional planning and design experience in the public, private and non-profit sectors. Her areas of specialization include comprehensive plans, public engagement, code development, project management, mapping and analysis. Herleadershipas Planning Bureau Chiefatthe Montana Department of Commerceresulteding reater collaboration in planning, economic development and resilient strategies between state agencies and local governments. She has wide-ranging experience working with private developers in project planning and design; facilitating collaboration between stakeholders on policy and planning decisions; along with grant writing and administration.

#### PROFESSIONAL EXPERIENCE

PARTNER — ORION PLANNING & DESIGN Missoula MT. 2016 -

COMMUNITY PLANNING BUREAU CHIEF — MONTANA DEPARTMENT OF COMMERCE Helena, MT, 2012-2016

PLANNER II — FLATHEAD COUNTY PLANNING & ZONING

Kalispell, MT, 2008-2012

ASSOCIATE — INSTITUTE FOR ENVIRONMENTAL NEGOTIATION 2007-2008

LAND PLANNER — EQUESTRIAN SERVICES LLC.
Charlottesville, VA, 2006-2008

PLANNING CONSULTANT — METROPARKS OF THE TOLEDO AREA 2005-2006

#### - EDUCATION

MASTER OF URBAN & ENVIRONMENTAL PLANNING
University of Virginia

BACHELOR OF ARTS IN ARCHITECTURE Miami University (OH)

#### **PUBLICATIONS**

LAND USE PLANNING IMPACTS IN EASTERN MONTANA

Montana Policy Review, Fall 2012

BUILDING SUSTAINABILITY FROM THE GROUND UP Graduate Thesis, 2007-2008

DESIGNING FOR THE HOMELESS AND THE HOME HOUSE PROJECT

Journal of Architectural Education, 2005

#### **SPEAKING**

Allison has spoken at numerous state and regional conferences including Montana and Idaho state planning chapter conferences, the Western Planner and the Montana Downtown conferences. She has presented at National Planning Conferences in Las Vegas, Chicago and Atlanta, and has been a panelist on webinars hosted by the American Planning Association.

#### RELEVANT PROJECTS

HELENA DOWNTOWN ZONING CODE UPDATE Project Manager

MAUI COUNTY CODE AUDIT

Project Co-Manager

ENVISION CORINTH 2040 COMPREHENSIVE PLAN + CODE UPDATE
Project Team

FKENTON COUNTY MODEL ZONING CODE Project Team

NIOBRARA COUNTY, WY COMPREHENSIVE PLAN Project Co-Manager

MISSOULA COUNTY FUTURE LAND USE MAP OUTREACH FACILITATION

Project Manager

STATE OF MONTANA MODEL SUBDIVISION REGULATIONS

**Project Manager** 

CITY OF HASTINGS, NE SIGN CODE UPDATE Project Manager

#### **ACTIVITIES, AFFILIATIONS, AWARDS**

AMERICAN PLANNING ASSOCIATION

AMERICAN INSTITUTE OF CERTIFIED PLANNERS

APA WESTERN CENTRAL CHAPTER

President, 2014 - 2017

MONTANA ASSOCIATION OF PLANNERS Board Member, 2013 -

LEADERSHIP HELENA

CITY OF HELENA ZONING COMMISSION Member, 2014 - 2016

HEALTHY COMMUNITIES COALITION
Plan4Health Team Lead, Lewis & Clark County

HELENA WOMEN'S STEM ROUNDUP

THE POVERELLO CENTER OF MISSOULA Volunteer









At Mod we focus on understanding how transportation patterns in communities are either helping or hurting the local economy, and contributing to or taking away from the quality of life and place. A balanced transportation network is a means of commerce and community life. We deliver practical plans that enable immediate improvements and provide long-term guidance.

We partner with multidisciplinary teams, providing transportation planning support for multimodal and comprehensive/master planning projects by providing the following services:

- Pedestrian and bicycle demand and master planning
- Complete Street design for pilot projects
- Transportation standards and complete street policies
- Zoning and subdivision code revisions for transportation elements
- Transportation network planning
- Traffic and parking analysis
- Charrette and public outreach support
- ADA transition plans



#### In Situ Research

We take the time to walk and bike the streets, observe the intersections, and take note of movement patterns and their effect on the built environment. Every community has its own particular strengths and challenges.

#### Data Analysis

Transportation service level and demand from land use are staple transportation analyses we perform. We also pay close attention to safety, level of stress, and vulnerable population analysis, and integrate closely with land planning and health and economic impact analysis.

#### Slow Consulting

Meaningful conversation takes time but is imperative to understanding the local condition. Slow consulting enables fast progress since time is taken on the front end to get to the heart of the local issues through one-on-one conversations, group meetings, and interactive online input.





#### **EDUCATION**

Bachelor of Science, Civil Engineering, Mississippi State University Bachelor of Science, Mathematics, Belhaven University

#### REGISTRATIONS/ ACCREDITATION

Professional Engineer (MS,TN,NC,GA,AL) Certified Planner (AICP) LEED AP Neighborhood Development CNU-A

#### **MEMBERSHIPS/AFFILATIONS**

Institute of Transportation Engineers Association of Pedestrian and Bicycle Professionals Adventure Cycling Association American Planning Association Bike Walk Tennessee Board Member

# BERT KUYRKENDALL

#### P.E., AICP TRANSPORTATION PLANNER

Bert is the principal engineer and planner for Mōd Transportation Consulting, specializing in community transportation planning and implementation. He has over 20 years of experience in this field in both public and private sectors. In his capacity as City Transportation Engineer for Chattanooga, TN, and City Engineer for Hattiesburg, MS, he served as the primary agent for multiple city transportation plans, city-wide bicycle and pedestrian implementation plans, transportation standards, grant applications, and transportation project design and construction. He has served as a planning and engineering consultant to counties, cities/towns, and neighborhoods for dozens of transportation system, multimodal network, and complete street implementation projects.

As an engineer and planner, Bert is able to bring a balanced approach to transportation planning and implementation. He has extensive experience in street and multimodal facility design, with a firm grasp on state and city/county design standards, including the ability to modify and draft new city transportation standards. He has shepherded many projects from concept design and public input, to estimating and budgeting, grant application, schematic and engineering design, bidding, construction oversight and maintenance.

#### **Transportation Planning and Design Experience**

Jackson County, MS Bicycle, Pedestrian and Trails Master Plan: Bicycle/pedestrian standards design lead, Schematic bike facility design lead, network recommendations peer review, public outreach support

Chattanooga Complete Street Implementation Plan: Project lead for city-wide bicycle, pedestrian, greenway, ADA, and construction standards project

Broad Street Protected Bike Lanes, Chattanooga, TN: City project lead for 0.6 mile protected bike lane project in downtown Chattanooga

Pine Belt Pathways Master Plan, Hattiesburg, MS: Project lead and designer for city-wide bicycle and pedestrian master plan

Tuscaloosa Transportation Standards: Project lead in drafting new comprehensive transportation standards for the City of Tuscaloosa, AL

Manchester/Tullahoma, TN Multimodal Corridor Plan: As project engineer focused on creating safe multimodal crossings and planning bike/ped network

North Avenue and J.E. Lowery Complete Streets, Atlanta, GA: Project engineer for conceptual and engineering design plans to convert streets to serve all transportation modes safely

Smart Growth for the Mississippi Gulf Coast Toolbox: Developed concept framework and graphic model for DMR smart growth website promoting smart growth on the Gulf Coast (http://smartgrowth.dmr.ms.gov/)

Rail Transit Feasibility Study, Chattanooga, TN: City project lead with focus on pedestrian and bicycle connections between neighborhoods, proposed transit stops, and priority destinations

Virginia Avenue Greenway, Chattanooga, TN: City project lead overseeing planning, public input, design and construction of neighborhood greenway

Wartburg and Loretto, TN Bike/Ped Plans: Engineering analysis and schematic design for safe bike/ped crossings, construction estimates

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# **Aaron Arnett,** AICP Principal



Aaron Arnett has over twenty years experience in a variety of planning areas including economic development, downtown planning, neighborhood planning, and historic preservation. His focus has been on helping communities realize their true economic potential through urban planning and design.

Aaron has worked at all levels of local government including municipal, county, and regional planning organizations. He has created economic development strategic plans and market studies for communities across the country, and has worked extensively on downtown master plans, comprehensive planning, tourism development, and marketing plans.

Aaron is a skilled presenter having addressed various community interest groups and organizations. He has presented at the NC Institute of Government's Summer Planning Institute, NC Main Street Conferences, SC Main Street Managers' workshop, Southwest Virginia Creative Economy Conference, NCDDA Planning Workshop, and lectured at both Clemson University and the University of Georgia.

Aaron enjoys living in Greenville, SC and served his community in various planning capacities including chairing the Design and Preservation Commission for downtown and its historic neighborhoods, as well as a being a committee member for the Plan-It Greenville Comprehensive Plan.

#### Education

Bachelor of Science in Design, Clemson University (1993)

Master of City and Regional Planning, Clemson University (1996)

#### Experience

#### 2002-Present - Arnett Muldrow & Associates

Principal/Business Manager, Greenville, SC Performs downtown and community master planning with specialization in historic preservation and economic development.

#### 2001-2002 - MCA Urban Planning

Urban Planner, Greenville, SC

Project manager for a variety of planning projects in the areas of economic development and historic preservation.

#### 1997-2001 - City of Salisbury, NC

Senior Planner, Salisbury, NC

Managed the City's historic preservation, neighborhood improvement, and annexation activities. Served as staff planner for comprehensive plan, downtown master plan implementation team, and various corridor studies.

#### 1996 - London Planning Advisory Committee (LPAC)

Planning Technician, London, England

Performed planning services of LPAC, the statutory transportation and planning committee for London's 33 Burroughs, and the London Walking Forum to design, assemble, and market a 2000km network of green walking routes throughout greater London.

#### **Professional Memberships**

American Planning Association

American Institute of Certified Planners National Trust for Historic Preservation



#### **Ben Muldrow**

### Partner, Community Branding Specialist



Ben Muldrow is a talented graphic artist with experience in a wide variety of marketing applications. He provides community identity and branding services for communities across the United States. Ben has worked on a number of projects specializing in the development of city and neighborhood identities, wayfinding strategies, and promotional marketing material. The Downtown Promotion Reporter, a national trade publication on marketing downtowns, called Ben a "branding guru" in a 2004 article on community logos. He also has been published in the National Trust's Forum Journal on Rural Preservation Through Branding. Ben has been a speaker at the 2004, 2007, 2009, 2010, 2011, and 2013 National Main Streets Conference on community branding.

#### Education

Bachelor of Arts, University of South Carolina (2000)

#### **Speaking Engagements**

2015 National Main Street Conference Speaker 2015 Technology for Rural Tourism Keynote Speaker

2015 Mississippi Backstage Pass Keynote Speaker

2014 Destination Downtown- Ocean Springs Mississippi

2013 Revitalize Washington Keynote

2013 Maryland Economic Development Association Keynote

2013 Oregon Main Street Conference

2013 Virginia Tourism Conference

2013 Oklahoma Main Street Training

2013 National Main Street Conference

2012 Destination Downtown Keynote

2012 AL/MS Rural Tourism Conference

2011 National Main Street Conference

2011 AL/MS Rural Tourism Conference 2010 North Carolina Main Street Conference

2010 National Main Street Conference

2009 Iowa Downtown Summit

2009 National Main Street Conference

2008 Destination Downtown- Louisiana, Mississippi, Arkansas

2007 National Main Street Conference

2007 Illinois Main Street Conference

2007 Mississippi Main Street Training

2005 Louisiana Main Street Training

2004 National Main Street Conference

#### Experience

#### 2002-Present - Arnett Muldrow & Associates

Principal/Community Branding Specialist, Greenville, SC Provides graphic design, community branding, and economic development marketing strategies for Arnett Muldrow & Associates and their clients.

#### April 2001-April 2002 - ShowCase Marketing

Art Director, Greenville, SC

Developed City Marketing Department, Directed Minor League Sports Marketing Program Maintained Creative Department Archiving System Created collateral for 17 clients in continuous relationships

#### April 2001-Nov 2001- NewSouth Communications Strategic

Strategic Branding Manager, Greenville, SC

Managed the City's historic preservation, neighborhood improvement, and annexation activities. Served as staff planner for comprehensive plan, downtown master plan implementation team, and various corridor studies.

#### October 1999- May 2000-Gillespie Agency

Art Director, Greenville, SC

Produced Ads for Bellsouth Mobility, Ducane Grills, and twelve other clients. Kept track of external expense File Preparation for external outputs, Photo Shoot management and prop selection



#### Michael J. Reso

From:

Broeren, Mary Beth < MaryBeth.Broeren@madisonal.gov>

Sent:

Wednesday, February 19, 2020 6:35 PM

To: Subject: Michael J. Reso RE: Diamondhead

#### Michael,

I would recommend Orion Planning + Design. They are very good with the community; adaptable; responsive; aware of the latest trends; economically minded, which sometimes gets overlooked in land use planning; timely; accurate; great with graphics; and all of the staff that I have met are people someone would invite to dinner. I haven't worked directly with Bob on a project but have presented at a conference with him. He is someone who very much likes to solve problems in a meaningful way and is very respected in the Planning community, as is his partner Carol Rhea.

In terms of budget, Orion did a master plan for Madison for about \$87,000 in 2015-2016. We have hired them to do a comprehensive update of our zoning ordinance, and I think that contract is about \$100,000.

I wouldn't have any hesitation in hiring them for a comprehensive plan.

Hope this helps and best of luck with your project.

Mary Beth

Mary Beth Broeren, AICP Director of Development Services City of Madison, Alabama (256) 772-2885 www.madisonal.gov

From: Michael J. Reso <mreso@diamondhead.ms.gov>

Sent: Wednesday, February 19, 2020 3:36 PM

To: Broeren, Mary Beth < Mary Beth. Broeren@madisonal.gov>

Subject: Diamondhead

Mary Beth,

I am writing to ask your thoughts on Orion Planning and Bob Barber. I have a proposal that I am about to submit to the city council for consideration to approve a 25 year comprehensive plan for the city. I would like to know if you were happy with the product delivered to you by Orion for your plan? Was the scope of work more than just the comprehensive plan? What did you pay for it? Etc.

I would like to be able to share your thoughts on the firm with our council as support for hiring Bob and his team. Could you send me some brief comments via email?

I appreciate your help and assistance.

#### Michael J. Reso

From:

Robbie Brown <rbrown@mmlonline.com>

Sent:

Thursday, February 20, 2020 9:52 AM

To:

Michael J. Reso

Subject:

Comprehensive Plan

#### Hi Michael,

I e-mailed Joe Fratesi from the Stennis Institute of Government and Community Development because he works a lot in planning. I asked him two questions and his answers are in red:

- 1) What should something like that cost? They know it probably depends on the extent of the plan, but they want to be sure they're paying within a normal range. I believe they have talked to two companies and both came in around \$120,000.
  - You are correct in that the cost definitely depends on the extent of the plan, the deliverables to be provided, and the size of the community. I do know of other communities in MS that paid around that amount for the development of a comp plan. Keep in mind, for that price the community got a full comprehensive plan and basically a complete re-write of their land-use and development codes. For reference, that communities population is around 15,000 +/-
- 2) Typically, should this new plan be an entirely new plan or should it be an update of the existing one? It could be either. Not knowing the quality and depth of the most recent plan developed and what has changed within the community in recent years, it is hard to say. Assuming the plan done in 2012 was a decent plan (in terms of community analysis, stakeholder input and buy in, identification of goals, etc.) and there have been no major changes (increase/decrease population, major employment shifts, significant increase in development patterns, etc) I would think they may just need to do an update.

#### Robbie Brown

Deputy Director Mississippi Municipal League 600 East Amite Street, Suite 104 Jackson, MS 39201

Phone: (601) 353-5854 Fax: (601) 353-6980

DISCLAIMER: This material is being provided by the Mississippi Municipal League as technical assistance only. The information contained in this e-mail shall not be considered in any way as a legal opinion. Should you need a legal opinion on this issue, please contact your municipal attorney.

#### Michael J. Reso

From:

Ben Requet <br/> <br/> bjrequet@oxfordms.net>

Sent:

Thursday, February 20, 2020 11:09 AM

To: Subject:

Michael J. Reso Re: Diamondhead

Michael,

I enjoyed our conversation yesterday afternoon. I wanted to follow-up that conversation with an email that captures some of the highlights about Orion Planning + Design.

We would highly recommend Orion Planning + Design team. The entire Orion team are ultimate professionals, and with Bob and Carol's ties to Mississippi and Alabama, they understand and appreciate the local context of Planning in the South. Approximately five years ago, we contracted their team to assist the City of Oxford with developing a new Comprehensive Plan (Vision 2037) and re-writing our Land Development Code to reflect the vision developed in that comprehensive planning process. That plan was adopted by the Mayor and Board of Alderman in 2016, and the Land Development Code was adopted in the fall of 2017. Both of these tools have established a new tone of development in the City of Oxford. In fact, both of these documents were honored by the Mississippi Chapter of the American Planning Association with the 2019 Outstanding Large Project Award. I want to say that our project total for the Comprehensive Plan and Land Development Code was between \$150,000-250,000 range.

Again, I would highly encourage your community to work with Orion Planning + Design on a Comprehensive Plan, and I would also encourage your community to consider engaging them in developing a Land Development Code that embodies the vision developed through the planning process. Having the vision is great, but only if the tools exist to help create and implement it.

Should you have any additional comments or questions, please feel free to contact me directly.

With warm regards,

Ben



Ben Requet, AICP

Director

**Planning Department** 

Address.

107 Courthouse Square

Officer

Oxford, MS 38655

Website: oxfordms.net

(662) 232-2305

On Feb 19, 2020, at 3:27 PM, Michael J. Reso <a href="mailto:mreso@diamondhead.ms.gov">mreso@diamondhead.ms.gov</a> wrote:

Ben and Judy,

It was great to talk with Mollie about the Vision 2037 that was done by Orion Planning. I am interested in getting a quick email response to let me know because experience was with Bob Barber and this

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#### **MINUTES**

Councilmember L'Ecuyer At-Large Councilmember Depreo Ward 1 Councilmember Moran Ward 2 Councilmember Morgan Ward 3 Ward 4 Vacant

#### REGULAR MEETING OF THE CITY COUNCIL

Tuesday, February 18, 2020 6:00 PM CST

Council Chambers, City Hall

#### Call to Order.

Invocation - Mayor Schafer

Pledge of Allegiance

Roll Call

#### PRESENT:

Ward 1 Nancy Depreo Ward 2 Alan Moran - via teleconference Ward 3 Jamie Morgan Councilmember-At-Large Lindsay L'Ecuyer Mayor Thomas E. Schafer, IV

#### **Confirm or Adjust Agenda Order**

Motion made by Ward 1 Depreo, seconded by Ward 3 Morgan.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Councilmember-At-Large L'Ecuyer, Mayor Schafer, IV

#### **MOTION CARRIED** UNANIMOUSLY

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#### Presentation Agenda.

#### **Council Comments.**

- 1. The next Regular Meeting of the City Council will Tuesday, March 3, 2020 at 6:00 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
- 2. City Hall will be closed Tuesday, February 25, 2020 for Mardi Gras.
- 3. A Special Election to fill the Ward 4 City Council vacancy will be held March 3, 2020.
- 4. Proclaim February 29, 2020 Rare Disease Day in the City of Diamondhead. Mayor Schafer presented the Proclamation to Councilmember Depreo who serves as the Mississippi Rare Action Network Volunteer State Ambassador.

#### City Manager's Report.

- 1. <u>Special Election</u> A special election will be held on March 3 to fill the vacancy for the council member from Ward 4. Two candidates have signed up to run for office to fill this seat. If you have any questions about this election, please contact Mrs. Jeannie Klein, our city clerk.
- 2. <u>Street Paving Project</u> The city is working on a large street paving project. Phase I of the project will pave 7.5 miles of roadways and Phase II will pave another 3.5 miles. The city budgeted \$1.4 million for street paving this year. The contractor will be working for the next several months to complete this work. As of last Friday, 20 streets have already been improved. There is a map in city hall that shows the streets to be improved in Phase I. Please drive safe when workers are in the area.
- 3. <u>Change Order for Paving Project</u> Since the contractor will be working on part of Golf Club Drive in Phase I, I am recommending that we add two small sections of Golf Club to this phase. The cost is \$38K, but this work would allow us to be done with Golf Club Drive for several years since the rest will be in good condition.
- 4. <u>25-Year Comprehensive Plan</u> I have distributed the proposal from Orion Planning to the city council for our new 25-year comprehensive plan. Bob Barber will be present at our next meeting to answer questions from the council and we hope to begin working on this year long project next month.
- 5. <u>Bridge Assessment</u> When the city accepted the streets and bridges, we accepted them in "as is condition". I have had two requests inquiring about the condition of the bridge at Cherry Hill Drive entering Glen Eagle subdivision since this bridge goes over the golf cart path. The Hancock County School system also called to inquire if it was built to sustain school bus traffic earlier this school year. The other bridge in the city limits is on Diamondhead Drive North. I feel it is prudent for the city to have a professional structural engineer examine the two bridges and give us an opinion as to the condition and safety for our residents.
- 6. <u>Subdivision Regulations</u> I am expecting to get the final draft of the subdivision regulations by Friday from Covington Engineer. Once received, I plan to distribute that document to the city council, the planning and zoning commission, local developers and engineers, and the Diamondhead Water and Sewerage Department. We will receive comments for 2 weeks. That will allow us to have the subdivision regulations on the agenda for the planning and zoning commission at the end of March and for council consideration at the first meeting in April.
- 7. Strategic Plan for Projects I have been working to develop a strategic plan for projects in the city. This plan focuses on five major areas: water access; water quality and drainage improvements; economic development and job creation; greenspace, parks and trails; and education. Since I became city manager, there has been much discussion about various projects for the city. This strategic plan is a tool I am using to create a vision for what our city council and residents want to see in our city. This will allow me to develop a plan to work towards achieving these ambitious goals. As I have stated before, there will be over \$50 million dollars distributed annually through grants to the Mississippi Coast over the next 15 years. If Diamondhead wants to receive any of these funds to benefit our community, we need a plan. I hope to present this to the council and our residents in the next couple of weeks.
- 8. <u>POA Update</u> I have requested a public meeting with the POA board members as instructed by the council through their general manager. I have not heard back from them about scheduling such a public

meeting. I am talking and meeting with Tom Koger, the general manager for the POA, on a regular basis. This council and I get asked very often if there is a plan after the expiration of the covenants; unfortunately as of today, the POA has not communicated a finalized plan to its membership. They are supposed to be working on this. Your city council has developed a "last resort plan" to help fund amenities in the future if the POA board request the city to accept some or all the amenities. I believe it is important to maintain the quality of all our amenities for our residents to enjoy. The pools, tennis courts, marina, golf courses, parks, community center, airport, and county club are assets that make Diamondhead a special place. But, the POA is a private corporation, and the city council cannot make the POA board of directors do anything. I want the city council to be in a position that is financially responsible to all residents to help maintain the amenities, if asked by the POA board. As everyone knows, last year the city council voted unanimously to ask the State Legislature for a local private bill that would allow the city to create a parcel assessment to fund the amenities, if requested by the POA board. Ultimately, the residents would have to vote to approve such a new fee before it could be implemented by the City of Diamondhead. I continue to keep this issue as a very high priority and will continue to work to assist the POA with a solution to this community problem.

9. <u>Krewe of Diamondhead Mardi Gras Parade</u> – This Saturday is the Krewe of Diamondhead Mardi Gras parade. We are excited to have this parade for our residents and visitors to enjoy. The parade route has been posted online and Facebook. Since we have absentee voting at City Hall on Saturday, the parade will roll about 12:15pm after the polls close, and that is also when streets will be closed off until the parade is over. We hope everyone has a great time at the Mardi Gras parade in Diamondhead, and we would like to thank the Krewe for their hard work to put on this parade for the community. We would also like to recognize our very own Jamie Morgan as the queen of the parade this year. Hail to the queen!

#### **Public Comments on Agenda Items.**

Tim Kelly - Devil's Elbow Restoration and recreation plans.

#### Policy Agenda.

#### Minutes:

a. February 4, 2020 Regular Meeting

Approve Minutes of February 4, 2020.

Motion made by Ward 1 Depreo, Seconded by Ward 3 Morgan.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Councilmember-At-Large L'Ecuyer, Mayor Schafer, IV

#### MOTION CARRIED UNANIMOUSLY

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#### **Resolutions:**

**a. 2020-054:** Motion to adopt Resolution 2020-009 thereby authorizing the City Clerk pursuant to MS Code 27-7-803 to submit to Mississippi Intercept Company unpaid debt owed to the City for Debt Setoff through the Department of Revenue and for other related matters.

Motion made by Ward 1 Depreo, Seconded by Ward 3 Morgan.

A roll call vote was taken as follows:

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Councilmember-At-Large L'Ecuyer, Mayor Schafer, IV

#### MOTION CARRIED UNANIMOUSLY

\*\*\*\*\*\*

#### **Consent Agenda:**

Motion to approve Agenda Items a - k by consent:

Motion made by Ward 1 Depreo, Seconded by Ward L'Ecuyer.

- **a. 2020-041:** Motion to approve Change Order No. 1 in the amount of \$38,910.30 to the contract with Huey P Stockstill, LLC for additional mill and overlay on Golf Club Drive.
- **b. 2020-043:** Motion to approve payment to Linfield, Hunter & Junius, Inc. in the amount of \$5,857.50 for professional services relating to the Master Plan for Undeveloped Areas.
- **c. 2020-044:** Motion to approve payment in the amount of \$3,190.96 to James. J. Chiniche for professional services relating to East Aloha Widening Project.
- **d. 2020-045:** Motion to approve payment to James J. Chiniche in the amount of \$1,275.00 for professional services relating to Devil's Elbow Restoration.
- **e. 2020-046:** Motion to approve payment request in the amount of \$1,843.75 from James. J. Chiniche for professional services relating to East Aloha Improvement Phase 1.
- **f. 2020-047:** Motion to approve payment in the amount of \$1,127.50 to James. J. Chiniche for professional services relating to Shepards Square Design.
- **g. 2020-048:** Motion to approve a Master Engineering Work Assignment with Digital Engineering in the amount of \$6,675.00 to perform structure assessments the bridge on Diamondhead Drive North and Cherryhill Drive.
- **h. 2020-049:** Motion to approve payment in the amount of \$13,202.00 to Digital Engineering for professional services relating to the construction phase of the Roadway Improvements/Paving Project.
- **i. 2020-050:** Motion to approve payment to Digital Engineering in the amount of \$1,067.00 for professional services relating to the GIS Maintenance.
- j. 2020-051: Motion to approve Pay Application No. 1 in the amount of \$198,071.19 to Huey P. Stockstill, LLC for roadway improvements.
- **k. 2020-052:** Motion to approve a Master Services Agreement Work Assignment with Digital Engineering in the amount of \$4,097.34 for construction materials testing services for the Roadway Improvements Project.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Councilmember-At-Large L'Ecuyer, Mayor Schafer, IV

#### MOTION CARRIED UNANIMOUSLY

\*\*\*\*\*\*\*\*

#### Action Agenda.

Motion made by Ward 1 Depreo, Seconded by Ward 3 Morgan to approve the Docket of Claims and Payroll Payables as follows:

- a. Motion to approve Docket of Claims (Claims DKT156855 DKT156891) in the amount of 315,205.54.
- b. Motion to approve Payroll Payables PR CLAIM034 in the amount of \$30,129.56, PR CLAIM035 in the amount of \$2,613.74, PR CLAIM036 in the amount of \$30,723.24,Docket of Claims (DKT156844 DKT156854) totaling \$44,987.60.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Councilmember-At-Large L'Ecuyer, Mayor Schafer, IV

#### MOTION CARRIED UNANIMOUSLY

\*\*\*\*\*\*\*

#### Routine Agenda.

Motion to accept Departmental Reports for the month of January 2020.

Motion made by Ward 1 Depreo, Seconded by Ward 3 Morgan.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Councilmember-At-Large L'Ecuyer, Mayor Schafer, IV

a. Motion to accept Department Reports:

Building Department Police Department
Privilege Licensing Solid Waste

Fire Department

#### MOTION CARRIED UNANIMOUSLY

\*\*\*\*\*\*\*\*

Public Comments on Non-Agenda Items. - None.

#### Adjourn/Recess.

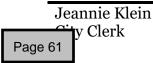
At 6:30 p.m. and with no further business to come before the Council at this time,

Motion made by Ward 4 L'Ecuyer, Seconded by Ward 1 Depreo.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Councilmember-At-Large L'Ecuyer, Mayor Schafer. IV

MOTION CARRIED UNANIMOUSLY

Thomas E. Schafer, IV Mayor



# A TEXT AMENDMENT TO THE ZONING ORDINANCE AMENDING TABLE 8.1 GENERAL OFF-STREET PARKING REQUIREMENTS For "Restaurants with Drive-Thru or Drive-In"

A resolution of the Mayor and City Council of the City of Diamondhead amending Ordinance No. 2012-019 as amended (Zoning Ordinance) (Article 8.2.2 SCHEDULE OF OFF STREET PARKING SPACES REQUIRED; TABLE 8.1 GENERAL OFF-STREET PARKING REQUIREMENTS) to reduce the number of required off-street parking requirements for "Restaurants with Drive-Thru or Drive-In.

WHEREAS, The proposed text amendment is as follows:

Restaurants, with Drive-Thru or Drive-On 1 per 2 seats

1 9' x 50' queuing space beginning at pick up station\*

\*All queuing shall be contained on private property and shall not be allowed on public.

WHEREAS, the Mayor and City Council has reviewed the application, related materials and public comments from the public hearing held by the Planning and Zoning Commission on February 24, 2020 and finds that it would be in the best interest of the health, safety and welfare of the citizens of Diamondhead to amend Article 8.2.2 SCHEDULE OF OFF STREET PARKING SPACES REQUIRED; TABLE 8.1 GENERAL OFF-STREET PARKING REQUIREMENTS to reduce the number of required off-street parking requirements for "Restaurants with Drive-Thru or Drive-In.

NOW, THEREFORE, BE IT RESOLVED the Mayor and City Council of the City of Diamondhead do hereby amend Ordinance No. 2012-019 as amended (Zoning Ordinance) ) (Article Article 8.2.2 SCHEDULE OF OFF STREET PARKING SPACES REQUIRED; TABLE 8.1 GENERAL OFF-STREET PARKING REQUIREMENTS to reduce the number of required off-street parking requirements for "Restaurants with Drive-Thru or Drive-In.

CURRENT LANGUAGE: delete in its entirety

Restaurants, with Drive-Thru or Drive-On

32 spaces per 1,000 sq. ft. of seating area; 2 spaces per 3 employees

1 space per business vehicle, 1-160' queuing space beginning at pick up station

#### PROPOSED TEXT CHANGE:

Restaurants, with Drive-Thru or Drive-On 1 per 2 seats

(1) 9' x 50' queuing space beginning at pick up station\*

\*All queuing shall be contained on private property and shall not be allowed on public

I HEREBY CERTIFY T	HAT T	HE AI	BOVE AND FOREGOING RESOLUTION WAS		
ADOPTED IN THE	AFFIR	MATIV			
		,	SECONDED BY COUNCILMEMBER		
AND BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE 3rd DAY OF MARCH, 2020.					
THE CITY OF DIAMOND	HEAD (	JN IHI	E 3rd DAY OF <u>MARCH</u> , 2020.		
	Aye	Nay	Absent		
Mayor Schafer					
Councilmember Depreo					
Councilineinoer Depreo					
Councilmember Moran					
Councilmember Morgan					
Councilinemoet worgan					
Councilmember (vacant)					
Councilmember L'Ecuyer					
Councilinemoer L Leayer					
A CONTROL OF			THOMAS SHAFER, IV MAYOR		
ATTEST:	~1 1				
Jeannie Klein, City	Clerk				



5000 Diamondhead Circle · Diamondhead, MS 39525-3260 *Phone: 228.222.4626 Fax: 228-222-4390* 

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: Ronald R. Jones, Building Official Ronald

DATE: February 27, 2020

SUBJECT: City of Diamondhead text amendment to Table 8.1 of the Zoning Ordinance for Restaurant with drive-thru parking standard; Recommendation from Planning Commission to Approve; Case File Number 20200044

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment (Rezoning Procedure).

The proposed text amendment would change the required off-street parking spaces in Table 8.1 for Restaurants with Drive-Thru or Drive-In. The purpose of this text amendment is to provide more reasonable parking space requirements. The City has had developers comment that our parking standards were high. So, on January 7, 2020, the City Council authorized the Planning Commission to look at the parking standards for all uses and to make recommendations for any changes. This text amendment is the first one since there is an opportunity for a Taco Bell to locate in Diamondhead.

A copy of the application and related documents is attached for you review and consideration.

attachments

City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525



Office 228-222-4626
Fax 228-222-4390
www.Diamondhead.ms.gov

#### AND TO THE THE PARTY OF THE PROPERTY OF THE PR

CASE NO. 20200047
DATE / - 30 - 2020
APPLICANT: City of Diamondhead
APPLICANT: <u>City of Diamondhead</u> APPLICANT'S ADDRESS: <u>5000 Diamondhead Ciecle</u>
APPLICANT'S TELEPHONE: (HOME) (WORK) 228-222-4626
PROPERTY OWNER:
MAILING ADDRESS:
TELEPHONE NUMBER: (HOME)(WORK)
TAX ROLL PARCEL NUMBER: N/A
STREET ADDRESS OR LEGAL DESCRIPTION OF PROPERTY: Applies to
n// properties within the corporate limits
ZONING CHANGE (FROM) (TO)  fext Amendment-Required parking spaces for Restaurant,  STATE PURPOSE OF REZONING:
drive-then drive-in. To provide more Reasonable parking space requirement

#### STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Zoning Change in the City of Diamondhead, I (we) understand the following:

The application fee of \$600.00 must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, I (we), or the designated representative, must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a change on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

That additional information may be required by the Planning Commission prior to final disposition.

The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred back to the Planning Commission for review.

The Public Hearing will be held on <u>2-24-2070</u> at <u>6</u> p.m. in the Council Chambers of the Diamondhead City Hall.

If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing. If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

Konald R. Sanes	
Signature of Applicant	Signature of Property Owner
For Official	Use Only
200.00	
<b>200.00</b> ()\$ <del>600.</del> 00	( ) Application Signed
( ) Copy of Deed, Lease or Contract	( ) Written Project Description
( ) Site Plan	( ) Drainage Plan NA( )
( ) Parking Spaces	( ) Notarized Statement NA ( )
( ) List of Property Owners NA ( )	

# NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMISSION DIAMONDHEAD, MS

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment (Rezoning Procedure). The Case File Number is 202000044.

The proposed text amendment would change the required off-street parking spaces in Table 8.1 for Restaurants with Drive-Thru or Drive-In. The current and proposed text language is stated below.

CURRENT TEXT LANGUAGE

#### 8.2.2 Schedule of Off Street Parking Spaces Required

Table 8.1 GENERAL OFF-STREET PARKING REQUIREMENTS

Restaurants, with Drive-Thru or Drive-On 32 spaces per 1,000 sq. ft. of seating area;

2 spaces per 3 employees

- 1 space per business vehicle
- 2 1- 160' queuing space beginning at pick up station

PROPOSED TEXT LANGUAGE (BOLD AND UNDERLINE

#### 8.2.2 Schedule of Off Street Parking Spaces Required

Table 8.1 GENERAL OFF-STREET PARKING REQUIREMENTS

#### Restaurants, with Drive-Thru or Drive-On 1 per 2 seats

1 9' x 50' queuing space beginning at pick up station\* \*All queuing shall be contained on private property and shall not be allowed on public.

In accordance with Article 2.8.2, the City Council shall have jurisdiction with respect to all Text Amendments and Rezoning. The Planning Commission shall review and submit a recommendation to the City Council on Text Amendments and Rezoning.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Monday**, **January 24**, **2020 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.



#### **MINUTES**

# PLANNING AND ZONING COMMISSION Diamondhead, Mississippi Diamondhead City Hall Council Chambers FEBRUARY 24, 2020 6:00 p.m. CST

- 1. Chairman Milton called the meeting to order at 6:00 p.m. CST.
- 2. Chairman Milton recited the Statement of Purpose.
- 3. Chairman Milton led the Pledge of Allegiance.

Present: Commissioners Rubar, Hourin, Torguson, Hector, Milton, and Bower. Absent: Bice

Also, present, City Attorney Derek Cusick, Building Official Ronald Jones, Minutes Clerk Tammy Braud, and Building Inspector Dennis Arceneaux.

#### 4. Confirmation of the Agenda

Commissioner Bower moved, second by Commissioner Rubar to approve agenda as presented.

Ayes: Hourin, Rubar, Torguson, Hector, Milton, and Bower. Nays: None. Absent: Bice

#### **MOTION CARRIED UNANIMOUSLY**

#### 5. Approve Minutes. -

Commissioner Bower moved, second by: Commissioner Rubar to accept the corrected minutes of January 28, 2020

Approved: Unanimously

#### 6. New Business -

Case File Number 202000031

Sharon I. Gerchow ,represented by Larry Mitrenga with Postwood Homes has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5Eiii) to construct a covered patio (12'11"x24') within 18' of the southwest corner and 14' of the southeast corner of the rear property line on parcel 067K-1-36-138.000. The case file number is 202000031.

The property address is 8812 Manoo Street. The tax parcel number is 067K-1-36-138.000. The legal description is Diamondhead Subdivision Phase # 2, Unit 2, Block 1, Lot 15. The property is located in an R-2 zoning district. The minimum rear setback is 20 feet

Chairman Milton asked if anyone was present to represent Sharon Gerchow

David Soloman a representative for Postwood Homes answered questions from the Commissioners .

Dennis Arceneaux, Building Inspector, proposed a recommendation to approve the application request as petitioned in the matter of Case File Number 202000031.

Chairman Milton asked if there were any public comments. None

Commissioner Hourin moved, seconded by Commissioner Bower, to recommend approval to the City Council the matter in the Case File Number **202000031** as recommended by Dennis Arceneaux.

A Roll Call Vote Was Taken:

Ayes: Hourin, Torguson, Hector, Rubar, Bower and Milton. Nays: None Absent: Bice

#### **MOTION CARRIED UNANIMOUSLY**

#### Case File Number 2020000046

Mini Meanie, LLC, owner Fredrick Larry Tomlinson represented Mark Oster with Oster Group Consulting, LLC has file an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2 Article 4.21.2 (C) and Article 2.5 to allow a "concrete sub-contracting and consulting firm" in a C-1 district. The Case File Number is 202000046.

The tax parcel number is 132H-1-03-006.005. The physical street address is 4401 Park Ten Drive. The property is located south of Park Ten Drive, east of the Diamondhead Water and Sewer District main office and of park Ten Lanes. The property is in a C-1 zoning district.

Ronald Jones, Building Official explained what a Conditional Use Permit was. He also presented the case and answered questions from the commissioners.

At this time Chairman Milton asked if anyone was present to represent the Oster Group. Mark Oster representing Oster Group Consulting answered questions from the commissioners.

Ronald Jones, Building Official, proposed a recommendation to approve the application request with conditions as listed in his staff report.

Commissioner Rubar moved, second by Commissioner Bower to approve to the City Council with conditions listed in the staff report.

#### A roll call was taken:

Ayes: Hector, Rubar, Hourin, Torguson, Bower, and Milton. Nays: None Absent: Bice

#### **Motion Carried Unanimously**

#### **CASE FILE NUMBER 20200044**

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The Case File Number is 202000044.

The proposed text amendment would change the required off-street parking spaces in Table 8.1 for Restaurants with Drive-Thru or Drive-In.

Chairman Milton asked Mr. Jones to address the commissioners . Ronald Jones presented his case, and answered questions from the commissioners.

Commissioner Bower moved, second by Commissioner Hourin to approve to the City Council as presented by Ronald Jones, Building Official.

#### A roll call was taken:

Ayes: Hector, Rubar, Hourin, Torguson, Bower, and Milton. Nays: None Absent: Bice

#### **Motion Carried Unanimously**

#### Elliott Homes – Master Sketch Phat for Diamondhead Lakes

Elliott Homes, represented by Kenneth Jones has submitted "the Master Sketch Plat for Diamondhead Lakes" for review, consideration and approval.

The Master Sketch Plat is a 210 lot development having lot sizes ranging from the smallest lot of 9,563.0 to the largest lot of 42,111.2 sf. The tax parcel numbers are 067L-0-35-012.000 in part. The land is located on Section 35 Township 7S, Range 14W. The total number of acres is approximately 77. The current zoning of lots in the southern section is R-1 Low Density Single Family. The current zoning of lots in the northern section is zoned R-2 Medium Density Single Family. The property is generally located north of and adjacent Golf Club Drive; north of and adjacent to No. 8 Fairway, Cardinal golf course; west of and adjacent to No.10 and 11 Fairways, Cardinal golf course; west of Diamondhead Drive West; south of adjacent to Twin Lakes; east of and adjacent to No.13 and 14 Fairways, Cardinal golf course; and north of and adjacent to No. 9 Fairway, Cardinal golf course.

Kenneth Jones presented a power point presentation on the general overview of the subdivision and answered questions from the commissioners.

Chairman Milton asked for Pubic Comments. Diane Ackerman spoke in favor of the project.

Ronald Jones, Building Official presented the staff report and answered questions from the commissioners. His recommendation is to approve the variances as petitioned as well as the overall Sketch Plat with conditions including the issues and comments stated by the DRC.

Commissioner Hourin made a motion, second by Commissioner Bower to deny the variances for Lots 11 and 12,Northern Section

#### A roll call was taken:

Ayes: Hourin, Hector, Torguson, and Bower Nays: Rubar, Milton Absent : Bice

#### **Motion Passed**

Commissioner Bower made a motion, second by Commissioner Rubar to reconsider the motion to deny the variances for Lots 11 & 12,

A roll call was taken:

Ayes: Rubar, Torguson, Hector, Hourin, Bower, and Milton Ayes: None Absent: Bice

#### **Motion Pass Unanimously**

Commissioner Bower made a motion, second by Commissioner Rubar to recommend to the City Council to accept the Master Sketch Phat for Diamondhead Lakes with conditions including the issues and comments stated by the D.R.C. (see staff report ).

#### A roll call was taken:

Ayes: Rubar, Hourin, Hector, Torguson, Bower, and Milton

#### **Motion Carried Unanimously**

A motion was made by Chairman Milton, second by Commissioner Torguson to take a 5 minute recess.

A motion was made by Commissioner Rubar, second by Commissioner Bower to reconvene.

Discussion regarding the minimum required parking spaces for selected occupancies: medical/dental offices and clinic; assisted living facility; offices; retail stores-indoor; restaurant w/o drive thru; health fitness clubs; hotels.

Ronald Jones, Building Official, presented various parking requirements for selected uses from selected municipalities in Ms.

A recommendation was presented to change the various parking requirements.

A motion was made by Commissioner Rubar, second by Commissioner Bower to accept the recommendation presented by Ronald Jones, Building Official.

These recommendations will be in the form of text amendments to Table 8.1 of the Zoning Ordinance to be presented at a public hearing on March 24, 2020.

**Unfinished Business** - None

- 8. Open Public Comments to Non-Agenda Items: None
- 9. Commissioners' Comments: None

Planning & Zoning Minutes 02.24.2020

- **10. Communication / Announcements.** Ronald Jones, Building Official, informed commissioners of a variance cases for our next meeting March 24, 2020.
- **11.** Adjourn Commissioner Torguson moved, seconded by Hourin, to adjourn at approximately 9:20 p.m. CST.

Ayes: Hourin, Rubar, Torguson Hector, Milton and Bower. Nays: None. Absent: Bice

**MOTION CARRIED UNANIMOUSLY** 

Dempsey Milton, Chairman

Planning & Zoning

Planning & Zoning Minutes 02.24.2020

Agenda Item #. 3020-064

## City of Diamondhead, MS Request for Council Action

TO: Honorable Mayor and Members of Council FROM: Councilmember Jamie Morgan
Ordinance X Resolution Agreement Info Only Work Session Other
AGENDA LOCATION: Consent Agenda X Regular Agenda
AGENDA DATE REQUESTED March 3, 2020
Resolution appointing (Ward 3) John Rubar, to serve as Commissioner on the Planning & Zoning for a term of a (4) year term effective March 1, 2020 and expiring on February 2024.
SUMMARY BACKGROUND:
Commissioner Rubar was appointed to fill an unexpired term of Commission Garrison.
IMPACT IF DENIED: P&Z Commission seat will become vacant.
IMPACT IF APPROVED: Continuity in government.
FINANCIAL IMPACT:
REQUIRED SIGNATURES
REQUESTED BY: Jame Wetzel Morga
City Manager:
City Attorney:
COUNCIL ACTION:  Approved Denied Tabled/Deferred Info Only Completed:

# RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DIAMONDHEAD APPOINTING JOHN RUBAR TO SERVE AS A PLANNING AND ZONING COMMISSIONER FOR THE CITY OF DIAMONDHEAD.

WHEREAS, the Mayor and Council (the governing body) for the City of Diamondhead serve as the appointing authority to the City of Diamondhead Planning and Zoning Commission pursuant to Ordinance 2012-003; and,

WHEREAS, partial term of Commission John Rubar (Ward 3) will expire on March 1, 2020; and

WHEREAS, with a reappointment, John Rubar will continue serving as Planning & Zoning Commission for a term of four (4) year beginning March 1, 2020 and ending March 2024;

NOW, THEREFORE					
do hereby reappoint John Rub					
Planning and Zoning Commis 2024.	sion for the	City of .	Diamondhea	ad for a four (4) year t	erm expiring March
SO BE IT RESOLVE	D. this the	<u>:</u>	day o	of	. 2020.
The above and foregoi					
having been first reduced to w	riting, was	introduc	ed by Counc	cilmember	
having been first reduced to w seconded by Councilmember result was as follows:		<u>-</u>		_and the matter being	g put to a vote, the
	Aye	Nay	Abstain		
Councilmember Depreo					
Councilmember Moran	<del></del>	<del></del>			
Councilmember Morgan					
Ward 4 Vacant					
Councilmember L'Ecuyer					
Mayor Schafer			<del></del>		
SEAL		APP	ROVED	Thomas F. Caladan	
			wayor	Thomas E. Schafer, l	l V
ATTEST:					

seal

Jeannie Klein, City Clerk

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY), ACCEPTING, BY DONATION, CERTAIN REAL PROPERTIES LOCATED WITHIN THE CITY FROM THE ROUSE LAND COMPANY, LLC AS SET FORTH HEREIN.

WHEREAS, the Mayor and City Council (the "Governing Body") of the City of Diamondhead, Mississippi (the "City"), acting for and on behalf of the City, hereby finds and determines as follows:

- 1. The City is in need of acquiring certain real property for roadway improvement purposes that is currently owned by private property owner, Rouse Land Company, LLC.
- 2. The City is authorized to acquire real property pursuant to Miss. Code Ann. §21-17-1.
- 3. The private property owner, executed Deeds of Dedication from Rouse Land Company, LLC to donate the property legally described in the Deeds of Dedication with surveys executed by said property owner attached hereto as Exhibit "A".
- 4. The City is willing to accept the donation of the aforementioned properties.

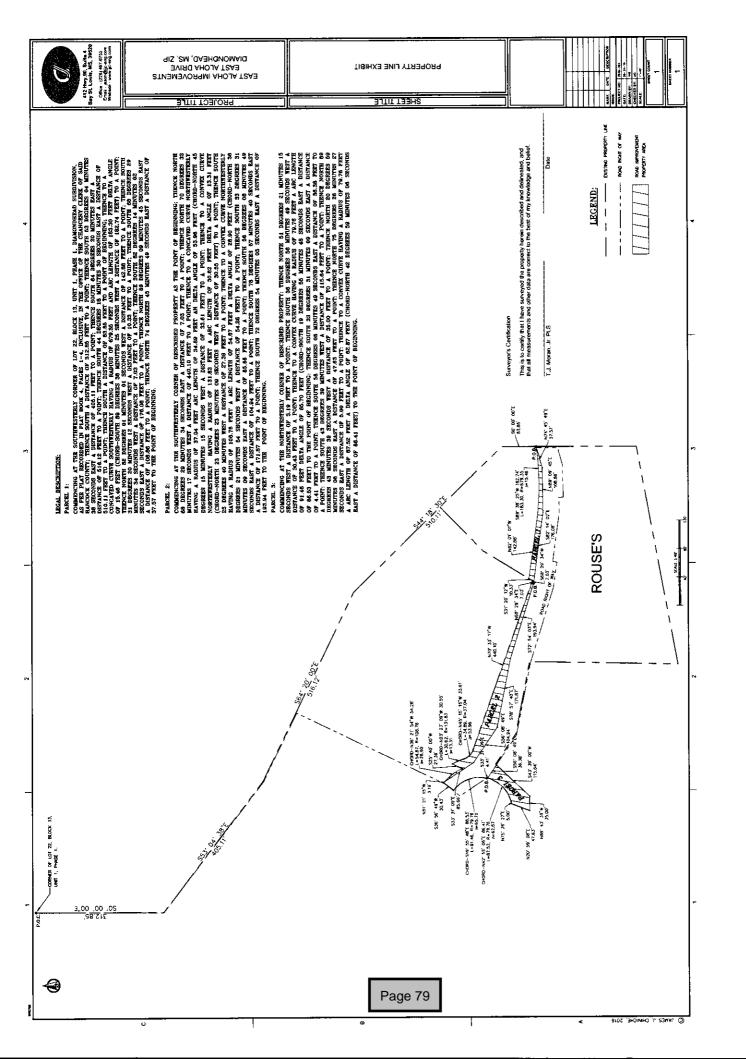
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City hereby accepts the donation of the aforementioned property.

SECTION 2. That the Governing Body of the City does hereby authorizes its Mayor to execute the Dedication Deeds on behalf of the City attached collectively hereto as Exhibit "A".

The above and foregoing resolution, introduced by Councilmember				writing, v	was
and the question being put to a roll call vote, the	e result was as foll-	ows:	<del></del>		
	Aye	Nay	Absent		
Councilmember Depreo	<del></del>				
Councilmember Moran					

	Aye	Nay	Absent
Councilmember Morgan			
Ward 4 Vacant		<del></del>	
Councilmember L'Ecuyer			
Mayor Schafer			
The motion having received the affirmative Governing Body, the Mayor declared the motion of day of, 2020.	e vote of a majo arried and the re	rity of a solution	ll of the members of the adopted, this the
	MAYOR		
ATTEST:			
CITY CLERK			
(SEAL)			



PREPARED BY & RETURN TO: DEREK R. CUSICK (MS BAR#10653) SYMMES, ESTES, CUSICK, PLLC 1720 23<sup>RD</sup> AVENUE GULFPORT, MS 39501 (228) 896-8962 (228) 205-4457 facsimile

INDEXING INSTRUCTIONS:

SW CORNER LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, DIAMONDHEAD, HANCOCK COUNTY, MISSISSIPPI

GRANTOR'S ADDRESS ROUSE LAND COMPANY, L.L.C. 1301 ST. MARY ST. THIBODAUX, LA 70301 (985)-447-5998 GRANTEE'S ADDRESS CITY OF DIAMONDHEAD, MS 5000 DIAMONDHEAD CIRCLE DIAMONDHEAD MS 39525 (228) 222-4626

STATE OF MISSISSIPPI COUNTY OF HANCOCK

#### **DEED OF DEDICATION**

This DEED OF DEDICATION ("Deed") is made this \_\_\_\_\_ day of \_\_\_\_\_\_, 2020, by and between ROUSE LAND COMPANY, L.L.C. ("Rouse's") GRANTOR, and THE CITY OF DIAMONDHEAD, a municipality created and existing under the State of Mississippi ("City"), GRANTEE.

\*\*WITNESSETH\*\*

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WHEREAS, Rouse's wishes to dedicate, quitclaim, grant and convey the Property (as defined below) to the City and be relieved of the cost and responsibilities associated with maintaining same; and

WHEREAS, the City wishes to acquire the property for a public street, make certain improvements to the Property and assume the cost and responsibilities for maintaining same; and

WHEREAS, on November 5, 2019, the Diamondhead City Council passed a resolution and order accepting the dedication of the Property conveyed herein and agreeing to the terms contained herein, copy of which is attached hereto as Exhibit "B"; and

WHEREAS, on November 5, 2019, the Managers of Rouse Land Company, L.L.C. passed a resolution authorizing the dedication of the Property herein and agreeing to the terms contained herein, copy of which is attached hereto as Exhibit "C"; and

NOW, THEREFORE, in consideration of the recitals and the mutual benefits, covenants and terms herein contained, and for other good and valuable consideration, the receipt of which is hereby acknowledged, Rouse's hereby dedicates, quitclaims, grants, conveys, covenants and agrees as follows:

#### DEDICATION OF PROPERTY FOR PUBLIC RIGHT OF WAY

For and in consideration of the City accepting the Property, improving the Property pursuant to that certain letter from Governor Phil Bryant to Honorable Thomas Schafer, IV, Mayor of Grantee dated September 25, 2019, and maintaining a public street on the Property, Rouse's, does hereby dedicate, quitclaim, grant and convey unto the City, its successors and assigns, in fee simple, for the use of the general public as a public street and right-of-way, the Property described herein below and improvements thereon and appurtenances thereto. This dedication of the Property is made "AS IS, WHERE IS" and "WITH ALL FAULTS" and without warranties of any kind as to title, condition or otherwise.

The City specifically accepts the dedication of the Property without warranty and subject to the following conditions:

The conveyance herein is made subject to such valid mineral reservations and/or conveyances, if any, as may have been heretofore made on the Property, or filed in the land records of the Office of the Chancery Clerk of Hancock County, Mississippi.

The conveyance herein is made subject to any and all easements located on, over and across the Property, or filed in the land records of the Office of the Chancery Clerk of Hancock County, Mississippi.

The conveyance herein is made subject to any and all rights-of-way and/or easements for public utilities in, on and under the Property.

Legal Description of the Property:

See attached Exhibit "A"- Legal Description adopted herein by reference.

IT IS FURTHER UNDERSTOOD AND AGREED that this instrument constitutes the entire agreement between Grantor and Grantee, there being no other oral agreements or representations of any kind or nature whatsoever.

EXECUTED, this the \_\_\_\_\_day of December, 2019.

**GRANTOR:** 

ROUSE LAND COMPANY, L.L.C.

BY: NAME: Donald J. Rouse, Sr.

TITLE: Manager

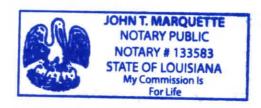
STATE OF LOUISIANA COUNTY OF LAFOURCHE

Personally appeared before me, the undersigned Notary Public, the within named Donald J. Rouse, Sr., who acknowledged that he is Manager of the ROUSE LAND COMPANY, L.L.C., and that in said capacity he signed and delivered this instrument on the day and year herein mentioned, after first having been duly authorized to do so.

GIVEN UNDER MY HAND AND SEAL this the \_\_\_\_ day of December, 2019.

NOTARY PUBLIC

My Commission Expires:



GRANIEE:	
CITY OF DIAMO	NDHEAD, MISSISSIPPI
BY: THOMAS SCHAI	FER, IV, MAYOR
STATE OF MISSISSIPPI COUNTY OF HANCOCK	
Personally appeared before me, the uncommon Schafer, IV, who acknowledged that Mississippi, and that in said representative instrument on the day and year herein mention to do so.	capacity he signed and delivered this
GIVEN UNDER MY HAND AND SEAL	this the day of, 20
Ne	OTARY PUBLIC
My Commission Expires:	

#### Exhibit "A"

#### The Property

"Parcel 1" depicted and described on the attached plat.

#### Exhibit "B"

#### City's Resolution and Order

(attached hereto)

#### Exhibit "C"

Rouse's Resolution

(attached hereto)

## RESOLUTIONS OF THE MANAGERS OF ROUSE LAND COMPANY, L.L.C.

The undersigned, being all of the Managers of Rouse Land Company, L.L.C., a Louisiana limited liability company (the "Company"), acting pursuant to the Limited Liability Company Law of Louisiana and pursuant to the Company's organizational documents, hereby consent to the adoption of the following resolutions:

#### NOW THEREFORE, BE IT RESOLVED:

- 1. That pursuant to that certain Deed of Dedication dated on or after the date hereof (the "<u>Dedication</u>") the Company is hereby authorized and empowered to transfer, quitclaim, and convey certain real property located in SW CORNER LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, DIAMONDHEAD, HANCOCK COUNTY, MISSISSIPPI, as more fully described in the Dedication and Exhibit A thereto (the "<u>Property</u>") to The City of Diamondhead.
- 2. That either Donald J. Rouse, Sr. or Thomas B. Rouse (each, an "<u>Authorized Manager</u>"), acting alone and without the consent of the other, in his capacity as a Manager of the Company is hereby authorized, on behalf of the Company, to execute and deliver any and all documents required or desirable and related in any way to the transactions contemplated herein and to perform all obligations under such documents on such terms and conditions as the Authorized Manager shall deem appropriate, and in such form as such Authorized Manager may approve, including entering into the Dedication on the terms and conditions set forth therein and any related documents.
- 3. That either Authorized Manager, acting alone and without the consent of the other, is authorized to execute and deliver the above described documents on behalf of the Company with such changes, modifications, additions and deletions as he may in his sole and uncontrolled discretion approve and make, his signatures on any document constituting conclusive evidence of his approval thereof so that any such document shall be valid and binding on the parties thereto.
- 4. That acting on behalf of the Company, either of the Authorized Managers, acting alone and without the consent of the other, is authorized from time to time to do any and all things deemed by him to be necessary or appropriate for the purpose of carrying out the obligations of the Company arising out of the above documents, any agreement heretofore or hereafter executed, containing such stipulations, agreements and conditions as may be in his judgment appropriate or necessary in connection therewith, this authority being full and complete and without limit or reserve, and all acts and things heretofore done by either Authorized Manager in the premises are hereby ratified and approved and all acts and things hereafter done by either Authorized Manager in furtherance of this authority are hereby ratified and approved in advance. Any instrument or other document executed pursuant to this paragraph or these resolutions shall contain such terms, conditions, stipulations and provisions as either Authorized Manager executing same shall deem proper to incorporate.
  - 5. These Resolutions may be executed in multiple counterparts.

Page 88

Effective as of: December _	, 2019
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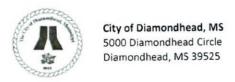
Donald J. Rouse, Sr., Manager

Thomas B. Rouse, Manager

Donald J. Rouse Sr., Manager

Thomas B. Rouse, Manager

2020-042



#### **Equipment Disposition Request**

Department : Public Works

Fixed Asset #	Description of Item	Quantity Disposed	Month/Yr Purchased	Asset Tag#	Unit Cost	Net Asset Value	Equipment Condition		Recommended Disposition Method/Action
	1999 Dodge Ram 3500 White Van S/N# 2B5W35Z1XK578509	1	04/2013	041	3,750.00	375.00	Poor	Electrical Problems	Remove Asset Possible Auction Item
	1998 Ford Pickup S/N#1FTZF262NB96850	1	01/2013	063	2,763.00	276.30	Poor	Bad Motor - Transmission Slipping	Remove Asset Possible Auction item
	Mini Track Hoe/Excavator S/N# 801A04779	1	01/2013	072	2,900.00	1,408.25	Poor	Electrical Problems	Remove Asset Possible Auction item
00000073	1997 John Deere Tractor S/N# LV5400E652773	1	01/2013	073	14,944.80	7,256.81	Poor	Bad Transmission, Clutch and Hydraulics	Remove Asset Possible Auction item
0000074	Partial Disposition of Front End Loader Attachment Only	Partial	01/2013	074			Poor	This is only a partial disposition of the Front End Loader Attachment	Remove Asset Possible Auction item
	1994 John Deere Backhoe S/N# 816378	1	01/2013	075	19,000.00	9,225.82	Poor	Does not Run	Remove Asset Possible Auction item
	John Deere Gator TX400 S/N# WO4X2XD007298	1	01/2013	081	2,300.00	230.00	Poor	Does not Run	Remove Asset Possible Auctio item
00000083	John Deere Gator TX400 S/N# WO4X2XD011475	1	01/2013	083	2,300.00	230.00	Poor	Does not Run	Possible Auctio
	1993 GMC Paint Truck S/N# J8DE5B1U7P3000802	1	07/2015	303	48,500.00	20,855.00	Poor	Bad Compressor, Does not work	
00000397	2006 Ford Cargo Van S/N# 1FTRE14W36HA70664	1	01/2017	362	4,180.00	2,090.00	Poor	Bad Engine - Old	Possible Auctio
Not on Fixed Asset List	14in Walk Behind Saw S/N# 107186	1	01/2013	EQ01	2		Poor	Part of POA Asset Transfer	Dispose of Asse
Not on Fixed Asset List	Campbell Fausfeld 2400 psi Pressure Washer	1	01/2013				Poor	Part of Church Asset Transfer	Dispose of Asse

Approval Signature

Department Head : FA Coordinator

City Manager:

Physical Condition Guide:

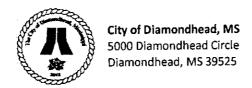
P - Poor

F- Fair

G- Good

E- Excellent

U - Unknown



### **Equipment Disposition Request**

Department: Public Works

Fixed Asset #	Description of Item	Quantity Disposed	Month/Yr Purchased	Asset Tag #	Unit Cost	Net Asset Value	Equipment Condition	Recommended Disposition Method/Action
00000203	Dell Opliplex Computer	1	06/2013	203	605.80	6.06	Poor	Not Upgradable
					·		1	

goature

Approval S

Department Head :

FA Coordinator

City Manager :

**Physical Condition Guide:** 

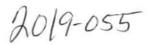
P - Poor

F- Fair

G- Good

E- Excellent

U - Unknown





5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228.222.4390

www.diamondhead.ms.gov

February 18, 2020

Mayor and Council City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Councilmembers:

Devil's Elbow Improvements - Change Order No. 1, Final Payment and Close Out

Attached for review and consideration is the Certificate of Substantial Completion as of January 29, 2020, Change Order No. 1 in the amount of \$1000, final pay application in the amount of \$13,123.14 and other related close out documents relating to Devil's Elbow Improvements.

If you find these documents to be in order, please accept Substantial Completion as of January 29, 2020 and approve Change Order No. 1 in the amount of \$1,000 as well as final payment in the amount of \$13,123.14 to J. E. Borries, Inc. for the Devil's Elbow Improvements.

Sincerely,

Michael Reso City Manager

attachment

# AIA Document G706 - 1994

Co	ontractor's Affidavit of Payment of Deb	ots and Claims
100	OJECT: (Name and address)  ARCHITECT'S PROJECT  EVILS Elbow Improvements Project  Name and Address)  CONTRACT FOR: Dev  OWNER: (Name and address)  CONTRACT DATED:  The of Diamondhead Circle  Contract DATED:  The of Diamondhead Circle  Contract DATED:	NUMBER:  OWNER:  ARCHITECT:  ARCHITECT:  SURETY:  OTHER:
ST/ CO	ATE OF: MISSISS IPPI UNITY OF: HARRISON	
oth for the	e undersigned hereby certifies that, except as listed below, perwise been satisfied for all materials and equipment furnis all known indebtedness and claims against the Contractor of performance of the Contract referenced above for which the dresponsible or encumbered.	hed, for all work, labor, and services performed, and for damages arising in any manner in connection with
EX	CEPTIONS: None	
Ind	PPORTING DOCUMENTS ATT ACHED HERETO: Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA Document G707, Consent of Surety, may be used for this purpose licate Attachment Yes No  e following supporting documents should be attached reto if required by the Owner:  Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.	CONTRACTOR: (Name and address)  JE. Borries, Inc.  16701 Hwy 57  Vanc leave, Ms. 39565  BY:  (Signature of authorized representative)  Jason Borries, President  (Printed name and title)
2.	Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.	Subscribed and sworn to before me on this date:
3.	Contractor's Affidavit of Release of Liens (AIA Document G706A).	My Commission Expires: 12 ) 20 / 20 2   FOR MISSISSION Expires 12/20/2021



February 13, 2020

Jeannie Klein City Clerk City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

RE: Devils Elbow Improvements – Close Out Documents

Ms. Klein,

Please accept this letter as our recommendation for the close out of the above referenced project to include the Substantial Completion Certificate, Final Pay Application, and all close out documents.

The contractor has included all outstanding work items. Any warranty issues should be directed toward Bob Hodges with JE Borries, Inc. at (228) 669-2626 or (jeborries@gmail.com). The date of the Substantial Completion is January 29, 2020 and therefore the warranty period will begin on this date and lasts for a period of 1 year.

If you have any questions or need any additional information, please let me know.

Sincerely,

Jason Chiniche, PE

Yaron Chincle, P.E.

**Enclosures** 

Page 95



Change Order No. 1	Order No.	
--------------------	-----------	--

Date of Issuance: 02/14/2020 Effective Date: 2/14/2020
Owner: CITY OF DIAMONDHEAD Owner's Contract No.:

Contractor: JE BORRIES,INC. Contractor's Project No.:

Engineer: JAMES J. CHINICHE, P.A., INC. Engineer's Project No.: 17-057-003

Project: DEVILS ELBOW IMPROVEMENTS Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description:

Change order required to account for the added material costs of larger Coast Guard required navigational signage.

Attachments: [List documents supporting change]

None

	CHANGE IN CONTRACT PI	RICE		CHA	ANGE IN	CONTRACT TIMES
				[note cha	nges in	Milestones if applicable]
Original	Contract Price:			Original Contract T		
						120 days from 10/16/2019
\$ 254,5	50.00			Ready for Final Pay	ment:	150 days from 10/16/2019
						days or dates
[Increas	e] [Decrease] from previously ap	proved	Change			n previously approved Change
Orders	No to No:			Orders No to I		
				Substantial Comple		
\$				Ready for Final Pay	ment:	
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Contrac	t Price prior to this Change Orde	r:		Contract Times pri		
						NA
\$				Ready for Final Pay	yment:	
						days or dates
[Increase	e] [Decrease] of this Change Ord	er:		[Increase] [Decrea		
					-	NA
\$ 1,000				Ready for Final Pa	yment:	
						days or dates
Contrac	t Price incorporating this Change	Order:				proved Change Orders:
						120 days from 10/16/2019
\$ <u>255,5</u>	50.00			Ready for Final Pa	yment:	150 days from 10/16/2019
						days or dates
	RECOMMENDED		ACCE	PTED:		ACCEPTED:
By:	: Yaum Chincle, P.E	By:			By:	
	Engineer (if required)		Owner (Aut	horized Signature)		Contractor (Authorized Signature)
Title:	JJC Project Manager	Title:			Title:	
Date:	02/14/2020	Date			Date	

EJCDC_	C-941. Change	Order.	_
Prepared and published 2013 by tl	Page 96	nt Contract Documents Committee.	



CE. M. A. S. COMV.		CERTIFI	CATE OF SUB	STANTI	AL COMPLE	TION			
Owner: Contracto Engineer: Project:					Owner's Contract Engineer Contract	or's Pro 's Proje	ject No.:	17-057-003	
This Cer	tificate of Substantial Co	npletion	applies to:						
	All Work				The following	ng speci	fied porti	ons of the Worl	k:
	_		January 29	, 2020					
	_	Date	of Substantia	al Comp	letion				
Engineer, designate The date contractu A punch	k to which this Certificate, and found to be substared above is hereby estable of Substantial Completional correction period and a list of items to be complete to include any items or	stially co shed, su n in the applicable ted or co	mplete. The I bject to the pi final Certificat e warranties re orrected is atta	Date of S rovisions e of Sub equired	Substantial Consorting of the Consorting Constantial Control of this Certification of this Certification of this Certification of the Control of this Certification of the Control of the Certification of the Certificatio	Complet tract pe mpletion ract. cate. Th	ion of the rtaining t marks th nis list ma	• Work or portion Substantial Conference of the commence of the commence of the conference of the c	on thereof ompletion nent of the clusive, and
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	CUTED BY ENGINEER:	D	RECEI	VED:		By:	Zho	ECEIVED:	Ause
By:	Authorized signature)	_ By:	Owner (Auth	orized Si	gnature)	. Бу.	Contracto	or (Authorized Si	gnature)
	Jason Chiniche-P.E.	Title:				Title:	Proj	Coordin	Hor
Date: 0	01/29/2020	Date:				Date:	· \$	13 /20 d	0

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Ta	The City of Disc Discrendhead C	noradhead 5000 ircle Diamondhead, MS 39525	From (Contractor):			Via (Engineer):	Jason Christhe, 412 HWY 90, Bay Saint Louis, MS 399	i <b>20</b>	
(Owner): Project	Devils Elbow la	proveneds	Contract:	Devils Elbow Improvem	erats Project				
Owner's C	ontract No.:		Contractor's Project	t Na:		1	Engineer's Project No.:	17-457-003	
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Applicat	on for Payment, w	ill pase to Owner at time of payment fr as are covered by a band scorptable to	ec and clear of all Lac Owner indemnifying	ms, security mercent, and Owner equinst any such		-	(Eng	inear	(Date)
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EJCDO® C-620 Contractor's Application for Psymeat

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Page 1 of 3

# Feb.13.2020 02:10 PM

#### Progress Estimate - Unit Price Work

### Contractor's Application

or (Contract)	Devils Elbow Improvements Project					Application Number:				#1			
pplication Period	Jamenty 24, 2020-February 14, 2020						Application Date			24120			
	A			<del></del>	с	D	E	F.3	F	<u> </u>	G		
	han	Co	daci Ief	COMPAN.	Extracted Quantity	Value of Work	Materials Presently	Total Completed and	Total Completed	25	Belance to Finish		
Bid Com No.	Description	îtara. Qonsîky	Units	Geit Price	installed (Custom Pay App)	Installed (Curred Pay App)	Skored (not in C)	Stored to Date (Provious Pry App F)	and Storad to Date (D + E)	(F/B)	(8 - 17)		
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01500 A.	Dredging (w/ Marsh Creation and Plantings)	1200	CY	350.00			T	\$60,000.00	\$60,000.00	150.0%			
01603 A		235	LF	\$330.40				\$17,550.00	\$77,596.00	190,0%			
02360 A	Virgi Sheet Piling	<del>  23</del> _		\$2,000.00				\$3,000.00	00.000,82	100.014			
02875 A	(Tennel Marker Lights	+ -	GA.		<del></del>	\$620,00	<del> </del>	\$1,200,00	\$1,800,00	225,0%			
02950 A	Pypical Signage	1 4	EA	\$200.00	<del></del>	— ———	<del> </del> -	\$38,250,60	\$38,250.09	100.0%			
06300 A	25-12 Dismeter Class B Timber Piling	1275	LF	\$30.00		<del>                                     </del>	<del></del>	5399:50.40	\$39,950.00	10050%			
06300 B	3"X 8" Pell Car Timber Waler	470	LJ	285.00	<del> </del>	<del> </del>	<del> </del>	227,50.10	<b>COND</b>				
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#### Stored Material Summary

#### Contractor's Application

or (Cartract):			Devils Elbow Improveme	ats Project				Application Number:	<del></del>		
pplication Petic	od:		Jamery 21, 2020 Februar	y 14, 2020		·		Application Date:		2/14/2000	
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	a No. Supplier (with Specification Storage Location Description of Materia Specification Section No.)					reviously	┨	Schrotal Amount	Incorporated in Work Date		Materials Remaining in
Biđ hem No.			Description of Materials or Equipment Stored	Date Placed into Storage (Month/Year)	Americat (\$)	this Month (\$)	Completed and Surred to Date (D+E)	(Month/ Year)	Ameunt (S)	Storage (\$) (D+E-F)	
01500 A				Mobilization							
01600 A				Dredging (w/ Marsh Creation and Plantings)			l .				
02260 A			Land-Devils Elbow, Diameters and MS	Vinyt Sheet Piling	11/2019	\$34,775 <i>5</i> 0		S77,550.00	1/2020	\$34,175.59	
02875 A				Channel Marker Lights							
02950 A				Typical Signage							
06300 A			Barge-Devils Elbow, Diamenobead, MS	25-12' Diameter Class B Timber Piling	11/2019	\$9,424.00		\$38,250.00	1/2020	\$9,424.00	
06370B			Berge-Devils Ethow, Diamencibest, MS	3" X 8" Full Out Timber Water	11/2019	\$2,371.20		\$39,950.60	1/2/020	\$2,371.20	
	<u></u>			Totals		\$46,570.70	<u> </u>	\$155,750.00		346,570.70	

EJC	DCE		(	Contractor's A	pplication for	Payment No.		#4	
	S JOINT CONTE		Application Period:	January 21, 2020-Februa		Application Date:	2/14/2020		
	The City of Dian Diamondhead Ci	nondhead 5000 rele Diamondhead, MS 39525	From (Contractor):	JE Borries Inc. 16701 HWY 57 Vancleave, MS 39565		Via (Engineer):	Jason Chiniche, 412 HWY 90, Bay Saint Louis, MS 3	9520	
niant:	Devils Elbow Im	provements	Contract:	Devils Elbow Improven	ents Project	·			
vner's Cont	tract No.:		Contractor's Project	t No.:	·	Engineer's Project No.:	17-057-003		•
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roved Ch	nange Orders			<u> </u>	1. ORIGINAL CONTR	ACT PRICE		\$_	\$254,550.00
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			1		3. Current Contract Pri			\$_	\$254,550.00
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				<u> </u>	1	rogress Estimates)	***************************************	\$_	\$255,550.00
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	CHANGE BY				8. AMOUNT DUE THI			5	\$13,123.14
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Title to a optication	ll Work, materia for Payment, wil	As and equipment incorporated in said Vall pass to Owner at time of payment free as are covered by a bond acceptable to Country.	and clear of all Lier	ns, security interests, and	is recommended by:		mcla P.E.		1/29/2020 (Date)
ens, securi	ity interest, or en	cumbrances); and				C (En	D		()
) Al) the W fective.	Vork covered by	this Application for Payment is in acco	rdance with the Cont	tract Documents and is not	Payment of:	5	\$13,123.14		
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intractor 5	Signature				]				
/:			Date:		Approved by:				

Funding or Financing Entity (if applicable)

#### Progress Estimate - Unit Price Work

#### **Contractor's Application**

For (Contract):	Devils Elbow Improvements Project				Application Number:				#4			
Application Period:	January 21, 2020-February 14, 2020						Application Date:		2/14/2020			
_	A	·			С	D	E	F.L	F		G	
	Item	Co	ntract Info	ormation	Estimated Quantity	Value of Work		Total Completed and	Total Completed	%	Balance to Finish	
Bid Item No.	Description	ltem Quantity	Units	Unit Price	Installed (Current Pay App)	Installed (Current Pay App)	Materials Presently Stored (not in C)		and Stored to Date (D + E)	(F / B)	(B - F)	
01500 A	Mobilization		LS	\$30,000.00				\$30,000.00	\$30,000,00	100.0%		
01600 A	Dredging (w/ Marsh Creation and Plantings)	1200	CY	\$50.00	_		i	\$60,000.00	\$60,000.00	100,0%		
02360 A	Vinyl Sheet Piling	235	LF	\$330,00	,		1	\$77,550.00	\$77,550.00	100.0%		
02875 A	Channel Marker Lights	4	EA	\$2,000.00				\$8,000.00	\$8,000.00	100,0%		
02950 A	Typical Signage	4	EA	\$200.00	3	\$600.00	1	\$1,200.00	\$1,800.00	225.0%		
06300 A	25'-12" Diameter Class B Timber Piling	1275	LF	\$30.00			i	\$38,250.00	\$38,250.00	100.0%		
06300 B	3" X 8" Full Cut Timber Waler	470	LF	\$85.00		_		\$39,950,00	\$39,950,00	100.0%		
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	Totals	+			<u> </u>	\$600.00		\$254,950.00	\$255,550,00	·		

#### Stored Material Summary

#### Contractor's Application

for (Contract):		•	Devils Elbow Improveme		Application Number:	#4					
pplication Perio	o <b>d</b> :		January 21, 2020-Februar	y 14, 2020			-	Application Date:		2/14/2020	
A	<del></del>	В		c	Ï		Е			F	G
		Submittal No.				reviously		Subtotal Amount		Incorporated in Work	
Bid Item No.	Supplier Invoice No.	(with Specification Section No.)	Storage Location	Description of Materials or Equipment Stored	Date Placed into Storage (Month/Year)	Amount (\$)	Amount Stored this Month (\$)	Completed and Stored to Date (D + E)	Date (Month/ Year)	Amount (\$)	Remaining in Storage (\$) (D + E - F)
01500 A				Mobilization							
01600 A				Dredging (w/ Marsh Creation and Plantings)							
02360 A			Land-Devils Elbow, Diamondhead, MS	Vinyl Sheet Piling	11/2019	\$34,775.50		\$77,550.00	1/2020	\$34,775.50	
02875 A				Channel Marker Lights							
02950 A				Typical Signage							
06300 A			Barge-Devils Elbow, Diamondhead, MS	25'-12" Diameter Class B Timber Piling	11/2019	\$9,424.00		\$38,250.00	1/2020	\$9,424.00	i
06300 B			Barge-Devils Elbow, Diamondhead, MS	3" X 8" Full Cut Timber Waler	11/2019	\$2,371.20		<b>\$</b> 39,950.00	1/2020	\$2,371.20	
				Totals		\$46,570,70	<u> </u>	\$155,750.00		\$46,570.70	



Consent Of Surety to Final	Payment	Bond # 1001136419
PROJECT: (Name and address)	ARCHITECT'S PROJECT NUMBER:	OWNER:
Devils Elbow Improvements, City of Diamondhead, Hancock County, MS	CONTRACT FOR: Construction	ARCHITECT:
TO CAINED: Oi	CONTRACT DATED:	CONTRACTOR:
TO OWNER: (Name and address) City of Diamondhead	CONTINUE DATES.	SURETY:
5000 Diamondhead Circle Diamondhead, MS 39525		OTHER:
In accordance with the provisions of the Control (Insert name and address of Surety) U.S. Specialty Insurance Company 13403 Northwest Freeway Houston, TX 77040-6094	ract between the Owner and the Contractor as indicated a	
The property of the state of th		, SURETY.
on bond of (Insert name and address of Contractor) J. E. Borries, Inc. 16701 Highway 57 Vancleave, MS 39565		, CONTRACTOR,
hereby approves of the final payment to the C	ontractor, and agrees that final payment to the Contractor	
of any of its obligations to (Insert name and address of Owner)		
City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525		. OWNER,
as set forth in said Surety's bond.		, 0 1111211
	reunto set its hand on this date: February 5th, 2020 numeric date and year.)	
	U.S. Specialty Insurance C (Surety)	ompany
	(Signature of authorized rep	resentative)
Attest: Nebbie Dunau	Dewey B. Mason, Attorne (Printed name and title)	y-in-Fact



#### **POWER OF ATTORNEY**

## AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Jim E. Brashier, Troy P. Wagener, Loren Richard Howell, Jr., Dewey B. Mason, Kathleen B. Scarborough, Susan Skrmetta, John W. Nance

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed
Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:
Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.
Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.
IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, thin 1st day of June, 2018.
AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY UNITED STATES SURETY COMPANY US SPECIALTY INSURANCE COMPANY
State of California
County of Los Angeles  Daniel P. Aguilar, Vice President
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
On this 1st day of June, 2018, before me, Sonia O. Carrejo, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
Signature  (seal)  Solution Carrier Company Abdits: California Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.
In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this <a href="https://doi.org/10.1007/journal.com/sea/2020/">5th day of February 2020</a> .
Corporate Seals Bond No. 1001136419
Agency No. 17033 Kio Lo, Assistant Secretary

information



#### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 2/7/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confor rights to the certificate holder in lieu of such endorsement(s).

full Cettingste goes not comet tights to me certificate noige, in sec of a	den endorsement(a).	
PRODUCER	CONTACT Patty Savage	
BXS Insurance	PHONE (A/C, No. Ext): 228-374-2000 FAX (A/C, No): 228-432	2-7420
P.O. Drawer 228 Biloxi MS 39533	E-MAIL ADDRESS: patty.savage@bxsi.com	
	INSURER(S) AFFORDING COVERAGE	NAIC#
	INSURER A: Atlantic Specialty Insurance Company	27154
INSURED JEBORRI-01	INSURER B: American Interstate Ins Co of Texas	12228
J. E. Borries, Inc. 16701 Highway 57	INSURER C:	
Vancieave MS 39565	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 1058551791

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL S	UBR POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s
A	X COMMERCIAL GENERAL LIABILITY  CLAIMS-MADE X OCCUR		B5JH9002619	2/25/2019	2/25/2020	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000 \$50,000
						MED EXP (Any one person)	\$5,000
	X S10,000 Ded					PERSONAL & ADV INJURY	s 1,000,000
	GEN'L AGGREGATE UMIT APPLIES PER:					GENERAL AGGREGATE	\$2,000,000
	POLICY X JECT LOC					PRODUCTS - COMP/OP AGG	\$ 1,000,000
	OTHER:	ļ l				P&I	\$1,000,000
Α	AUTOMOBILE LIABILITY	T	TRC-408738	2/25/2019	2/25/2020	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	X ANY AUTO			i I		8OD/LY INJURY (Per person)	\$
	OWNED SCHEDULED AUTOS ONLY AUTOS					BODILY INJURY (Per accident)	S
	X HIRED X NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident)	s
							\$
Α	X UMBRELLA LIAB X OCCUR		TRC-408737	2/25/2019	2/25/2020	EACH OCCURRENCE	s5,000,000
	EXCESS LIAB CLAIMS-MADE	į l				AGGREGATE	\$
	DED X RETENTION \$ 25,000		i .				\$
8	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		AVWCMS2824702019	8/17/2019	8/17/2020	X PER OTH-	USL&H
	ANYPROPRIETOR/PARTNER/EXECUTIVE	N/A				E.L. EACH ACCIDENT	\$1,000,000
	OFFICER/MEMBER EXCLUDED? [Mandatory in NH]	"		;		E L. DISEASE - EA EMPLOYEE	\$1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - POLICY LIMIT	s 1,000,000
8	Maritime Employers Liability		AVWCMS2824702019	8/17/2019	8/17/2020	Limit	1,090,000
1							

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Owners: Jason Borries and Roxanna Borries are excluded from Workers Compensation Coverage.
Devils Elbow Improvements (Marsh vegetation transplanting, dredging, bulkhead installation, and marsh creation)

CERTIFICATE HOLDER	CANCELLATION	
City of Diamondhead 5000 Diamondhead Circle Diamondhead MS 39525	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	
	AUTHORIZED REPRESENTATIVE	

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The ACORD name an

#### IMPORTANT NOTICE ABOUT HOLD HARMLESS AND INDEMNIFICATION AGREEMENTS

While insurance policies may respond to certain contractual assumption of liability or responsibility (Hold Harmless/Indemnification Agreements/Clauses), such policies are not broad enough to transfer or fund all assumed exposures. In addition, insurance policies have monetary limits that apply to covered claims. Our receipt of hold harmless/indemnification agreements and issuance of certificates of insurance is not validation that all conditions of the hold harmless/indemnification agreement have been met. Most assumption of risk agreements/clauses are broader than the terms and conditions of insurance policies.

#### IMPORTANT NOTICE ABOUT AUTOMATIC STATUS ADDITIONAL INSUREDS/WAIVERS

The certificate of insurance may represent that Additional Insured &/or Waiver status is included when required by written contract. In order for Additional Insured &/or Waiver status to be triggered in this case, there must be a written and executed contract between the insured and the person(s) or organization(s) for which Additional Insured &/or Waiver status is required.

CONTRACTOR'S AFFIDAVIT OF RELEASE OF LIENS AIA Document G706A	OWNER ARCHITECT CONTRACTOR SURETY OTHER	
TO (Owner)  City of Diamond  5000 Diamondhe ad  Diamondhe ad  As  39525  PROJECT: (name, address) Devil s Elbow In	Circle CONTRAC	

State of Mississippi

The undersigned, pursuant to Article 9 of the General Conditions of the Contract for Construction, AIA Document A201, hereby certifies that, the best of his knowledge, information and belief, except as listed below, the Releases of Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS: (If none, write "None". If required by the Owner, the Contractor shall farmish bond satisfactory to the Owner for each exception.)

N/A

#### SUPPORTING DOCUMENTS ATTACHED HERETO:

- Contractor's Release or Waiver of Liens, conditional upon receipt of final payment
- Separate Releases or Waivers of Liens from Subcontractors And material and equipment suppliers, to the extent Required by the Owner, accompanied by the list thereof.

CONTRACTOR:

J. E. Borries, Inc.

Address: 16701 Hwy 57

Vancleave Ms. 39565

BY:

Jason Borries, President

Subscribed and sworn to before me this

Notary Public:

My Commission Expires: 12/20/2020 APRIL 1970 EDITION AIA®

NW, WASHINGTON, D.C. 20006

ONE PAGE 22475

NW, WASHINGTON, D.C. 20006

AIA DOCUMENT G705A - CONTRACTOR'S AFFIDAVIT OF RELEASE OF LIENS - APRIL 1970 EDITION AIA®

0 1970 - THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., NW, WASHINGTON, D.C. 20006

Page 108

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Confidentiality Note: This e-mail and any attachments may contain confidential and privileged material for the sole use of the intended recipient. Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please delete the e-mail, along with any attachments, without copying or disclosing it and notify the sender by reply e-mail immediately.





5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228.222.4390

www.diamondhead.ms.gov

February 26, 2020

Mayor and Council City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Councilmembers:

Re: Payment to James J. Chinche - Shepards Square Design

Attached for your review and consideration is an invoice from James J. Chiniche in the amount of \$2,662.50 for Shepards Square Design. The invoice represents 32% design phase completion.

If you find this document to be in order, please proceed with payment.

Sincerely,

Michael Reso City Manager

MR:jk

James J. Chiniche, P.A. Inc 412 HWY 90 Suite 4 Bay St. Louis, MS 39520

228-467-6755 jason@jjc-eng.com



## **Invoice**

Date	Invoice #
2/25/2020	17-057-092

Bill To

City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS Atten: Jeannie Klein

**Project** 

Shepherds Square

Work Assignment No. 00-05-2020 Shephards Square Design Total Amount of Work Assignment \$12,000 Previously Paid \$1,127.50 Amount of Current Invoice \$2,662.50 Balance to be Paid \$8.210.00

Item Description Serviced Qty Rate Amount 17-057 Dhead MS CAD Tech existing conditions 2/10/2020 50.00 100.00 17-057 Dhead MS CAD Tech existing conditions 2/11/2020 3 50.00 150.00 17-057 Dhead MS CAD Tech existing conditions 2/12/2020 2 50.00 100.00 roadway design 17-057 Dhead MS CAD Tech 2/13/2020 8 50.00 400.00 17-057 Dhead MS CAD Tech existing conditions 2/13/2020 50.00 1 50.00 17-057 Dhead MS CAD Tech roadway design 2/14/2020 50.00 350.00 17-057 Dhead MS CAD Tech plan updates 2/17/2020 6.5 50.00 325.00 17-057 Dhead MS Proj. Eng. cost estimate prep 2/18/2020 0.5 75.00 37.50 plan updates 17-057 Dhead MS CAD Tech 2/18/2020 400.00 8 50.00 17-057 Dhead MS Proj. Eng. cost estimate prep 2/19/2020 0.5 75.00 37.50 17-057 Dhead MS Proj. Eng. cost estimate prep 2/20/2020 1.5 75.00 112.50 17-057 Dhead MS CAD Tech plan updates 2/20/2020 50.00 200.00 17-057 Dhead MS Proj. Eng. cost estimate prep 2/21/2020 75.00 300.00 17-057 Dhead MS CAD Tech plan updates 2/21/2020 50.00 100.00

3% Transaction fee for all credit/debit payments.

1% Service Charge on all accounts over 30 days

**Balance Due** 

\$2,662.50





5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228.222.4390

www.diamondhead.ms.gov

February 26, 2020

Mayor and Council City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Councilmembers:

Re: Payment to James J. Chinche - CEI for East Aloha Widening

Attached for your review and consideration is an invoice from James J. Chiniche in the amount of \$3,804.35 for CEI for East Aloha Widening. The invoice represents 52% completion of the construction phase for this project.

If you find this document to be in order, please proceed with payment.

Sincerely,

Michael Reso City Manager

MR:jk

## **Invoice**

James J. Chiniche, P.A. Inc 412 HWY 90 Suite 4 Bay St. Louis, MS 39520

228-467-6755 jason@jjc-eng.com



Date	Invoice #
2/25/2020	16-033-066

#### Bill To

City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525 Atten: Jeannie Klein, City Clerk

Project

East Aloha Widening

Work Assignment Description - CEI for East Aloha Drive Widening Total Amount of Work Assignment - \$23,867.93
Total Previously Paid on Work Assignment - \$7,769.09
Amount of Current Invoice - \$3,804.35
Remaining Balance to be paid on Work Assignment - \$11,573.44

Description  construction observation construction observation	Serviced 2/10/2020	Qty	Rate	Amount
construction observation	2/10/2020	4	·	
construction observation		4	52.78	211.12
	2/11/2020	4	52.78	211.12
construction observation	2/12/2020	3	52.78	158.34
+ •	2/12/2020	8	59.11	472.88
	2/13/2020	4	52.78	211.12
	2/14/2020	4	52.78	211.12
	2/14/2020	1	59.11	59.11
_	2/17/2020	2	52.78	105.56
	2/17/2020	<b>j</b> 3	105.56	316.68
	2/18/2020	6	52.78	316.68
<b>*</b>	2/19/2020	6	52.78	316.68
	2/19/2020	4	105.56	422.24
	2/20/2020	6	52.78	316.68
	2/20/2020	1	105.56	105.56
		4	52.78	211.12
	1	1.5	105.56	158.34
	construction observation road centerline grade check construction observation construction observation road centerline grade check site visits contractor and LPA coordination site visits site visits contractor and LPA coordination site visits contractor and LPA coordination site visits contractor and LPA coordination site visits	construction observation road centerline grade check construction observation 2/12/2020 2/13/2020 2/13/2020 construction observation 2/14/2020 road centerline grade check site visits 2/14/2020 2/17/2020 contractor and LPA coordination site visits 2/19/2020 2/19/2020 2/20/2020 contractor and LPA coordination 2/20/2020 2/20/2020	2/12/2020   3   3   3   3   3   3   3   3   3	construction observation 2/12/2020 3 52.78 road centerline grade check 2/12/2020 4 52.78 construction observation 2/13/2020 4 52.78 road centerline grade check 2/14/2020 1 59.11 site visits 2/17/2020 2 52.78 contractor and LPA coordination site visits 2/18/2020 6 52.78 site visits 2/18/2020 6 52.78 contractor and LPA coordination site visits 2/19/2020 6 52.78 contractor and LPA coordination 2/19/2020 6 52.78 contractor and LPA coordination 2/19/2020 6 52.78 contractor and LPA coordination 2/19/2020 4 105.56 site visits 2/20/2020 6 52.78 contractor and LPA coordination 2/20/2020 6 52.78 contractor and LPA coordination 2/20/2020 1 105.56 site visits 2/20/2020 1 105.56 site visits 2/20/2020 4 52.78 contractor and LPA coordination 2/20/2020 1 105.56 site visits 2/21/2020 4 52.78

3% Transaction fee for all credit/debit payments.

1% Service Charge on all accounts over 30 days

**Balance Due** 

\$3,804.35

Agorda Item 2020-058



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228.222.4390

www.diamondhead.ms.go

February 26, 2020

Mayor and Council City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Councilmembers:

Re: Final Payment to James J. Chinche - Montjoy Creek Improvements

Attached for your review and consideration is an invoice from James J. Chiniche in the amount of \$1,125.00 for Montjoy Creek Improvements. The invoice represents 100% completion of the construction phase for this project.

If you find this document to be in order, please proceed with payment.

Sincerely,

Michael Reso City Manager

MR:jk

## **Invoice**

James J. Chiniche, P.A. Inc 412 HWY 90 Suite 4 Bay St. Louis, MS 39520

228-467-6755 jason@jjc-eng.com



Date	Invoice #
2/25/2020	17-057-093

Bill To

City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525 Atten: Jeannie Kle

Project

Montjoy Creek Improvements

Work Assignment Description - Montjoy Creek Improvements Total Amount of Work Assignment - \$50,000 Total Previously Paid on Work Assignment - \$0 Amount of Current Invoice - \$1,125.00 Remaining Balance to be paid on Work Assignment - \$

Item	Description	Serviced	Qty	Rate	Amount
17-057 Dhead MS Proj. Eng.	survey coordination	1/2/2020	0.25	75.00	18.75
17-057 Dhead MS Proj. Eng.	survey coordination	1/3/2020	0.75	75.00	56.25
17-057 Dhead MS CAD Tech	plan sheet layout	1/7/2020	2	50.00	100.00
17-057 Dhead MS Proj. Eng.	topo survey coordination	1/8/2020	0.25	75.00	18.75
17-057 Dhead MS Proj. Eng.	topo survey coordination	1/10/2020	0.5	75.00	37.50
17-057 Dhead MS Proj. Eng.	design coordination	1/27/2020	0.5	75.00	37.50
17-057 Dhead MS Proj. Eng.	design coordination	1/30/2020	5.5	75.00	412.50
17-057 Dhead MS Proj. Eng.	topo and boundary survey	2/5/2020	0.5	75.00	37.50
17-057 Dilous No 110ji Dilgi	coordination				
17-057 Dhead MS Proj. Eng.	topo and boundary survey	2/6/2020	0.25	75.00	18.75
17-037 Dilead Wio 1103. Dilg.	coordination				
17-057 Dhead MS Proj. Eng.	topo and boundary survey	2/7/2020	0.5	75.00	37.50
17-037 Dilead Nio 110j. Ling.	coordination				
17-057 Dhead MS CAD Tech	topo survey drafting	2/7/2020	1	50.00	50.00
17-057 Dhead MS Proj. Eng.	topo survey coordination	2/10/2020	2	75.00	
17-057 Dhead MS Proj. Eng.	topo survey coordination	2/12/2020	1	75.00	
17-057 Dhead MS Proj. Eng.	topo survey coordination	2/13/2020	1	75.00	75.00
17-037 Dilead Wis 110j. Eng.	Topo san say assess				Į
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3% Transaction fee for all credit/debit payments.

1% Service Charge on all accounts over 30 days

**Balance Due** 

\$1,125.00





5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228.222.4390

www.diamondhead.ms.gov

February 26, 2020

Mayor and Council City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Councilmembers:

Re: Final Payment to James J. Chinche – East Aloha Improvements Phase 1

Attached for your review and consideration is an invoice from James J. Chiniche in the amount of \$2,156.25 for the design of East Aloha Improvements Phase 1. The invoice represents 56% completion for the design of this project.

If you find this document to be in order, please proceed with payment.

Sincerely,

Michael Reso City Manager

MR:jk

James J. Chiniche, P.A. Inc 412 HWY 90 Suite 4 Bay St. Louis, MS 39520

228-467-6755 jason@jjc-eng.com



## **Invoice**

Date	Invoice #
2/25/2020	17-057-094

Bill To

City of Diamondhead 5000 Diamondhead Circle Atten; Jeannie Klein

Project

East Aloha Phase 1

Work Assignment No. 00-06-2020 East Aloha Improvements Phase 1 Total Amount of Work Assignment \$17,000 Previously Paid \$5,306.25 Amount of Current Invoice \$2,156.25 Balance to be Paid \$7,462.50

Item	Description	Serviced	Qty	Rate	Amount
7-057 Dhead MS Proj. Eng.	deed coordination	1/2/2020	0.25	75.00	18.75
7-057 Dhead MS Proj. Eng.	cost estimate and ROW coordination	1/3/2020	2.5	75.00	187.50
7-057 Dhead MS CAD Tech	ROW review	1/3/2020	5	50.00	250.00
7-057 Dhead MS CAD Tech	plan updates	1/27/2020	3	50.00	150.00
7-057 Dhead MS CAD Tech	plan updates	1/28/2020	2	50.00	100.00
7-057 Dhead MS CAD Tech	plan updates	1/29/2020	1	50.00	50.00
7-057 Dhead MS CAD Tech	plan updates	1/30/2020	4	50.00	200.00
7-057 Dhead MS CAD Tech 7-057 Dhead MS CAD Tech	plan updates	1/31/2020	4	50.00	200.00
7-057 Dhead MS CAD Tech	phase 1 improvements	2/10/2020	3	50.00	150.00
7-057 Dhead MS CAD Tech	phase 1 improvements	2/11/2020	7	50.00	350.00
7-057 Dhead MS CAD Tech	plan updates plan updates	2/20/2020 2/21/2020	4 6	50.00 50.00	200.00 300.00
	[		ľ		

3% Transaction fee for all credit/debit payments.

1% Service Charge on all accounts over 30 days

**Balance Due** 

\$2,156.25

# Agenda Item 2020-060



#### **Travel Request Form**

Date: 02/24/2020

Employee Name: Acron Jones	
	(2, 1)
Employee Department: Hancock County Sheriff's Off	
Contact Phone: (278) 216-0478 Contact Email: Acron.	Jones@co.hancock.ms.
Business Purpose: Training	
City: Oxford State: MS Country	
Dates of Travel: 07 25 2020 - 07 31 2020	_
Do you need hotel reservations? (es) No	
If yes, then Hotel Name: The INN at Ole MISS Hotel City: C	exford, ms
Do you need travel reservations? Yes No	
If yes, then Airline/Bus/Train Name:From:	:To:
Do you need a rental car? Yes No	
Registration Fees	\$ 350. w
City Vehicle/Personal VehicleMiles @cents/mile	\$
Lodging# Nights 5 @ Single Room Rate \$99.50	<u>\$ 495. w</u>
Meals# Days@/Day	.\$
Total	\$
Employee Signature: 1.	
Travel Request Approved: Yes No	Oklein strolas
Notes:	gam
	,
Supervisor Signature:	Date:2-24-20
City Manager Signature:	Date:

Agenda Item 2020-065



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228.222.4390

www.diamondhead.ms.gov

February 27, 2020

Mayor and City Council City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Mayor and Councilmembers:

Re: Compensation for March 3, 2020 Special Election -Ward 4

Below is a listing poll managers, poll workers and other election workers for the March 3, 2020 Special Election for Ward 4. Compensation is recommended pursuant to Mississippi Code §23-15-227 and 23-15-229.

Poll Managers: \$125.00 plus \$20 (precinct bag pick and return) Total \$145.00 -

Nina Day and Ingrid Amberg

Poll Workers: 125.00 -

Naomi (MiMi) Lassus and Janelle Kunellis

Resolution Board - \$25.00

Member 1 - TBD

Member 2 – TBD

Member 3 - TBD

Election Commissioners - 4 days @ \$85.00

Julie Boudreaux

Don Hopes

Sue Favre

Thank you in advance for your approval in this matter.

Sincerely,

Jeannie Klein City Clerk



5000 Diamondhead Circle · Diamondhead, MS 39525-3260 *Phone: 228.222.4626 Fax: 228-222-4390* 

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: Ronald R. Jones, Building Official Ronald

DATE: February 26, 2020

SUBJECT: Sharon Gerchow Variance Petition; Recommendation from Planning Commission to Approve as Petition; Case File Number 20200031

Sharon I. Gerchow represented by Larry Mitrenga and David Solomon with Postwood Homes has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to construct a covered patio (12'11" x 24') within 18' of the southwest corner and 14' of the southeast of the rear property line on parcel 067K-1-36-138.000.

The property address is 8812 Manoo Street. The tax parcel number is 067K-1-36-138.000. The legal description is Diamondhead Subdivision Phase #2, Unit 2, Block 1, Lot 15. The property is located in an R-2 zoning district. The minimum rear yard setback is 20 feet.

At it meeting on Monday, February 24, 2020, the Planning Commission unanimously approved the recommendation to approve the rear yard setback variance as petition. A copy of the draft minutes, application and packet is attached for you information and review.

attachments





5000 Diamondhead Circle Diamondhead, MS 39525

> Ph: 228-222-4626 FX: 228-222-4390

### APPLICATION FOR VARIANCE REQUEST

Case Number: 20200031
Date
Applicant: POST WOOD HOMES
Applicant's Address: 895 ON THE GREEN, BILOXI, MS 39532
Applicant's Email Address: LARRY @ HYNEM AN. COM
Applicant's Contact Number: (Home) (Work) <u>228-363-3645</u> (Cell) <u>228-596-833</u> 7
Property Owner: SHARON GERCHOW
Owner's Mailing Address: 1523 BRADNEY DR. HOUSTON, TX 77077
Owner's Email Address
Owner's Contact Number: (Home) 281-556-1430 (Work)(Cell)
Tax Roll Parcel Number: <u>067 K- 1- 36 - 138,000</u>
Physical Street Address: 8812 MANOU ST. DIAMOND HEAD MS 39525
Legal Description of Property: LOT 15, BLKI, UNIT 2, PHASE 2
Zoning District: R-2
State Purpose of Variance: (Front/Side Rear) Lot Size/Parking/Building Coverage) (Signage-Size-Height)
WE ARE REQUESTING AN APPROXIMATE & FT. VARIANCE OF THE 20 FT. REAR SETE
TO ALLOW A CONERED PATIO. SEE ATTACHED SLRVEY, THE VARIANCE WILL
NOT INTERFERE WITH DRAINAGE OR ANY OTHER CONCERN

#### STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance in the City of Diamondhead, I (we) understand the following:

The application fee of \$100.00 must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, I (we), or the designed representative must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a Variance on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

That additional information may be required by the Planning Commission prior to final disposition.

The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred back to the Planning Commission for review.

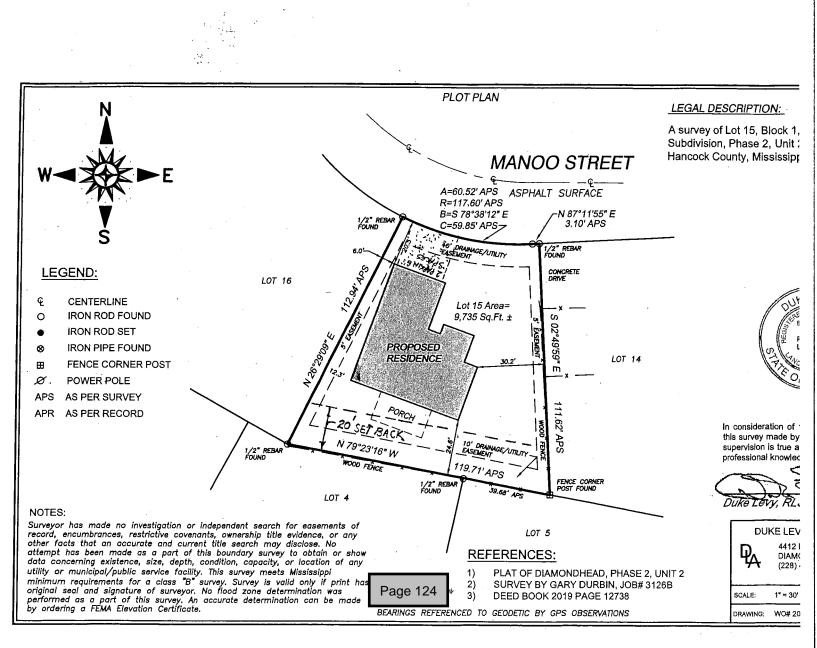
If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.

Milinga	
Signature of Applicant	Signature of Property Owner
For Official	Use Only
"国际政府的基础和保险企业,是国际"国际"、国际人员的建筑工程。	
( ) \$100.00	( ) Application Signed
( ) Copy of Deed, Lease or Contract	( ) Written Project Description
( ) Site Plan	( ) Drainage Plan NA ( )
( ) Parking Spaces	( ) Notarized Statement NA ( )
( ) List of Property Owner	2

## REQUIRED ITEM A

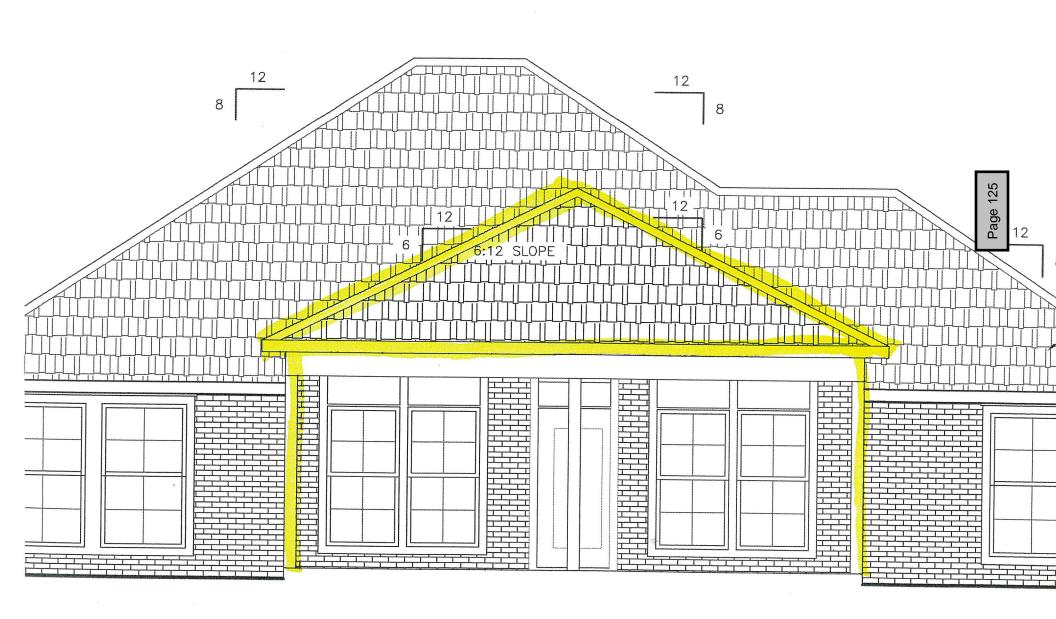
Property Owner SHARON GERCHOW
Street Address 8812 MANOOST, DIAMOND HEAD MS 39525 Statement Describing Variance Request  WE ARE REQUESTING AN APPROXIMATE GFT. VARIANCE OF THE 20 FT.  PEAR SET BACK TO ALLOW A COVER ED PATIO. SEE SUBMITTED SHUEY
THE HALLANGE WHI NAT HERESTELL AND A STEELEY
THE VARIABLE WILL NOT INTERCRE WITH DRAINAGE. THIS REQUEST IS BEING MADE IN ORDER TO SAVE A LARGE 30" DIAMETEL LIVE OAK. The reasons why it complies with the criteria for variances:
DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR     STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?
Response: YES
2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLIANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
RESPONSE: OULY TO THE EXTENT THAT ANY OWNER CAN AND
HAS REQUESTED A VARIAUE IN THE PAST
3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?  RESPONSE: YES, THE AUR POSE OF THE VARIANCE IS TO SAUE A  UELT LARGE LIVE OAK
4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVLEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?
Response: IT WOULD NOT GIVE ANT SPECIAL PRIVILEGE NOT STREET
31 DUNCES OF SIMILAR PROPERTIES AS SAUING A SIGNIFICANT
PUSIECTED LIVE DAK IS IN THE INTEREST OF THE ENTIRE COMMUNITY. THE
ATIO ITSELF DOES NOT REQUIRE A UARIANCE AS IT IS ALLOWED PER CODE. THE
SSUE AND UMPIANCE IS TO ACCORD THE PATIO TO BE COVERED. THE CONTEACT
REE IS THE BENON FOR THIS I Page 123 REQUEST.

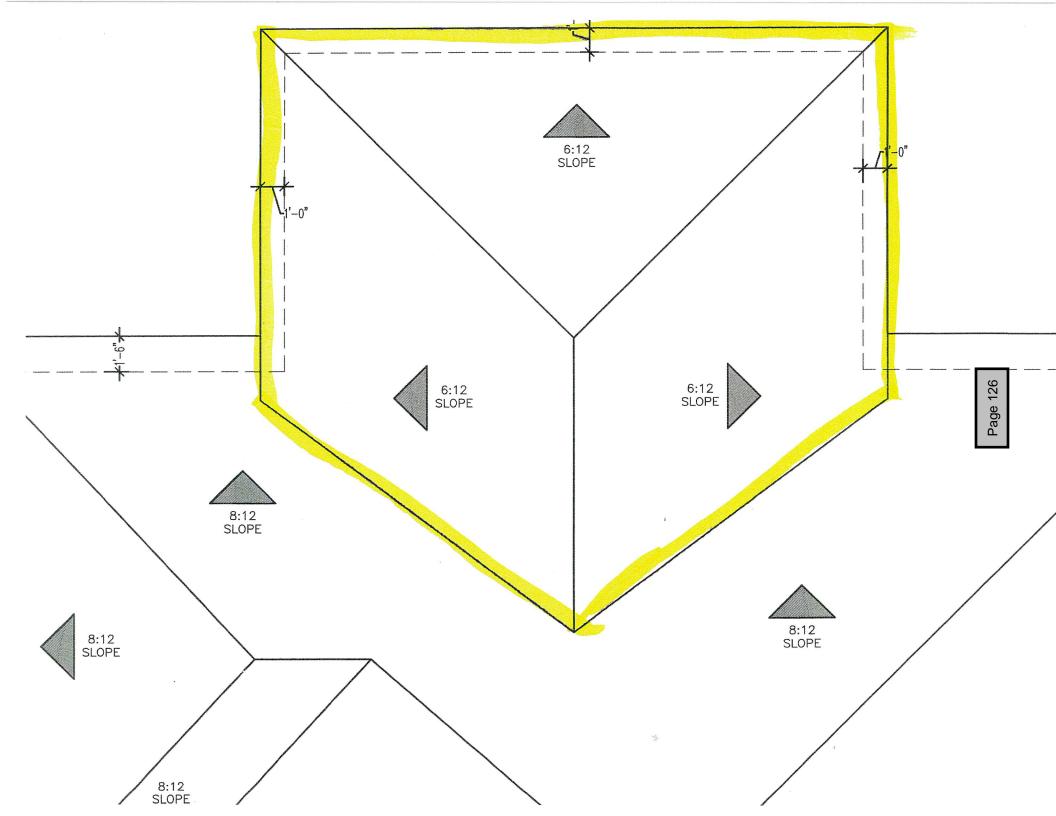


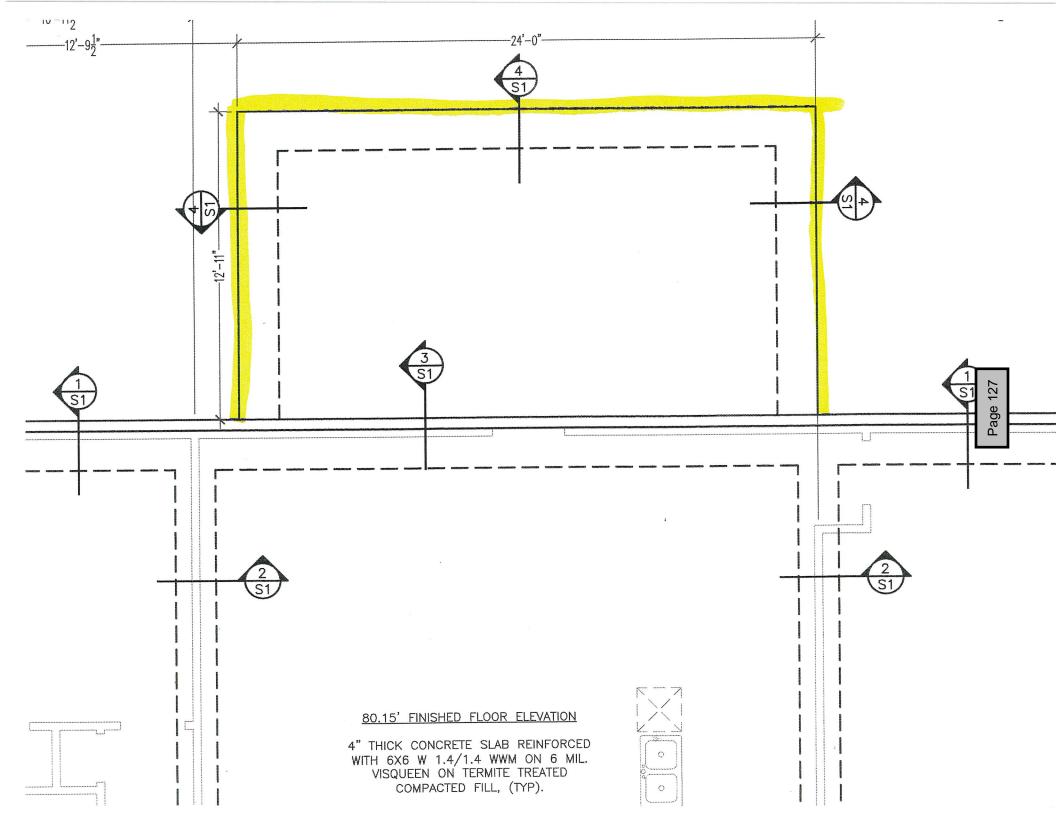
## EKUNI ELEVAIIUN

Rear

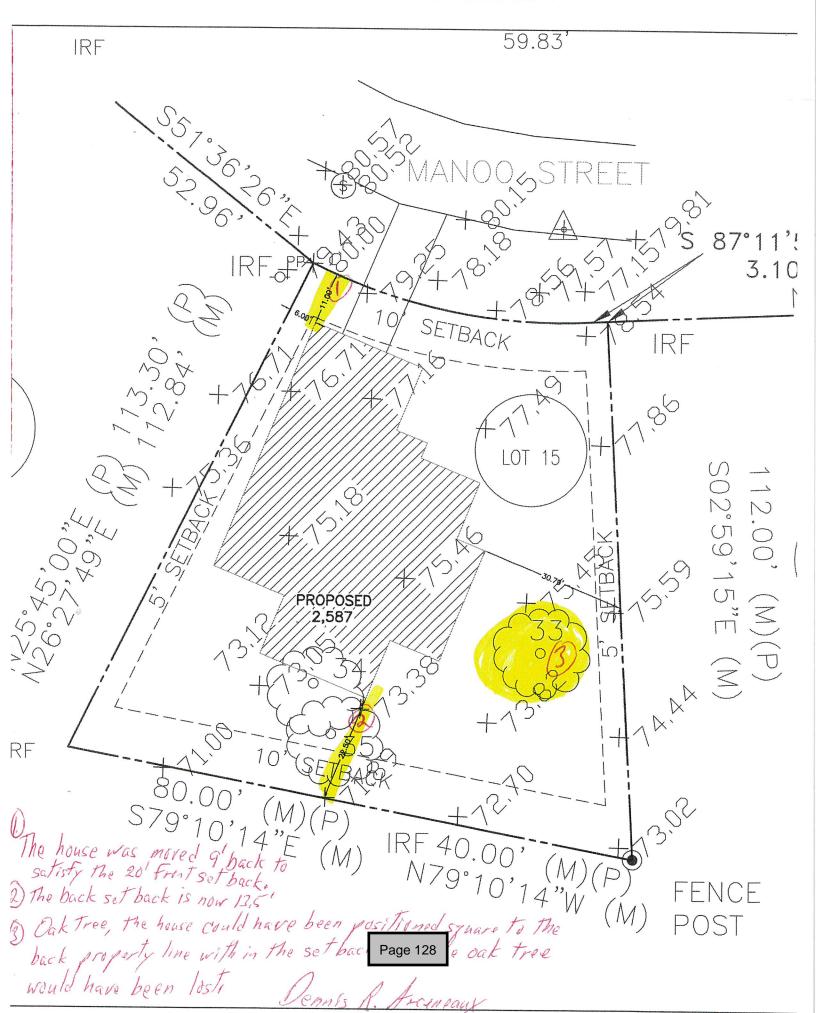
8812 Manoo ST.







## I LUI I L'AIV



Prepared By: The Casano Law Firm, P.A. 4403 West Aloha Drive Diamondhead, MS 39525 228-255-0035 File No: 19-0736

Return To: The Casano Law Firm, P.A. 4403 West Aloha Drive Diamondhead, MS 39525 228-255-0035

STATE OF MISSISSIPPI COUNTY OF Hancock

#### WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand, paid, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, it

Landmark Contractors, LLC, Grantor 1079 Tina Ladner Vic Faye Road Pass Christian, MS 39571 Phone: 228-669-4444

Does hereby sell, convey, bargain and warrant to

Sharon I. Gerchow, Grantee 1523 Bradney Drive Houston, TX 77077 Phone: 281-556-1430

The following described real property situated and located in Hancock County, Mississippi, more particularly and certainly described as follows:

Lot 15, Block 1, Unit 2, Phase 2, Diamondhead, Hancock County, Mississippi, as per the map or plat thereof on file and of record in the office of the Chancery Clerk of Hancock County, Mississippi.

Together with all and singular the rights, privileges, improvements and appurtenances to the same belonging or in any wise appertaining.

This conveyance is made subject to any and all reservations, restrictions, easements, exceptions, covenants and conditions of record, including any mineral, oil or gas reservations and any covenants or restrictions of record.

If bounded by water, the warranty granted herein shall not extend to any part of the above described property which is tideland or coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act and this conveyance includes any natural accretion and is subject to any erosion due to the action of the elements.

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

WITNESS MY SIGNATURE, this the 10th day of October, 2019.

Landmark Contractors, LLC

By: David D. Malley, Member

#### STATE OF MISSISSIPPI COUNTY OF HANCOCK

Personally came and appeared before me, the undersigned authority in and for the aforesaid County and State on this the 10th day of October, 2019, within my jurisdiction, the within named David D. Malley, who acknowledged that he is Member of Landmark Contractors, LLC, and that for and on behalf of said company, and as its act and deed executed the above and foregoing instrument, after first having been duly authorized so to do.

My Commission Expires:



# **City of Diamondhead**

5000 Diamondhead Circle, Diamondhead, MS 39525 Phone: (228) 222.4626 FAX: (228) 222-4390 www.diamondhead.ms.gov

#### STAFF REPORT TO PLANNING COMMISSION

DATE: February 20, 2020

CASE FILE NUMBER: 202000031

APPLICANT: Postwood Homes represented by Larry Mitrenga

PROPERTY OWNER: Sharon Gerchow

TAX PARCEL NUMBER: 067K-1-36-138.000

PHYSICAL STREET ADDRESS: 8812 Manoo Street

LEGAL DESCRIPTION: Diamondhead Subdivision Phase 2, Unit 2, Block 1, Lot 15

ZONING DISTRICT: R-2 Medium Density Single Family

TYPE OF APPLICATION: Variance

#### NATURE OF REQUEST:

Sharon I. Gerchow represented by Larry Mitrenga with Postwood Homes has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to construct a covered patio (12'11" x 24') within 18' of the southwest corner and 14' of the southeast of the rear property line on parcel 067K-1-36-138.000. The case file number is 202000031.

The property address is 8812 Manoo Street. The tax parcel number is 067K-1-36-138.000. The legal description is Diamondhead Subdivision Phase #2, Unit 2, Block 1, Lot 15. The property is located in an R-2 zoning district. The minimum rear yard setback is 20 feet.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: February 24, 2020

ACTION BY THE PLANNING COMMISSION: In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

#### FINDINGS:

The Planning Commission may recommend granting a variance provided affirmative findings of fact are made on each of the following criteria:

A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or

Page 131

- circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.
- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

NOTES: In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance and punishable as determined within the zoning ordinance.

Under no circumstances shall the Planning Commission or Mayor and City Council grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

#### RECOMMENDATION TO PLANNING COMMISSION: To approve the variance as petitioned;

The staff recommends to approve the variance based on the following findings of fact.

- Special conditions and circumstances do exist which are peculiar to the land. The house was pushed back to meet the front yard setback and the house was shifted to save a magnolia and 30" live oak trees.
- That special conditions and circumstances do not result from the actions of the applicant.
- That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district
- The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- That the Variance requested will not result in any change in use or density of the subject property.



#### **MINUTES**

# PLANNING AND ZONING COMMISSION Diamondhead, Mississippi Diamondhead City Hall Council Chambers FEBRUARY 24, 2020 6:00 p.m. CST

- 1. Chairman Milton called the meeting to order at 6:00 p.m. CST.
- 2. Chairman Milton recited the Statement of Purpose.
- 3. Chairman Milton led the Pledge of Allegiance.

Present: Commissioners Rubar, Hourin, Torguson, Hector, Milton, and Bower. Absent: Bice

Also, present, City Attorney Derek Cusick, Building Official Ronald Jones, Minutes Clerk Tammy Braud, and Building Inspector Dennis Arceneaux.

#### 4. Confirmation of the Agenda

Commissioner Bower moved, second by Commissioner Rubar to approve agenda as presented.

Ayes: Hourin, Rubar, Torguson, Hector, Milton, and Bower. Nays: None. Absent: Bice

#### **MOTION CARRIED UNANIMOUSLY**

#### 5. Approve Minutes. -

Commissioner Bower moved, second by: Commissioner Rubar to accept the corrected minutes of January 28, 2020

Approved: Unanimously

#### 6. New Business -

Case File Number 202000031

Sharon I. Gerchow ,represented by Larry Mitrenga with Postwood Homes has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5Eiii) to construct a covered patio (12'11"x24') within 18' of the southwest corner and 14' of the southeast corner of the rear property line on parcel 067K-1-36-138.000. The case file number is 202000031.

The property address is 8812 Manoo Street. The tax parcel number is 067K-1-36-138.000. The legal description is Diamondhead Subdivision Phase # 2, Unit 2, Block 1, Lot 15. The property is located in an R-2 zoning district. The minimum rear setback is 20 feet

Chairman Milton asked if anyone was present to represent Sharon Gerchow

David Soloman a representative for Postwood Homes answered questions from the Commissioners .

Dennis Arceneaux, Building Inspector, proposed a recommendation to approve the application request as petitioned in the matter of Case File Number 202000031.

Chairman Milton asked if there were any public comments. None

Commissioner Hourin moved, seconded by Commissioner Bower, to recommend approval to the City Council the matter in the Case File Number **202000031** as recommended by Dennis Arceneaux.

A Roll Call Vote Was Taken:

Ayes: Hourin, Torguson, Hector, Rubar, Bower and Milton. Nays: None Absent: Bice

#### **MOTION CARRIED UNANIMOUSLY**

#### Case File Number 2020000046

Mini Meanie, LLC, owner Fredrick Larry Tomlinson represented Mark Oster with Oster Group Consulting, LLC has file an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2 Article 4.21.2 (C) and Article 2.5 to allow a "concrete sub-contracting and consulting firm" in a C-1 district. The Case File Number is 202000046.

The tax parcel number is 132H-1-03-006.005. The physical street address is 4401 Park Ten Drive. The property is located south of Park Ten Drive, east of the Diamondhead Water and Sewer District main office and of park Ten Lanes. The property is in a C-1 zoning district.

Ronald Jones, Building Official explained what a Conditional Use Permit was. He also presented the case and answered questions from the commissioners.

At this time Chairman Milton asked if anyone was present to represent the Oster Group. Mark Oster representing Oster Group Consulting answered questions from the commissioners.

Ronald Jones, Building Official, proposed a recommendation to approve the application request with conditions as listed in his staff report.

Commissioner Rubar moved, second by Commissioner Bower to approve to the City Council with conditions listed in the staff report.

#### A roll call was taken:

Ayes: Hector, Rubar, Hourin, Torguson, Bower, and Milton. Nays: None Absent: Bice

#### **Motion Carried Unanimously**

#### **CASE FILE NUMBER 20200044**

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The Case File Number is 202000044.

The proposed text amendment would change the required off-street parking spaces in Table 8.1 for Restaurants with Drive-Thru or Drive-In.

Chairman Milton asked Mr. Jones to address the commissioners . Ronald Jones presented his case, and answered questions from the commissioners.

Commissioner Bower moved, second by Commissioner Hourin to approve to the City Council as presented by Ronald Jones, Building Official.

#### A roll call was taken:

Ayes: Hector, Rubar, Hourin, Torguson, Bower, and Milton. Nays: None Absent: Bice

#### **Motion Carried Unanimously**

#### Elliott Homes – Master Sketch Phat for Diamondhead Lakes

Elliott Homes, represented by Kenneth Jones has submitted "the Master Sketch Plat for Diamondhead Lakes" for review, consideration and approval.

The Master Sketch Plat is a 210 lot development having lot sizes ranging from the smallest lot of 9,563.0 to the largest lot of 42,111.2 sf. The tax parcel numbers are 067L-0-35-012.000 in part. The land is located on Section 35 Township 7S, Range 14W. The total number of acres is approximately 77. The current zoning of lots in the southern section is R-1 Low Density Single Family. The current zoning of lots in the northern section is zoned R-2 Medium Density Single Family. The property is generally located north of and adjacent Golf Club Drive; north of and adjacent to No. 8 Fairway, Cardinal golf course; west of and adjacent to No.10 and 11 Fairways, Cardinal golf course; west of Diamondhead Drive West; south of adjacent to Twin Lakes; east of and adjacent to No.13 and 14 Fairways, Cardinal golf course; and north of and adjacent to No. 9 Fairway, Cardinal golf course.

Kenneth Jones presented a power point presentation on the general overview of the subdivision and answered questions from the commissioners.

Chairman Milton asked for Pubic Comments. Diane Ackerman spoke in favor of the project.

Ronald Jones, Building Official presented the staff report and answered questions from the commissioners. His recommendation is to approve the variances as petitioned as well as the overall Sketch Plat with conditions including the issues and comments stated by the DRC.

Commissioner Hourin made a motion, second by Commissioner Bower to deny the variances for Lots 11 and 12, Northern Section

#### A roll call was taken:

Ayes: Hourin, Hector, Torguson, and Bower Nays: Rubar, Milton Absent : Bice

#### **Motion Passed**

Commissioner Bower made a motion, second by Commissioner Rubar to reconsider the motion to deny the variances for Lots 11 & 12,

A roll call was taken:

Ayes: Rubar, Torguson, Hector, Hourin, Bower, and Milton Ayes: None Absent: Bice

#### **Motion Pass Unanimously**

Commissioner Bower made a motion, second by Commissioner Rubar to recommend to the City Council to accept the Master Sketch Phat for Diamondhead Lakes with conditions including the issues and comments stated by the D.R.C. (see staff report ).

#### A roll call was taken:

Ayes: Rubar, Hourin, Hector, Torguson, Bower, and Milton

#### **Motion Carried Unanimously**

A motion was made by Chairman Milton, second by Commissioner Torguson to take a 5 minute recess.

A motion was made by Commissioner Rubar, second by Commissioner Bower to reconvene.

Discussion regarding the minimum required parking spaces for selected occupancies: medical/dental offices and clinic; assisted living facility; offices; retail stores-indoor; restaurant w/o drive thru; health fitness clubs; hotels.

Ronald Jones, Building Official, presented various parking requirements for selected uses from selected municipalities in Ms.

A recommendation was presented to change the various parking requirements.

A motion was made by Commissioner Rubar, second by Commissioner Bower to accept the recommendation presented by Ronald Jones, Building Official.

These recommendations will be in the form of text amendments to Table 8.1 of the Zoning Ordinance to be presented at a public hearing on March 24, 2020.

**Unfinished Business** - None

- 8. Open Public Comments to Non-Agenda Items: None
- 9. Commissioners' Comments: None

- **10. Communication / Announcements.** Ronald Jones, Building Official, informed commissioners of a variance cases for our next meeting March 24, 2020.
- **11.** Adjourn Commissioner Torguson moved, seconded by Hourin, to adjourn at approximately 9:20 p.m. CST.

Ayes: Hourin, Rubar, Torguson Hector, Milton and Bower. Nays: None. Absent: Bice

**MOTION CARRIED UNANIMOUSLY** 

Dempsey Milton, Chairman

Planning & Zoning

#### **Ronald Jones**

From:

Mark Oster <mark@ostergroupconsultingllc.com>

Sent:

Monday, February 10, 2020 9:16 PM

To:

Ronald Jones; Frederick Larry Tomlinson (lavinatomlinson@cox.net)

Cc:

Michael J. Reso; Dennis Arceneaux; Tammy Braud

Subject:

RE: RE: FW: Conditional Use Application; Requesting more info

Attachments:

4401 Floor plan.jpg; Overview revised.jpg

#### Ronald,

See attached overview of the shop showing the proposed fencing and parking lot addition leading to the fence gate and also in the fenced area for trailer parking and storage.

Also attached is a sketch showing the proposed floor plan. At this time my last concern is any future retail in the front of the building. Oster Groups main concern is to either get the power on and move forward or move on.

As for hours of operations. As stated in the C-1 application we have full time operations from 8am-5pm. Outside of that there may be a company trailer or truck dropped off/picked up outside of those hours.

If I have missed something or you have any questions or need clarification pertaining to the above matter my direct number is on the email signature. Please give me a call.

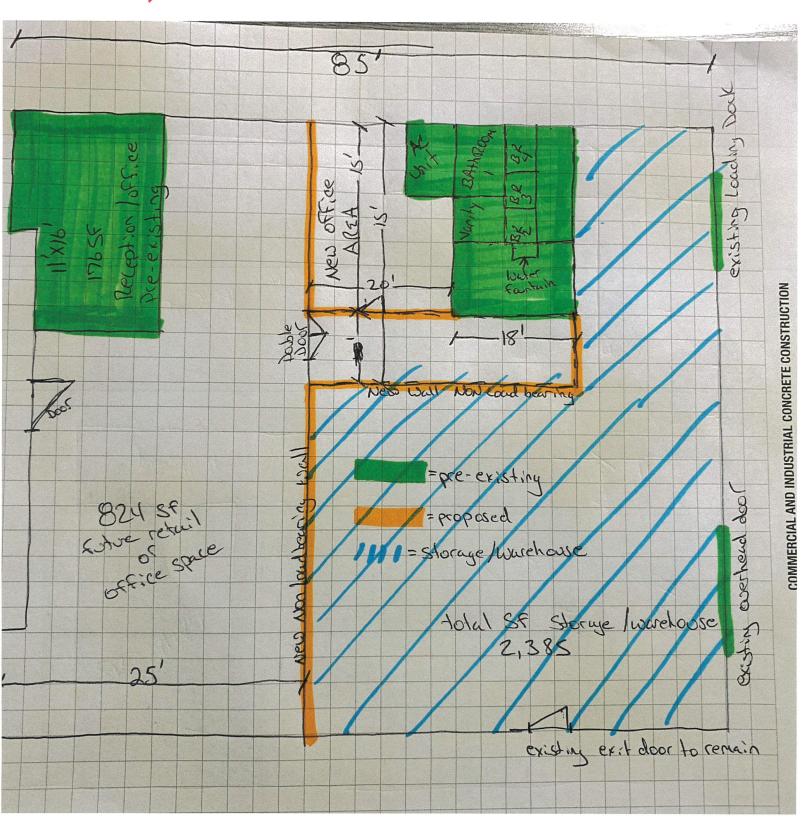
#### MARK OSTER

OSTER GROUP CONSULTING LLC

"THE CONCRETE PROFESSIONALS"

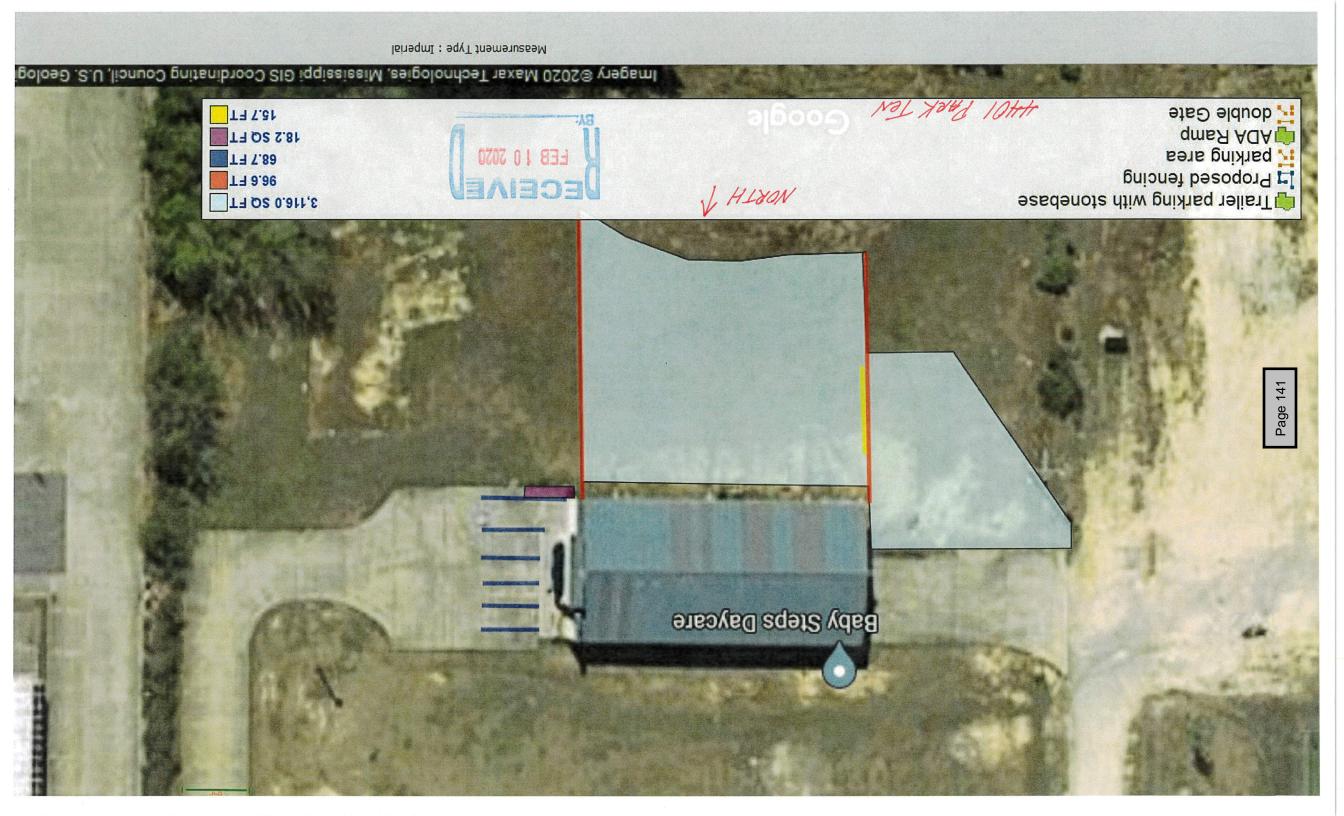
228.355.5477......615.916.6923

Page 139



4401 PARK TEN

ECENE FEB 1 0 2020 Page 140





5000 Diamondhead Circle · Diamondhead, MS 39525-3260 *Phone: 228.222.4626 Fax: 228-222-4390* 

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: Ronald R. Jones, Building Official Ronald

DATE: February 27, 2020

SUBJECT: Mini Meanie Conditional Use Petition; Recommendation from Planning Commission to Approve with Conditions; Case File Number 20200046

Mini Meanie, LLC, owner Frederick Larry Tomlinson represented Mark Oster with Oster Group Consulting, LLC has filed an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow a "concrete sub-contracting and consulting firm" in a C-1 district.

At its meeting on Monday, February 24, 2020, the Planning Commission unamimously recommended to allow a "concrete sub-contracting and consulting firm" (Oster Group Consulting, LLC) in a C-1 district with conditions. The conditions are: To allow a contractor's yard for a temporary time not to exceed 11-30-2021 for the storage of materials, equipment, vehicles and utility trailers; and to construct a wooden privacy fence 6' in height completely surrounding this area to obstruct view from all sides. Since the proposed use is a true change of occupancy by the International Building Code. An occupancy inspection shall be conducted and compliance required i.e. minimum parking spaces.

A copy of the application and related documents is attached for you review and consideration.

attachments



# **City of Diamondhead**

5000 Diamondhead Circle, Diamondhead, MS 39525 Phone: (228) 222.4626 FAX: (228) 222-4390 www.diamondhead.ms.gov

#### STAFF REPORT TO PLANNING COMMISSION

DATE: February 24, 2020

CASE FILE NUMBER: 202000046

APPLICANT: Mark Oster with Oster Group Consulting, LLC

PROPERTY OWNER: Mini Meanie, LLC represented by Frederick Larry Tomlinson

TAX PARCEL NUMBER: 132H-1-03-006.005

PHYSICAL STREET ADDRESS: 4401 Park Ten Drive

LEGAL DESCRIPTION: Part Gov Lot 6, 3-8-14

ZONING DISTRICT: C-1 General Commercial

ADJACENT EXISTING LAND USES: North= Carriere-Stumm, LLC, East= Park Ten Lanes

West=DWSD main office; South= vacant land

TYPE OF APPLICATION: Conditional Use

NATURE OF REQUEST: Mini Meanie, LLC, owner Frederick Larry Tomlinson represented Mark Oster with Oster Group Consulting, LLC has filed an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow a "concrete sub-contracting and consulting firm" in a C-1 district.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: February 24, 2020

ACTION BY THE PLANNING COMMISSION: In accordance with the Comprehensive Zoning Ordinance 2.5.5 The Commission may recommend approval of a Conditional Use Permit as the permit was applied for or in a modified form or subject to conditions or may recommend denial of the application.

#### ARTICLE 2.5.6 REVIEW AND EVALUATION CRITERIA

The Zoning Administrator and the Commission shall review and evaluate and make the following findings before recommending approval of a Conditional Use Permit application using the following criteria:

- A. Conformance with applicable regulations and standards established by the Zoning Regulations.
- B. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
- C. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.

- D. Modifications to the site or proposed use which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulation and standards and to protect the public health, safety, morals, and general welfare.
- E. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area; existing zoning and land uses in the area.
- F. Protection of persons and property from flood or water damage, odors, fire, noise, glare, and similar hazards or impacts.
- G. Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.
- H. Adequacy and convenience of off-street parking and loading facilities.
- I. That the proposed use is in accordance with the objectives of this Zoning Ordinance and the purposes of the district in which the site is located.
- J. That the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses and structures in the vicinity, in accordance with the following standards:
  - i. The proposed <u>use</u> will be located within the district so as to be harmonious with and complimentary to adjacent and existing land uses.
  - ii. The <u>structure</u> resulting from the granting of a conditional use will be architecturally compatible with other existing or proposed structures in the neighborhood in which it is to be located. For the purpose of this criterion, the term neighborhood shall mean an area extending 750 feet in all directions from the lot line of the proposed structure.
  - iii. For the purposes of determining architectural compatibility, consideration shall be given to: building mass and style; roof types, pitch and material; façade treatment and materials; window and door styles; eaves and porches; trim; gables and dormers; gutters; chimneys; walls, fences, hedges and other landscape elements; colors; driveway material; signage; dimensional setbacks and building orientation on the lot; and other such features as may be appropriately considered by the Planning Commission.
  - iv. For the purpose of assessing the architectural compatibility, existing structures which may not be an architectural asset to the neighborhood shall not be considered in determining the appropriateness of a conditional use application.
- K. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.
- L. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

#### PRELIMINARY RECOMMENDATION TO PLANNING COMMISSION:

Until October 2019, the structure and premises were used by a church. Now the Oster Consulting group, LLC has signed a 2 year lease ending 11-30-2021 with Mini Meanie, LLC with payment of \$18,000 for 1 year. The property is zoned C-1 (General Commercial). By Table 4.2 in the Zoning Ordinance a "sub-contracting business" is allowed as a conditional use in a C-1 (see Table 4.2 in part). By Table 4.2 in the Zoning Ordinance, "contractors yard (Storage and Warehouse) is prohibited in the C-1 zoning district. A "construction business office (No storage or equipment or materials)" is allowed by right in an C-1 zoning district.

A sub-contractor's business office only is an acceptable use and should not have any determential effects upon the surrounding land uses. Other surrounding uses are legal non-conforming uses established before the incorporation of the City.

This project shall meet the following conditions and/or regulations for the overall development of this project.

A. Conformance with applicable regulations and standards established by the Zoning Regulations The City of Diamondhead is preparing a plan to develop property to the east and south of your present location. The intent is to create a high density commercial area with mixed uses with overlay districts. An office is acceptable. Outside storage of equipment and materials is not and will not be compatible with proposed future land uses.

Therefore, you will be allowed to have a contractor's yard for a temporary time not to exceed 11-30-2021 for the storage of materials, equipment, vehicles and utility trailers. You shall also construct a wooden privacy fence 6' in height completely surrounding this area to obstruct view from all sides.

Since the proposed use is a true change of occupancy by the International Building Code. An occupancy inspection shall be conducted and compliance required i.e. minimum parking spaces.

Notwithstanding comments from concerned citizens and Planning Commissioners, one could make a determination based on the application submitted that this proposed sub-contractors business office could be allowed at this location as a condition use in an C-1 zoning district complying with the above conditions.



5000 Diamondhead Circle Diamondhead, MS 39525

Ph: 228-222-4626 FX: 228-222-4390

#### APPLICATION FOR CONDITIONAL USE

Case Number: 202000040  Date 1.29-2020
Applicant: Mark Oster, Oster Group Consulting LLC Applicant's Address: 6813 Oaho Ct. Diamondhead, Ms 39525
Applicant's Email Address: Mark & Oster group consulting itc. com  Applicant's Contact Number: (Home) (Work) (Cell) 228-355-5477
Owner's Email Address Lavi Natom L'Ason @ Cox Net
Owner's Contact Number: (Home) <u>504-349-1109</u> (Work) (Cell) <u>S04-650-5555</u> Fax Roll Parcel Number: <u>132H-1-03-006</u> , 005
Physical Street Address: 4401 Park Ten Drive Differed, Ms 39525  Legal Description of Property: Pt Gov Lot 63-8-14
State Purpose of Request: Conditional USE request for tenant.

Date: January 30, 2020

To Whom It May Concern:

I Fredrick L. Tomlinson, President of Mini Meanie LLC, owner of the property located at 4401 Park Ten Drive, Diamondhead, MS, do hereby designate Mark Oster of Oster Brown Consulting LLC, my tenant as agent for myself and Mini Meanie LLC, in regard to our Application for Conditional Use of my property listed above.

Subscribed and Sworn by me on this date before the Notary Public listed below.

Signature of F. L. Tomlinson

Notary Public

#### Responses to Required Items:

#### 1) Descriptive statement including operating characteristics and nature.

Oster Group Consulting is a Concrete sub-contracting and consulting firm. Our organization specializes in high tolerance concrete floors and concrete floor polishing.

Oster Group currently employees over 100 field employees around the nation and 5 office employees here in the local area.

Currently the plan usage for the location in questions is to run a subcontracting business full time out of the establishment. Our intentions will be to remove some non-loading bearing walls in the building to allow for proper storage of our equipment and tools. Along with adding cubicles to the interior of the building allowing for more segregated office areas.

For the exterior of the building we intend to park trailers ranging from 8'-24' in the south west side of the lot. Total number of trailers not to exceed 5 at this time. The trailers will be used daily by employees to carry out are day to day operations. We are proposing to install either an 8' chain link fence slatted or a 6' wood privacy fence on the southeast corner running south to the proper line and the same will happen on the southwest corner running south to the property line. This area will have a 12' wide double gate allowing for the trailers and misc. materials to be stored and secured. Both the enclosed area inside the fence and the area in front of the loading dock leading to the gate at the new fence will be covered in stoned to allow for access in any potential weather condition.

For the front entry of the building we intend to keep the store front for clients to have an accessible way to the office along with accommodating parking. We will have 3 company trucks parked in the front parking lot every evening. There will not be an increase in traffic at any time that would hinder the flow of traffic anywhere in the city.

As for the use of the loading dock, Oster Group would not have any 18-wheeler traffic unless under certain conditions for possible new equipment deliveries. This would only happen possible twice a year.

#### B:

- 1. There will be no modifications to the site grading that will alter the natural flow of runoff water. The site and building are preexistent.
- II. NA
- III. The appearance of the building would be minor cosmetics to freshen up the exterior of the building. Not including the fence previously mentioned.
- IV. No site improvements needed. The preexisting loading dock will be used maybe 2 times a year for new equipment deliveries. We intend to state the up as marked on the drawing provided. See attached. Yes, we would want a sign Page 148 he business name above the store front entrance.

- V. The operations being ran out of the business is a Concrete sub-contracting business as stated in our opening statement. The front office area would have normal operating business hours 8am-5pm Mon- Friday.
- VI. NA
- VII. Off street parking would be only for registered trailer parking as discussed in earlier statements behind the new fence.
- VIII. NA
  - IX. See attached
  - X. The intended business blends well with the existing business surrounding the building. To the immediate North is a General contracting business with all the same outside parking characteristics of our proposed use. West of the building is the Diamondhead water and sewer department and the northwest property is a sheet metal fabrication company. All business using their yards for outdoor storage and vehicle and trailer parking.
- XI. At this time I'm unaware of any applicable fee.

#### STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Conditional Use in the City of Diamondhead, I (we) understand the following:

The application fee of \$100.00 must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, ! (we), or the designed representative, must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a request on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

That additional information may be required by the Planning Commission prior to final disposition.

The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred to the Planning Commission for review.

The Public Hearing will be held on 24 2070 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing if such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.

Signature of Applicant

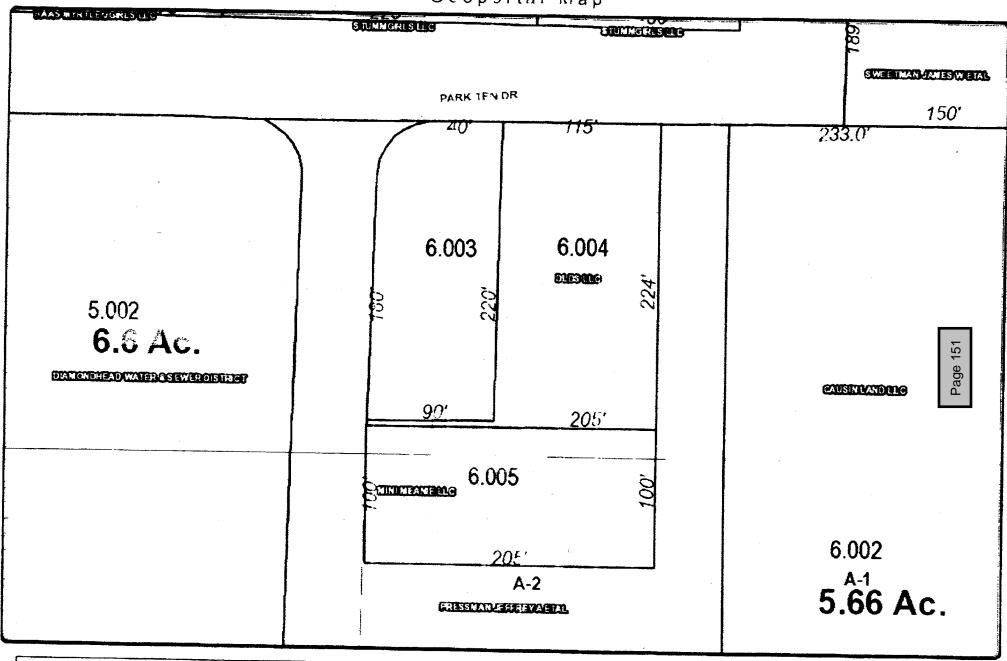
Signature of Property Owner

\_\_For Official Use Only\_\_\_\_

(') \$100.00	( ) Application Signed	
( ) Copy of Deed, Lease or Contract	( ) Written Project Description	
( ) Site Plan	( ) Drainage Plan NA (	
( ) Parking Spaces	( ) Notarized Statement NA (	
( ) List of Property Owner	•	

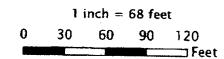
emlinson

Geoportal Map



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider cerefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

January 29, 2020



#### LEASE

THIS LEASE made and entered into on this the 1st day of DECEMBER, 2019 by and between MINI MEANIE, LLC, ("Lessor") and OSTER GROUP CONSULTING LLC ("Lessee")

#### WITNESSETH:

In consideration of the mutual covenants set forth herein, Lessor and Lessee hereby agree as follows:

#### 1. LEASED PREMISES

1.1 Subject to the terms, conditions and covenants hereafter set forth, Lessor hereby leases to Lessee and Lessee hereby leases from Lessor the premises located at 4401 Park Ten Drive, Diamondhead, MS 39525

#### 2. TERM

2.1 The term ("Initial Term") of this Lease is for Two (2) years and shall commence on <u>DECEMBER 1<sup>ST</sup></u>, <u>2019</u> and shall end on <u>NOVEMBER 30<sup>TH</sup></u>, <u>2021</u> unless terminated earlier as provided in this Lease.

#### 3. RENT

3.1 Upon execution of the lease, Tenant agrees to pay a one lump sum of Eighteen Thousand Dollars (\$18,000.00) to Lessor Mini Meanie, LLC for One Year Rental. On **DECEMBER 1**<sup>ST</sup>, **2020**, one lump sum of Eighteen Thousand Dollars (\$18000.00) will be paid to Lessor MINI MEANIE, LLC for the second year lease.

<u>Purchase Option</u> — During this lease period or at the expirations thereof, Tenant shall have the right to purchase the property subject to all the terms and conditions hereof, for the purchase price of

Tenant has the option to exercise this purchase option at any time during this lease agreement, and this Agreement is drafted upon the expectation that it is the intent of the parties that tenant will be exercising this purchase option. Upon exercise of the purchase option, a \$6,000.0 (Six Thousand Dollars) from the second year's rental will be credited.

#### 4. UTILITIES

4.1 Lessee agrees to pay all monthly utility payments for the Premises including electrical, gas, water, phone, fire protection, sewer and security services, if applicable.

#### 5. USE OF PREMISES

- 5.1 The Leased Premises may be used for the storage, repair, manufacturing, or maintenance of Lessee's property and for any other lawful purpose.
- Lessee shall not cause the Leased Premises to be in violation of Federal, State, or Local Laws, Ordinances or Regulations relating to environmental conditions on, under or about the Leased Premises, including but not limited to, soil and ground water conditions. Lessee shall not use, generate, manufacture, store or dispose of on, or und Page 152 Leased Premises or transport to or from the

Leased Premises any toxic or hazardous materials, substances or waste which may be in violation of Local, State or Federal Law. Should any pollution or contamination occur on this property, Lessee shall be responsible for all cleanup and restoration expenses associated with restoring this land (Leased Premises) to its original state at the inception of this Lease, to include but not limited to attorney's fees. Lessor represents that the Leased Premises are not in violation of federal, State or Local Laws, regarding the use, generation, manufacturing, storage or disposal of on, under or about the Leased Premises or transportation to or from the Leased Premises any toxic or hazardous materials, substances or waste..

#### 6. SUBLETTING

6.1 The Lessee shall not sublet the Leased Premises or assign the Lease, or any part thereof, without prior written consent of Lessor, which shall not be unreasonably withheld. Notwithstanding the above, Lessee's parent company, its subsidiary companies and divisions shall be able to use Leased Premises without necessity of a sublease or assignment.

#### 7. TAXES AND ASSESSMENTS

7.1 Lessor agrees to pay directly to the taxing authorities all ad valorem taxes and the assessments levied or assessed on the Leased Premises. Lessee shall pay personal property taxes on Lessee's inventory and equipment during the Initial or any Extended Term of this Lease. Should any improvements to this property by the Lessee cause an increase in taxes and assessments, Lessee shall be responsible proportionally for any increased taxes due.

#### 8. INDEMNITY

8.1 Lessee agrees that it will defend, protect and save and keep the Lessor, all LLC members and all LLC owners, harmless and indemnified against and from any penalty or damage or charges imposed for any violation of any laws or ordinances, where occasioned by the neglect of Lessee or those holding under Lessee. Lessee will at all times defend, protect, indemnify and save and keep the Lessor harmless against and from any and all loss, damage or expense, arising out of or from any accident or other occurrence on or about said Leased Premises, causing injury to any person or property whomsoever or whatsoever. Lessee will defend, protect, indemnify, save and hold the Lessor harmless against and from any and all claims and against and from any and all loss, cost, damage or expense, including reasonable attorney's fees, arising out of any failure of Lessee in any respect to comply with and perform all requirements and provisions hereof.

#### 9. INSURANCE

- 9.1 As long as this Agreement is in force, Lessee shall maintain, at its sole cost, the following types of insurance:
  - 9.1.1. Comprehensive General Liability insurance with a combined single limit of \$1,000,000.00 per occurrence. The policy shall include products/completed operations and contractual coverage. The policy shall be on an "occurrence" basis and contain a Waiver of Subrogation in favor of certificate holder as required by written contract.

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- 9.1.2. <u>Automobile Liability</u> insurance with a combined single limit of \$500,000.00 per occurrence. The policy shall provide coverage for all owned, non-owned, and hired vehicles.
- 9.1.3. Workers Compensation/Employers Liability insurance with the following limits:

9.1.3.1.1. Workers Compensation

Statutory

9.1.3.1.2. Employer's Liability

\$500,000.00 per occurrence

Lessee shall name Lessor Mini Meanie, LLC, Larry Tomlinson, Troy Tomlinson, and Stephanie Tomlinson as additional named insureds on the insurance policies. Lessee shall provide Lessor with an insurance certificate(s) as evidence that the required insurance is in force. Lessee will provide renewal certificates to Lessor as long as this agreement is in force. Such certificates shall specify that Lessor shall be given thirty (30) days notice prior to cancellation of any of the required insurance policies.

#### 10. INSPECTION

10.1 The Lessor may enter the Leased Premises at reasonable times to inspect same, upon prior notice to and in the presence of Lessee's agent or employee (except in emergencies.)

#### 11. **DEFAULT OF LESSEE**

11.1 Should Lessee fail to pay any of the rentals provided for herein, or should Lessee fail to comply with any of the other obligations of this Lease, within ten (10) days from the mailing, by Landlord of notice demanding same, Landlord shall have the right, at Landlord's option (a) to cancel this Lease, in which event there shall be due to Landlord as liquidated damages, a sum equal to the amount of the guaranteed rent for one year, or alternatively at Landlord's option to be reimbursed all actual cost incurred in reentering, renovating and reletting said Premises; (b) to accelerate all rentals due for the unexpired remaining term of this Lease and declare same immediately due and payable; or (c) to sue for the rents in intervals or as the same accrues. The foregoing provisions are without prejudice to any remedy that might otherwise be used under the laws of Mississippi for arrears of rent or breaches of contract, or to any lien to which Landlord may be entitled.

Should Landlord terminate this Lease as provided in this article, Landlord may reenter said Leased Premises and remove all persons, or personal property, without legal process, and all claims for damages by reason of such reentry are expressly waived.

Landlord's failure to strictly and promptly enforce these conditions shall not operate as a waiver of Landlord's right, Landlord hereby expressly reserving the right to always enforce prompt payment of rent, or to cancel this Lease regardless of any indulgences or extensions previously granted.

Lessee agrees that should Lessor have to sue Lessee for the possession of the premises, for the rentals due, or for any other reason under the terms of the lease, that Lessee shall pay Lessor's attorney's fees.

#### 12. ALTERATION, ADDITIONS AND IMPROVEMENTS

12.1 The Lessee agrees not to make permanent alterations or improvements to the Leased Premises without the written consent of Lessor, which consent shall not be unreasonably withheld. The Lessee agrees to conform to sign criteria standards as set for by Page 154 e governmental authorities. Any Signage must

3

have the written consent of Lessor, which consent shall not be unreasonably withheld. Lessee shall not remove any of the permanent improvements or additions at the termination of this Lease, unless specifically requested by Lessor to remove alterations or improvements constructed by Lessee solely for Lessee's benefit, including but not limited to signage.

#### 14. NOTICES

14.1 Notices may be served upon the Lessor either in person or by certified mail at P. O. Box 2507 Gretna, Louisiana 70054. Notice may be served upon the (Lessee) 6813 Delti Court Diamondhead, MS 39523.

#### 17. REPRESENTATIONS AND COMPLIANCE WITH LAW

- 17.1 Lessor represents to Lessee that Lessor has full authority to enter into this Lease, that Lessor has fee title to all the buildings, improvements, and the land which constitute the Leased Premises.
- 17.2 Lessor represents that it has no knowledge of any defect at the Leased Premises, that the Leased Premises conform to all laws, ordinances, restrictions, zoning regulations and requirements of all governmental authorities or agencies.
- 17.3 This Lease and all its terms shall be governed by and construed in accordance with the laws of the State of Mississippi.

WITNESS OUR SIGNATURES on this 27-day of November 2019

LESSOR:

LESSEE:

MINI MEANIE, LLC

OSTER Group Consulting LLC

MARK OSTER



#### **MINUTES**

# PLANNING AND ZONING COMMISSION Diamondhead, Mississippi Diamondhead City Hall Council Chambers FEBRUARY 24, 2020 6:00 p.m. CST

- 1. Chairman Milton called the meeting to order at 6:00 p.m. CST.
- 2. Chairman Milton recited the Statement of Purpose.
- 3. Chairman Milton led the Pledge of Allegiance.

Present: Commissioners Rubar, Hourin, Torguson, Hector, Milton, and Bower. Absent: Bice

Also, present, City Attorney Derek Cusick, Building Official Ronald Jones, Minutes Clerk Tammy Braud, and Building Inspector Dennis Arceneaux.

#### 4. Confirmation of the Agenda

Commissioner Bower moved, second by Commissioner Rubar to approve agenda as presented.

Ayes: Hourin, Rubar, Torguson, Hector, Milton, and Bower. Nays: None. Absent: Bice

#### **MOTION CARRIED UNANIMOUSLY**

#### 5. Approve Minutes. -

Commissioner Bower moved, second by: Commissioner Rubar to accept the corrected minutes of January 28, 2020

Approved: Unanimously

#### 6. New Business -

Case File Number 202000031

Sharon I. Gerchow ,represented by Larry Mitrenga with Postwood Homes has filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5Eiii) to construct a covered patio (12'11"x24') within 18' of the southwest corner and 14' of the southeast corner of the rear property line on parcel 067K-1-36-138.000. The case file number is 202000031.

The property address is 8812 Manoo Street. The tax parcel number is 067K-1-36-138.000. The legal description is Diamondhead Subdivision Phase # 2, Unit 2, Block 1, Lot 15. The property is located in an R-2 zoning district. The minimum rear setback is 20 feet

Chairman Milton asked if anyone was present to represent Sharon Gerchow

David Soloman a representative for Postwood Homes answered questions from the Commissioners .

Dennis Arceneaux, Building Inspector, proposed a recommendation to approve the application request as petitioned in the matter of Case File Number 202000031.

Chairman Milton asked if there were any public comments. None

Commissioner Hourin moved, seconded by Commissioner Bower, to recommend approval to the City Council the matter in the Case File Number **202000031** as recommended by Dennis Arceneaux.

A Roll Call Vote Was Taken:

Ayes: Hourin, Torguson, Hector, Rubar, Bower and Milton. Nays: None Absent: Bice

#### **MOTION CARRIED UNANIMOUSLY**

#### Case File Number 2020000046

Mini Meanie, LLC, owner Fredrick Larry Tomlinson represented Mark Oster with Oster Group Consulting, LLC has file an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2 Article 4.21.2 (C) and Article 2.5 to allow a "concrete sub-contracting and consulting firm" in a C-1 district. The Case File Number is 202000046.

The tax parcel number is 132H-1-03-006.005. The physical street address is 4401 Park Ten Drive. The property is located south of Park Ten Drive, east of the Diamondhead Water and Sewer District main office and of park Ten Lanes. The property is in a C-1 zoning district.

Ronald Jones, Building Official explained what a Conditional Use Permit was. He also presented the case and answered questions from the commissioners.

At this time Chairman Milton asked if anyone was present to represent the Oster Group. Mark Oster representing Oster Group Consulting answered questions from the commissioners.

Ronald Jones, Building Official, proposed a recommendation to approve the application request with conditions as listed in his staff report.

Commissioner Rubar moved, second by Commissioner Bower to approve to the City Council with conditions listed in the staff report.

#### A roll call was taken:

Ayes: Hector, Rubar, Hourin, Torguson, Bower, and Milton. Nays: None Absent: Bice

#### **Motion Carried Unanimously**

#### **CASE FILE NUMBER 20200044**

The City of Diamondhead represented by Ronald Jones, Building Official, has filed an application requesting a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The Case File Number is 202000044.

The proposed text amendment would change the required off-street parking spaces in Table 8.1 for Restaurants with Drive-Thru or Drive-In.

Chairman Milton asked Mr. Jones to address the commissioners . Ronald Jones presented his case, and answered questions from the commissioners.

Commissioner Bower moved, second by Commissioner Hourin to approve to the City Council as presented by Ronald Jones, Building Official.

#### A roll call was taken:

Ayes: Hector, Rubar, Hourin, Torguson, Bower, and Milton. Nays: None Absent: Bice

#### **Motion Carried Unanimously**

#### Elliott Homes – Master Sketch Phat for Diamondhead Lakes

Planning & Zoning Minutes 02.24.2020

AA Page 3 of 5

Elliott Homes, represented by Kenneth Jones has submitted "the Master Sketch Plat for Diamondhead Lakes" for review, consideration and approval.

The Master Sketch Plat is a 210 lot development having lot sizes ranging from the smallest lot of 9,563.0 to the largest lot of 42,111.2 sf. The tax parcel numbers are 067L-0-35-012.000 in part. The land is located on Section 35 Township 7S, Range 14W. The total number of acres is approximately 77. The current zoning of lots in the southern section is R-1 Low Density Single Family. The current zoning of lots in the northern section is zoned R-2 Medium Density Single Family. The property is generally located north of and adjacent Golf Club Drive; north of and adjacent to No. 8 Fairway, Cardinal golf course; west of and adjacent to No.10 and 11 Fairways, Cardinal golf course; west of Diamondhead Drive West; south of adjacent to Twin Lakes; east of and adjacent to No.13 and 14 Fairways, Cardinal golf course; and north of and adjacent to No. 9 Fairway, Cardinal golf course.

Kenneth Jones presented a power point presentation on the general overview of the subdivision and answered questions from the commissioners.

Chairman Milton asked for Pubic Comments. Diane Ackerman spoke in favor of the project.

Ronald Jones, Building Official presented the staff report and answered questions from the commissioners. His recommendation is to approve the variances as petitioned as well as the overall Sketch Plat with conditions including the issues and comments stated by the DRC.

Commissioner Hourin made a motion, second by Commissioner Bower to deny the variances for Lots 11 and 12, Northern Section

#### A roll call was taken:

Ayes: Hourin, Hector, Torguson, and Bower Nays: Rubar, Milton Absent : Bice

#### **Motion Passed**

Commissioner Bower made a motion, second by Commissioner Rubar to reconsider the motion to deny the variances for Lots 11 & 12,

A roll call was taken:

Ayes: Rubar, Torguson, Hector, Hourin, Bower, and Milton Ayes: None Absent: Bice

#### **Motion Pass Unanimously**

Commissioner Bower made a motion, second by Commissioner Rubar to recommend to the City Council to accept the Master Sketch Phat for Diamondhead Lakes with conditions including the issues and comments stated by the D.R.C. (see staff report ).

#### A roll call was taken:

Ayes: Rubar, Hourin, Hector, Torguson, Bower, and Milton

#### **Motion Carried Unanimously**

A motion was made by Chairman Milton, second by Commissioner Torguson to take a 5 minute recess.

A motion was made by Commissioner Rubar, second by Commissioner Bower to reconvene.

Discussion regarding the minimum required parking spaces for selected occupancies: medical/dental offices and clinic; assisted living facility; offices; retail stores-indoor; restaurant w/o drive thru; health fitness clubs; hotels.

Ronald Jones, Building Official, presented various parking requirements for selected uses from selected municipalities in Ms.

A recommendation was presented to change the various parking requirements.

A motion was made by Commissioner Rubar, second by Commissioner Bower to accept the recommendation presented by Ronald Jones, Building Official.

These recommendations will be in the form of text amendments to Table 8.1 of the Zoning Ordinance to be presented at a public hearing on March 24, 2020.

**Unfinished Business** - None

- 8. Open Public Comments to Non-Agenda Items: None
- 9. Commissioners' Comments: None

- **10. Communication / Announcements.** Ronald Jones, Building Official, informed commissioners of a variance cases for our next meeting March 24, 2020.
- **11.** Adjourn Commissioner Torguson moved, seconded by Hourin, to adjourn at approximately 9:20 p.m. CST.

Ayes: Hourin, Rubar, Torguson Hector, Milton and Bower. Nays: None. Absent: Bice

**MOTION CARRIED UNANIMOUSLY** 

Dempsey Milton, Chairman

Planning & Zoning



5000 Diamondhead Circle · Diamondhead, MS 39525-3260 *Phone: 228.222.4626 Fax: 228-222-4390* 

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: Ronald R. Jones, Building Official Ronald

DATE: February 27, 2020

SUBJECT: Master Sketch Plat for Diamondhead Lakes by Elliott Homes; Recommendation from Planning Commission to Approve with conditions; Request for Variances for 6 Selected Lots for Minimum Frontage on Public Right-of-way; Building Width at the Building Setback Line; and Building Width at the Building Setback Line for Corner Lots. Recommendation from Planning Commission to Approve the Variances as Petitioned

The Master Sketch Plat is a 210 lot development having lot sizes ranging from the smallest lot of 9,563.0 to the largest lot of 42,111.2 sf. The total number of acres is approximately 77.

At its meeting on Monday, February 24, 2020, Planning Commission unamimously approved the master Sketch Plat of Diamondhead Lakes with conditions including addressing the comments set forth by members of the Development Review Committee. Please see the staff report for all the conditions. The Planning Commission also approved the requested variances as petitioned for lots 11 and 12 in the Northern Section and Lots 28, 33, 38, 43 and 106 in the Southern Section. Please see staff report. Due to the lot size being increased for Lot 3 in the Southern Section that meets the minimum lot size (10,000 sf) for R-1, it was in compliance and no action was required.

A copy of the application and related documents is attached for you review and consideration.

attachments



# **City of Diamondhead**

5000 Diamondhead Circle, Diamondhead, MS 39525 Phone: (228) 222.4626 FAX: (228) 222-4390 www.diamondhead.ms.gov

#### STAFF REPORT TO PLANNING COMMISSION

DATE: February 24, 2020

CASE FILE NUMBER:

APPLICANT: Elliott Homes represented by Kenneth Jones II

PROPERTY OWNER: Elliott Homes

TAX PARCEL NUMBER: 067L-0-35-012.000 in part

PHYSICAL STREET ADDRESS: To be determined

LEGAL DESCRIPTION: The land is located on Section 35 Township 7S, Range 14W.

GENERAL PROPERTY DESCRIPTION: The property is generally located north of and adjacent Golf Club Drive; north of and adjacent to No. 8 Fairway, Cardinal golf course; west of and adjacent to No. 10 and 11 Fairways, Cardinal golf course; west of Diamondhead Drive West; south of adjacent to Twin Lakes; east of and adjacent to No. 13 and 14 Fairways, Cardinal golf course; and north of and adjacent to No. 9 Fairway, Cardinal golf course.

ZONING DISTRICT: The current zoning of lots in the southern section is R-1 Low Density Single Family. The current zoning of lots in the northern section is zoned R-2 Medium Density Single Family. There is an area between Fairways 12 and 13 that is zoned R-3.

ADJACENT LAND USES: Single family residential homes; golf course; vacant developable land, Twin Lakes

TYPE OF APPLICATION: Master Sketch Plat for Diamondhead Lakes Subdivision

NATURE OF REQUEST: The Master Sketch Plat is a 210 lot development having lot sizes ranging from the smallest lot of 9,563.0 to the largest lot of 42,111.2 sf. The total number of acres is approximately 77. Elliott Homes is also requesting variances on the following lots located in Diamondhead Lakes Subdivision:

#### **Northern Section**

- Lot 11 Minimum Road Frontage Lot has 31.07 feet of road frontage where 35 feet is required. Lot is in cul-de-sac and abuts golf course.
- Lot 12 Minimum Road Frontage Lot has 30.68 feet of road frontage where 35 feet is required. Lot is in cul-de-sac and abuts drainage area used for retention.

#### **Southern Section**

- Lots 3 Minimum Lot Size variance requested Lot is 9,706 SF where 10,000 SF is required. Lot backs onto the golf course and has a slight curve in the road at this location. This makes this lot just slightly smaller than the other lots in the area.
- Lot 28 –Lot Width at Setback Line –Lot has 70.26 ft of width where 80 ft is required. Lot abuts wetlands area and moving the home back further could potentially negatively impact the wetlands.
- Lot 33 –Lot Width at Setback Line –Lot has 73.99 ft of width where 80 ft is required. Lot is in cul-de-sac and abuts golf course.
- Lot 38 Minimum Lot Width (Corner Lot) Lot has 89.94 ft where 100 is required. Lot is a little smaller than the required width, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.
- Lot 43 Minimum Lot Width (Corner Lot) Lot has 90.95 ft where 100 is required. Lot is a little smaller than the required width, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.
- Lot 106 Minimum Lot Width (Corner Lot) Lot has 90 .03 ft where 100 is required. Lot is a little smaller than the required width, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: February 24, 2020

ACTION BY THE PLANNING COMMISSION: The Planning Commission shall review and submit a recommendation to the City Council.

PRELIMINARY RECOMMENDATION TO PLANNING COMMISSION: The Development Review Committee (DRC) considered the Sketch Plat on 2-14-20 and voted to forward the Sketch Plat to the Planning Commission for a public hearing. The comments from the various departments and entities have been included in your packet. David Carden, General Manager of DWSD could not comment until the construction plans were submitted to the District.

The staff does recommend to approve the variances as petitioned except for lot 3 in the Southern section. However, it is recommended to reduce amount of each variance needed even more, if possible. (Note: The Commission needs to have a separate vote concerning the approval or denial of the variance requests).

At the DRC, Mr. Reso commented on the economic benefits for the city as well as the overall layout of the proposed subdivision is compatible. He also commented on the letter from William Cork, Hancock County Port and harbor Commission stating the need for more housing.

Purcell Company had plans and intentions to fully develop this property. The overall layout with the curvilinear streets is compatible with the existing layout of existing subdivisions. The number of dwelling units per acre is approximately half of what it could be. All of the lots except for Lot 3 in the Southern Section meet the minimum lot size. Only 8 of the proposed 210 lots do not meet the building width and setback requirements.

Two entrances are proposed. One will be from Golf Club Drive. The Golf Club Drive entrance shall be definitively reflected on the Sketch Plat. Either have an executed consent agreement with Jim Grotowski to allow the construction of a roadway or designed the roadway totally on Elliott Homes property. The staff recommends to Elliott Homes that this issue be resolved before Sketch Plat consideration before the City Council.

The other entrance will be from Diamondhead Drive West between the property at 85545 DH DR West owned by Gerald Hill and the vacant lot owned by Anthony H. Touchard. This connection will be by another development. This second entrance shall be completed within 2 years from the approval of the construction plans from Phase 2 Diamondhead Lakes.

Phase 7 Wetland Area: Out Lot Parcel B; Since no development is currently shown or anticipated at the moment, only show access to the property. Eliminate Phase 7. By the latest submittal, Phase 7 has been eliminated and it only shows a stub out.

Temporary cul-de-sacs will also be required. This is a low impact development and several detentions basins will be utilized. The development will be built in different phases and Elliott Homes are anticipating within the first 2 years that 60 homes will be built.

The recommendation of the staff is to **approve** the Master Sketch Plat of Diamondhead Lakes Subdivision subject to addressing all of the comments mentioned at the DRC as well as meeting all the other adopted codes and regulations. In particular, the Golf Club Drive entrance shall be definitively reflected on the Sketch Plat. Either have an executed consent agreement with Jim Grotowski to allow the construction of a roadway or design the roadway totally on Elliott Homes property. The staff recommends to Elliott Homes that this issue be resolved before Sketch Plat consideration before the City Council.





1/30/2020

**Request and Land Description:** Elliott Land Developments, LLC is asking for sketch plat approval for Diamondhead Lakes Subdivision. Diamondhead Lakes is a 210 Lot single family subdivision on a 77 Acre tract of land, being part of parcel 067L-0-35-012.000. The subject property is located in Section 35 Township 7S Range 14W.

The <u>Northern Portion</u> of the property (Approx. 30 Acres) located West of Cardinal Golf Course Holes 12, North of Hole 13, and East of Hole 14.

The <u>Southern Portion</u> (Approx. 47 Acres) is located of West of Cardinal Golf Course Holes 10-11, East of Hole 12, South of Hole 13, North of Hole 8, North and East of Hole 9

**Zoning:** The Northern Portion is Zoned R-2. The Southern Portion is Zoned R-1

<u>Lot Sizes/Density</u> – Diamondhead Lakes contains 210 Lots over a 77 Acres which equates to a total density level of 2.7 homes per acre.

- The Northern Portion has a density of 3.3 Homes per acre. R-2 Zoning allows for 7 units per acre
- The Southern portion has a density of 2.36 Homes per acre. R-1 Zoning allows for 4 units per acre.

<u>Variances Requested</u> – Elliott Homes is requesting several variances for setbacks, road frontage width, but very few for lot size. The main reason for variances is because of the winding design of our subdivision and utilizing Low Impact Development techniques. Many zoning ordinances are written for traditional neighborhood designs that have very straight roads. Upon further investigation, there are many lots throughout Diamondhead that would violate the subdivision ordinance standard for road frontage width and lot width at setback line at a corner lot.

Parks and Green Space – The site contains about 8 Acres of Green Space

Flood Zone: The entire tract of land is located in a X Flood Zone

<u>Streets</u> – The ROW width will be 50 feet wide. Street width will be a minimum of 20 feet wide, but may be as wide as 22 feet in some places. The roadway base will consist of 8-10" of soil cement and a 1.5-inch binder course layer of asphalt at the time of Final Plat. Another 1.5-inch surface course layer of asphalt will be completed within 2 years of Final Plat.

Some areas of the street will contain a center island median. This median be a bioswale that will help the aesthetic appeal of the subdivision and will also service some of the drainage for the subdivision.

<u>Phases & Timing</u> – Development will start from 2 separate entrances. Phase 1 will enter off of Golf Club Drive and close to the Clubhouse. Phase 2 will start from Diamondhead Drive West through an existing ROW between 2 lots and will enter into the proposed development between Holes 13 & 14. Prior to the Final Plat for Phase 2, the roadway must be complete to Diamondhead Drive West. These 2 Roads will converge between the 11<sup>th</sup> and 12<sup>th</sup> Hole in a future phase. The timing of remaining phases will take place based on sales in the subdivision, but Elliott Land Developments, plans on developing phases to allow the connection of these 2 roads as soon as possible.

<u>Drainage</u> – Elliott Land Development is going to utilize Low Impact Development (LID) techniques throughout the subdivision. Traditional drainage design funnels stormwater underground to a central retention area, however LID spreads out the drainage for the development into smaller drainage areas and allows the majority of the water to soak into the ground and help filter pollutants and sediment through plants and soil.

Please let me know if any further questions. You can reach me on my cell at 228-596-4471 or kenneth@myelliotthome.com

Sincerely,

Kenneth Jones II V.P. of Land Elliott Land Developments, LLC Elliott Homes, LLC

### Site Plan Variances Requested

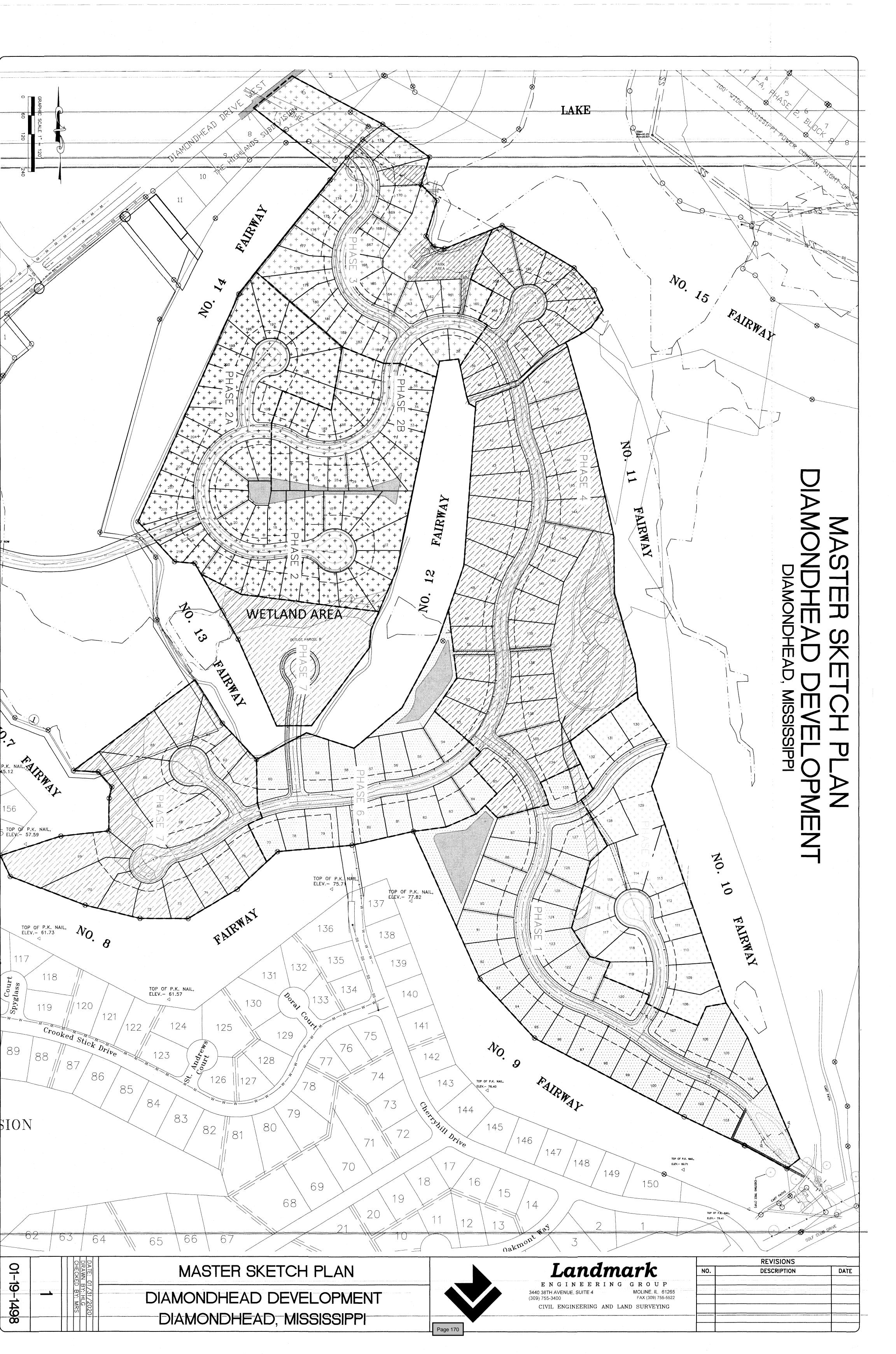
Elliott Land Developments is requesting variances on the following Lots:

#### **Northern Section**

- Lot 10 Minimum Road Frontage Lot has 32 feet of road frontage where 35 feet is required. Lot is in cul-de-sac and abuts golf course.
- Lot 11 Minimum Road Frontage Lot has 31 feet of road frontage where 35 feet is required. Lot is in cul-de-sac and abuts golf course.
- Lot 12 Minimum Road Frontage Lot has 30 feet of road frontage where 35 feet is required. Lot is in cul-de-sac and abuts drainage area used for retention.
- Lot 13 Minimum Road Frontage Lot has 26 feet of road frontage where 35 feet is required. Lot is in cul-de-sac and abuts drainage area used for retention.
- Lot 25 Minimum Lot Width (Corner Lot) Lot has 71 ft where 75 ft is required. Lot is a little smaller than the required width, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.
- Lot 29 —Lot Width at Setback Line —Lot has 52 ft of width where 60 ft is required. Lot is in cul-de-sac and abuts other lots. There will also be drainage for these lots along the rear of this lot and a variance is needed to ensure that the home does not impede the drainage.
- Lot 41 Minimum Lot Width (Corner Lot) Lot has 61 ft where 75 ft is required. Lot is a little smaller than the required width because of the needed road to go between the 13<sup>th</sup> and 14<sup>th</sup> Holes, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.
- Lot 42 Minimum Lot Width (Corner Lot) Lot has 61 ft where 75 ft is required. Lot is a little smaller than the required width because of the needed road to go between the 13<sup>th</sup> and 14<sup>th</sup> Holes, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.
- Lot 61 Minimum Road Frontage Lot has 31 feet of road frontage where 35 feet is required. Lot is in cul-de-sac and abuts drainage area used for retention.
- Lot 62 Minimum Road Frontage & Lot Width at Setback Line Lot has 34 feet of road frontage where 35 feet is required. Lot has 42 ft of width where 60 ft is required. Lot is in cul-de-sac and abuts golf course and land falls toward golf course. Moving house forward toward road will allow less fill dirt to be placed in close proximity to golf course.
- Lot 63 —Lot Width at Setback Line —Lot has 56 ft of width where 60 ft is required. Lot is in cul-de-sac and abuts golf course and land falls toward golf course. Moving house forward toward road will allow less fill dirt to be placed in close proximity to golf course.
- Lot 64 –Lot Width at Setback Line –Lot has 49 ft of width where 60 ft is required. Lot is in cul-de-sac and abuts golf course and land falls toward golf course. Moving house forward toward road will allow less fill dirt to be placed in close proximity to golf course.
- Lot 65 Minimum Road Frontage & Lot Width at Setback Line Lot has 30 feet of road
  frontage where 35 feet is required. Lot has 43 ft of width where 60 ft is required. Lot is
  in cul-de-sac and abuts golf course and land falls toward golf course. Moving house
  forward toward road will allow less fill dirt to be placed in close proximity to golf course.
- Lot 66 –Lot Width at Setback Line Lot has 47 ft of width where 60 ft is required. Lot is in cul-de-sac and abuts drainage area used for retention.

#### **Southern Section**

- Lots 3 Minimum Lot Size variance requested Lot is 9,706 SF where 10,000 SF is required. Lot backs onto the golf course and has a slight curve in the road at this location. This makes this lot just slightly smaller than the other lots in the area.
- Lot 28 —Lot Width at Setback Line —Lot has 66 ft of width where 80 ft is required. Lot abuts wetlands area and moving the home back further could potentially negatively impact the wetlands.
- Lot 29 Lot Width at Setback Line –Lot has 77 ft of width where 80 ft is required. Lot abuts wetlands area and moving the home back further could potentially negatively impact the wetlands.
- Lot 30 Lot Width at Setback Line –Lot has 60 ft of width where 80 ft is required. Lot abuts wetlands area and moving the home back further could potentially negatively impact the wetlands.
- Lot 31 Lot Width at Setback Line –Lot has 63 ft of width where 80 ft is required. Lot abuts wetlands area and moving the home back further could potentially negatively impact the wetlands.
- Lot 32 –Lot Width at Setback Line –Lot has 61 ft of width where 80 ft is required. Lot is in cul-de-sac and abuts golf course.
- Lot 33 –Lot Width at Setback Line –Lot has 68 ft of width where 80 ft is required. Lot is in cul-de-sac and abuts golf course.
- Lot 38 Minimum Lot Width (Corner Lot) Lot has 85 ft where 100 is required. Lot is a little smaller than the required width, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.
- Lot 43 Minimum Lot Width (Corner Lot) Lot has 91 ft where 100 is required. Lot is a little smaller than the required width, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.
- Lot 106 Minimum Lot Width (Corner Lot) Lot has 90 ft where 100 is required. Lot is a little smaller than the required width, however any home placed on this lot will still meet the building setback requirements per the zoning ordinance.







#### **DEVELOPMENT COMMITTEE REVIEW**

Diamondhead, Mississippi
Diamondhead City Hall Council Chambers
February 14, 2020
10:00 a.m. CST

- 1. Ronald Jones called the meeting to order at 10:00 a.m. CST.
- 2. Present: Mike Reso, John Stein, Christina Sherlay, Mike Munger, David Carden, Richard Sullivan and Ronald Jones. Absent: A J Gambino.

Also, present, City Attorney Derek Cusick, Minutes Clerk Tammy Braud, Building Inspector Dennis Arceneaux.

3. Case - Diamondhead Lakes ( Elliott Homes )

Ronald Jones opened the meeting and he explained procedural process for subdivision approval.

Elliott Homes represented by Kenneth Jones has submitted "the master Sketch Plat for Diamondhead Lakes" for review, consideration and approval. He presented a power point presentation about the development (see attached).

Mike Reso, Diamondhead City Manager commented on economic benefits for the city, the overall layout of the proposed subdivision is compatible, and commented on the letter from William Cork, Hancock County Port & Harbor Commission, stating the need for more housing (see attached letter).

Ronald Jones, Building Offical, read a letter from AJ Gambino, Hancock County Sheriff Office, stating that this development will not negativity impact police services (see attached letter).

Mike Munger, Diamondhead Fire Chief stated his concerns for 2 separate interest.

Richard Sullivan, Diamondhead Public Works Director, had no objections to the overall concept as long as the developer comply with the ordinances.

David Carden, DWSD General Manager, stated that he could not comment until the construction plans were submitted to the district.

John Stein, Digital Engineer, made comments concerning wetland, infrastructures, and drainage (see attached comments).

Ronald Jones, Diamondhead Building Official, had concerns regarding the entrance on Golf Club,

the request for numerous variances, temporary cul-da-sacs, and Phase 7 Out Lot B (see attached letter).

Ronald Jones made a motion, second by Mike Reso, to forward Diamondhead Lakes Sketch Plat to the Planning Commission for public hearing

#### **MOTION CARRIED**



#### HANCOCK COUNTY PORT & HARBOR COMMISSION

Economic Development • Stennis International Airport • Port Bienville Industrial Park • Port Bienville Railroad

May 30, 2018

Diamondhead City Council City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525

Dear Mayor and Councilmembers,

The City Manager of Diamondhead has informed me that you may have a prospective residential developer looking at a multi-phase development for a couple of hundred new homes. While I can't speak to the site-specific issues associated with the project, I would like to share with you my professional judgement on the need for additional residential housing stock in the market. The City Manager indicated that the price range for these new single family detached homes would be in the range of \$180,000 to \$250,000.

Today, nearly 40% of Hancock County's industrial and federal employment base lives in Louisiana and significant additional percentages live in Pearl River and Harrison County. Due to the wonderful residential character of Diamondhead, the City is the largest single residential location for people who work industrial and federal jobs in Hancock County (according to our survey data). Measurable growth is already happening with the expansion of existing industry and growth in federal (particularly Defense) spending. A pipeline of new industrial attraction is forming, and one of the key concerns the site selection professionals have about our county is the availability of quality family housing at a variety of income levels. Many of the jobs that are being projected for our industrial sector will pay \$50-60,000 on average. With two family members working, these are the kind of wages that could support the housing product contemplated.

Furthermore, our intelligence suggests that these prospective workers want smaller yards, and upgraded finishes and amenities, including robust broadband access. In addition, they seek lifestyle amenities that include outdoor activities, proximity to retail and social areas, and an overall work, live, play, worship environment.

I hope this information helps to inform your decision and wish you the best in your development process. Please let me know if I can be of any assistance.

Sincerely.

William V. Cork

CEO



## Diamondhead Police Department

5000 Diamondhead Circle, Diamondhead, MS Phone: 228-222-4649 Fax:228-222-4654







Based upon the conceptional drawing of the proposed Diamondhead Lakes sketch plan subdivision this development will not negatively impact police services.



#### **Ronald Jones**

From:

John Stein <jstein@deii.net>

Sent:

Thursday, February 13, 2020 4:17 PM

To:

**Ronald Jones** 

Cc:

Christina Shurley; Bruce Newton

Subject:

Diamonhead Lakes

Attachments:

Diamondhead Lakes Sketch Plat Review Comments.xls

Ron

Attached is a copy of our comments. Do we need to bring additional copies along.

John M. Stein, P.E.

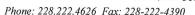
Manager of Engineering Operations



Digital Engineering & Imaging, Inc.

O: (228) 463-0130 | C: (228) 216-6839 | jstein@deii.net

Diamondhead Lakes Project Subdivision AE Landmark Contractor		Subdivision	Daview Comments		ate 2/14/2020
			☐ Review Comments	Review	
				Discipli	
	Developer	Elliott Homes		Item Being Review	Name of Street, or other Designation of the Owner, where the Parket of the Owner, where the Owner, which is the Owner, where the Owner, which is the Owner,
omment No	Issue	Page/Location	Comment	Resolution	Initials of Responden
			Plan Comments		
1	General	Drawings	There is no legend provided on any of the drawings/maps, and therefore we cannot thoroughly review the proposed subdivision plan. We do not know what many items shown in the plans are representing.		
2	Wetlands	Drawings	Was a wetlands delineation conducted to determine the limits of the wetlands?		
3	Wetlands	Drawings	Some areas with a blue boundary are noted as 'wetland area', and other areas with a blue boundary have no note. Are these wetlands as well?		
4	Wetlands	Drawings	There are wetlands noted in some of the proposed lots. Will permits be obtained from the Corps for impacts to these wetlands?		
5	Drainage	Drawings	What is the overall concept of the drainage plan? Where will all storm water eventually drain? With no legend, we do not know what low impact development practices will be implemented and where they will be located. To what extent will subsurface drainage pipes and catch basins be utilized?		
6	Drainage	Drawings	Are drainage swales proposed along the roadway edge for the entire subdivision? Where will the swales be located in relation to the sidewalk (if sidewalk is to be constructed)? Will easements be required for the swales?		
7	Drainage	Drawings	How will any stormwater runoff that currently drains to the Lake from areas outside of the proposed subdivision be diverted around or through the subdivision?		
8	Drainage	Drawings	It appears that rain gardens will be implemented. Will overflow structures be included? Where will stormwater that is collected in the rain gardens ultimately drain to during a heavy rain event?		
9	Streets	Letter	Letter States "The roadway base will consist of 8-10" of soil cement and a 1.5-inch binder course layer of asphalt at the time of Final Plat. Another 1.5-inch surface course layer of asphalt will be completed within 2 years of Final Plat". Per Section 308.18.1.c of the developer guidelines a Minimum surface course asphalt pavement of 2-inch base course and 1 1/2-inch surface course		
10	Streets		Please note that all medians shall be the width of one travel lane		
11	Streets/Drainage		Drainage of stormwater will not be allowed to cross the centerline of any street as it flows over the pavement. Section 311.18 Subdivision regulations.		
12	Streets		Has a traffic study been conducted at entrances of subdivision? Are Multi- Way stops being used at these intersection. See MUTCD 2B.07		
13	Utilities		All utilities shall be in utility easements. City requires utility and drainge easments on all lots. 10' front, 5' each side and 10' rear.		
14	Streets		Are sidewaks being utilized in this subdivision? If yes they must comply with the subdivision regulations		
			Specs Comments		
15					
16					





TO: DRC

FROM: Ronald R. Jones, CBO formula

**Building Official** 

DATE: 2-14-2020

SUBJECT: Diamondhead Lakes Sketch Plat

- The Golf Club Drive entrance shall be definitively reflected on the Sketch Plat. Either have a executed consent agreement with Jim Grotowski to allow the construction of a roadway or designed the roadway totally on Elliott Homes property. Provide complete legal survey. The staff recommends to Elliott Homes that this issue be resolved before Sketch Plat consideration before the City Council.
- Going north from Golf Club Drive; second street on the right; provide temporary cul-de-sac;
- Various are requested on 24 lots i.e. lot size; width of lot at the building setback line; lot width fronting on a public right-of-way; lot width of lot at the building setback line for corner lots; Reduce or eliminate the number of variances.
- Phase 7 Wetland Area: Out Lot Parcel B; Until you know exactly what type of development is planned, only show access to the property. Eliminate Phase 7.

# Diamondhead Lakes Sketch Plat



#### Sketch Plat

#### Purpose

The purpose of the sketch plat is to develop a **general design** on which to base the preliminary and final plat, and thus to avoid having to revise such design, and relate it to surrounding development.

#### Next Steps

- Review Comments from Development Review Committee
  - Most comments will be addressed during preliminary plat and construction drawings
- Planning Commission Hearing & Public Comment
- City Council Hearing
- Develop drawings for Preliminary Plat
  - Construction details
  - Drainage, Grading, Streets, Water, Sewer, etc. will all be finalized at this time.
- Administrator and City Engineer will review plans for City.
  - Review plans for comments made by DRC, Planning Commission, City Council
  - Review plans for conformance to the Subdivision Ordinance
- Diamondhead Water and Sewer District performs independent review of plans.
- Construction only begins AFTER City Engineer, DWSD, Corp of Engineers, DEQ, and Health Department have signed off on plans

# **History**

- 2017 Elliott Land Developments, LLC contracts to purchase approximately 30 acres for a residential subdivision
- September 2018 Elliott Homes received City Approval to construct 108 single family homes on 30 acres
- November 2018 Title issue discovered for proposed subdivision
- August 2019 Judge ruling to not allow proposed subdivision entrance.
- 2019 Elliott Land Developments, LLC uses new design techniques for new subdivision layout LOSS of 8 lots from previous plan
  - Lost lot revenue \$280,000 (\$35,000 per lot)
  - Lost home construction revenue \$2,000,000 (\$250,000 per house)
- 2019 Elliott Land Developments, LLC contracts to purchase an additional 47 acres of land. Plan will allow for separate exit. (110 additional home sites
  - Additional Land Development Invest \$3,850,000
  - Additional New Home Investment \$52,500,000
- October 2019 Elliott Land Developments, LLC hosts community feedback meeting
- November 2019 January 2020– Elliott Land Developments, LLC redraws plans.
  - Partnered with OneDiamondhead, LLC to get another access to Diamondhead Drive West
    - Additional road and infrastructure costs of \$225,000
  - Moves proposed entrance from Glenn Eagle to Golf Club Drive
    - Additional road and infrastructure costs of \$200 Page 181

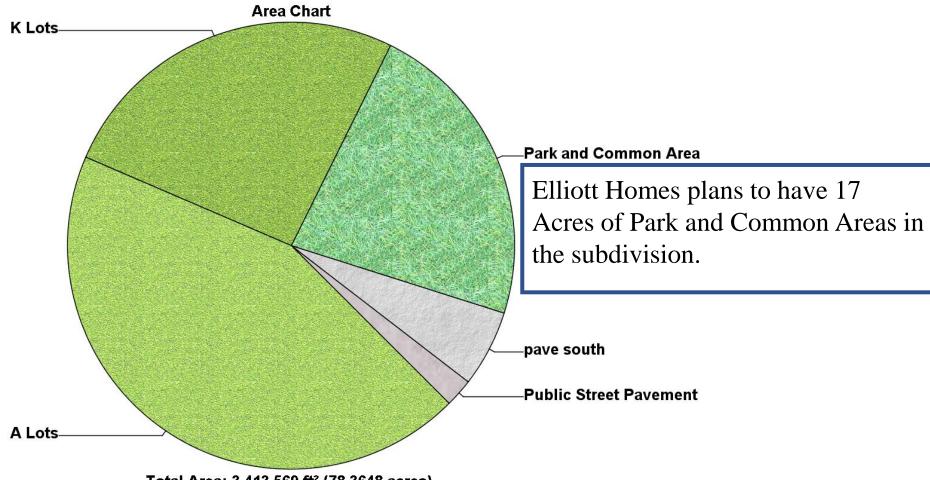


# Plan Changes

Loss of 9 Lots from this plan to current Plan







#### Total Area: 3,413,569 ft<sup>2</sup> (78.3648 acres)

□Public Street Pavement	2.1%	70,536 ft <sup>2</sup>	(1.6193 acres)
□pave south	5.6%	189,837 ft <sup>2</sup>	(4.3581 acres)
Park and Common Area	22.5%	769,595 ft <sup>2</sup>	(17.6675 acres)
■K Lots	25.9%	882,785 ft <sup>2</sup>	(20.2660 acres)
■A Lots	44.0%	1,50 <mark>0 816 f+2</mark>	(34.4540 acres)

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# Density

Zoning	Allowed	Total Homes Allowed	Current Plan	Total Homes in Current Plan	% of Allowed	Average Lot Size	Required Lot Size	% of Required
R-1	4 homes per acre	184	2.36 homes per acre	99	54%	13,521 SF	10,000 SF	135%
R-2	7 homes per acre	196	3.3 homes per acre	111	56%	8,917 SF	6,000 SF	148%
Total Development	5 homes per acre	380	2.7 homes per acre	210	55%	11,354 SF	Average is greated Required Zoni	



# **Variances Requested**

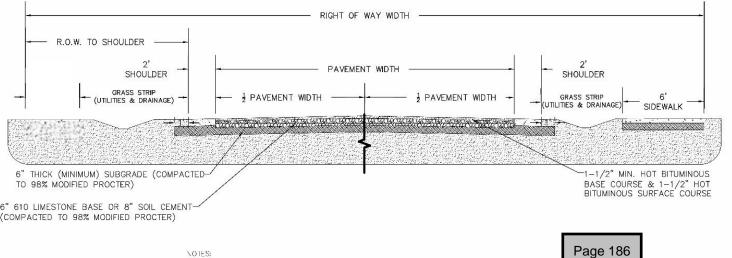
- Corner Lots Lot Width
  - Homes will fit with normal setbacks.
  - All corner lots meet the normal minimum setbacks, but some do not meet the additional requirement for corner lots
- Cul-de-sac street frontage or lot width at setback
  - All that is really needed at the street is 30 feet frontage
  - Allowing homes in cul-de-sac to be closer to the road will keep them further from golf course or wetlands – See next slide

# **Important Notes:**

- 1. Density Level could be far higher if parks were removed. Elliott Homes has chosen to have much more green space than required
- 2. Variances will not effect any current residents
- 3. Elliott Homes has removed MANY lots from the plan already to help with neighbors

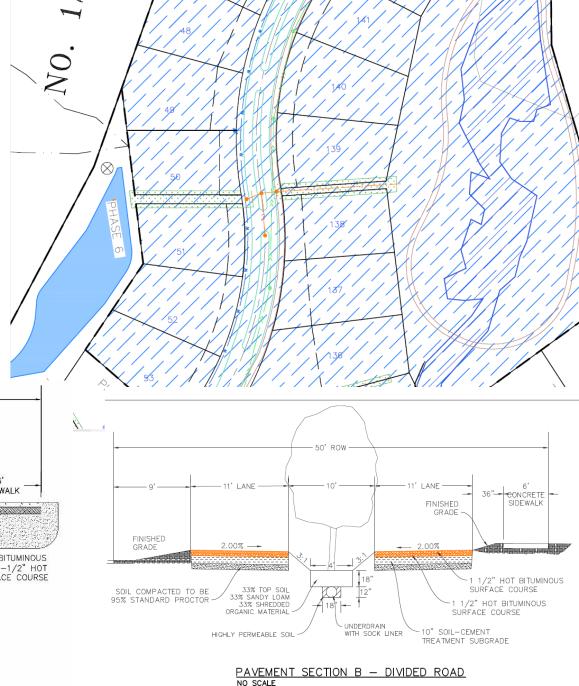
# **Drainage and Roadway**

- Right of Way will be 50 feet wide
- Roadway will be a minimum of 20 feet wide
- Cul-de-sac radius will be a minimum of 50 feet wide
- Any drainage pipe under road will be concrete or PVC
- HOA will maintain landscaping.
- Sidewalks are not required, however Elliott may install a 6' sidewalk. Sidewalks will be installed for each home at the time of Certificate of Occupancy
- Elliott Land Development will warranty subdivision per Subdivision Ordinance

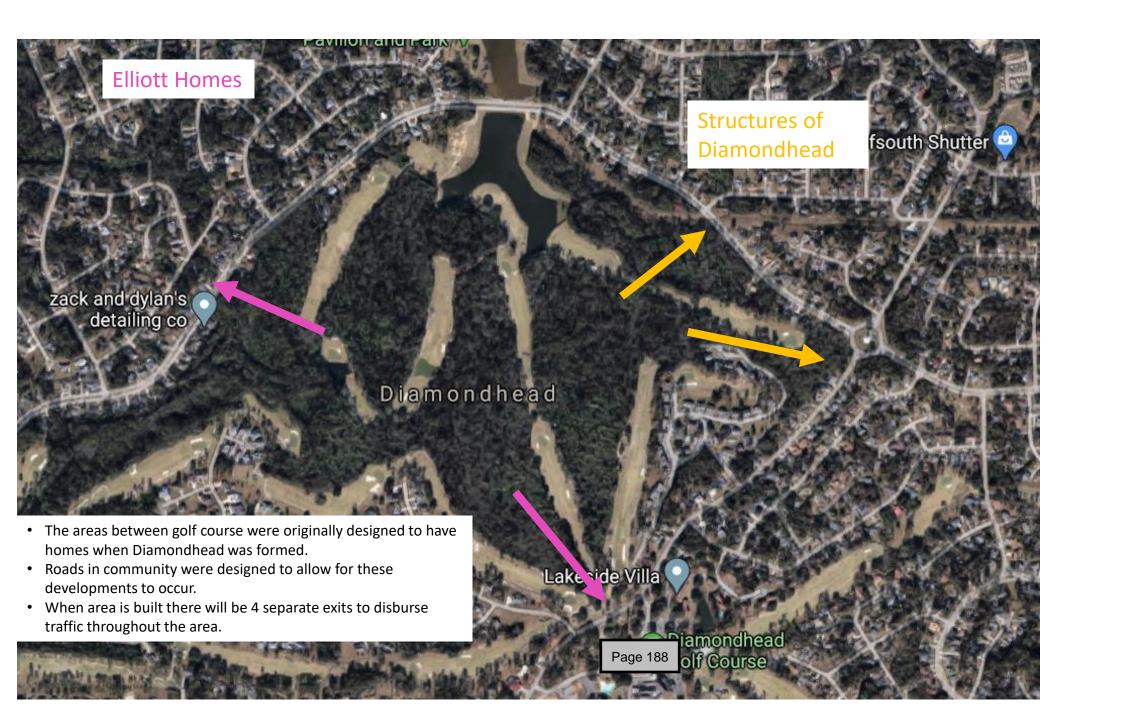


NOTES: 1. SEE TABLE 3.1 FOR RIGHT-OF-WAY AND PAVEVENT WIDTHS FOR EACH VINOR STREET CLASSFIC 2. IF CURB AND GUTTER AND UNDERGROUND DRAINAGE PROVIDED, CURB AND GUTTER SHALL SE 2'

 IF SIDEWALKS ARE PROVIDED, DEVELOPER WAY PROVIDE 4' SIDEWALKS ON EACH SIDE OF STREET OR 6' SIDEWALK ON ONE SIDE OF STREET, ONLY.









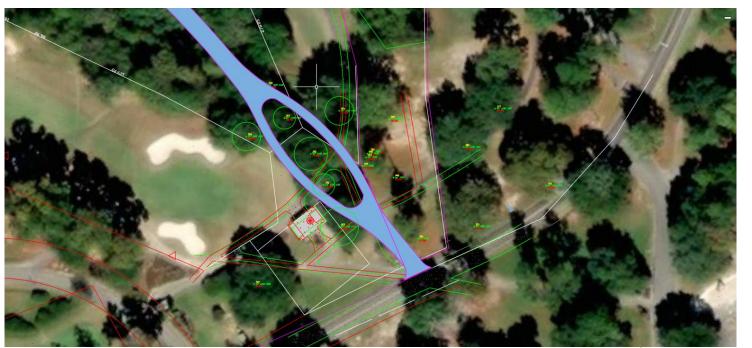
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# For both scenarios

- All Live Oak Trees will be spared, if at all possible (final design not yet completed)
- Will work with POA to ensure minimal disruption to golfers

Roadway on Elliott Homes Property ONLY



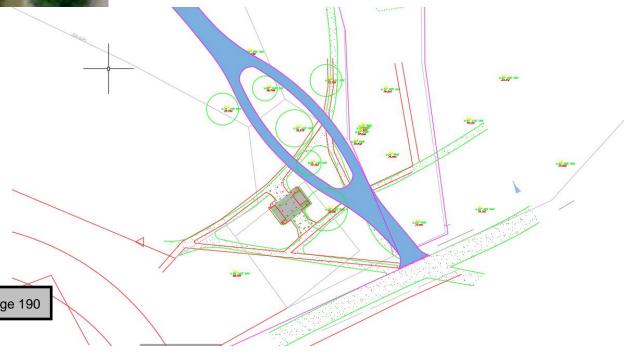


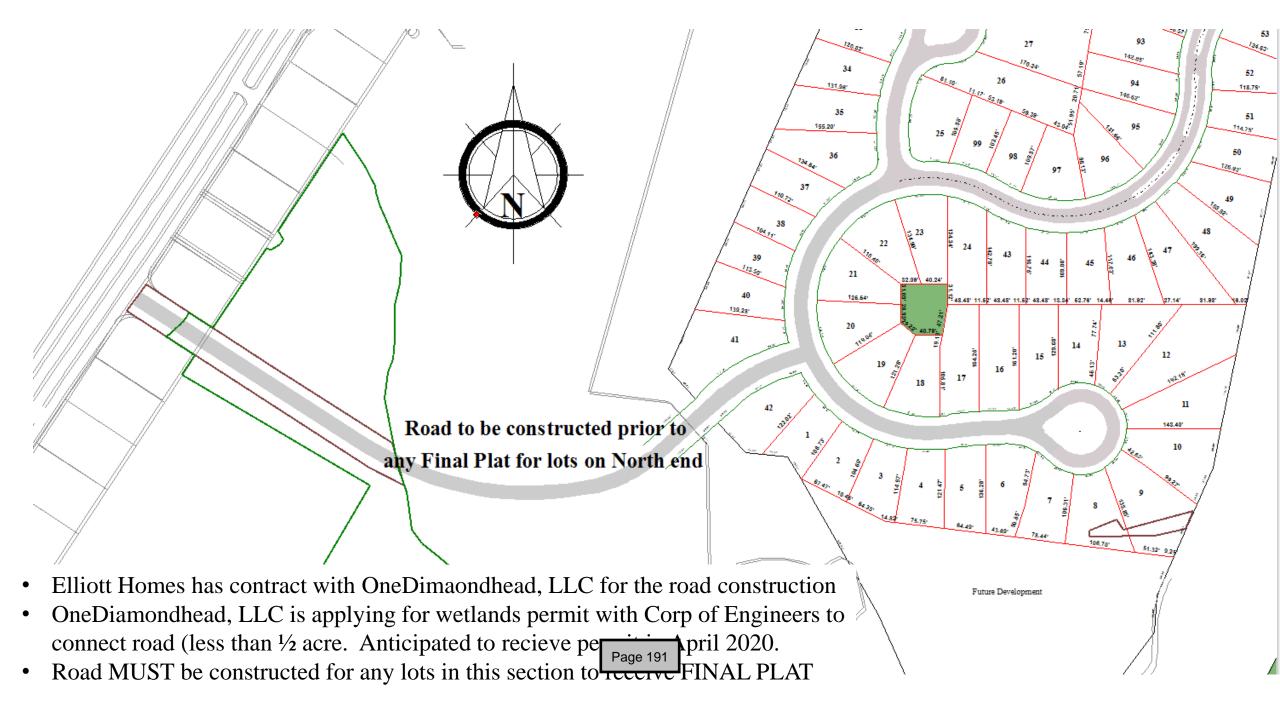
## For both scenarios

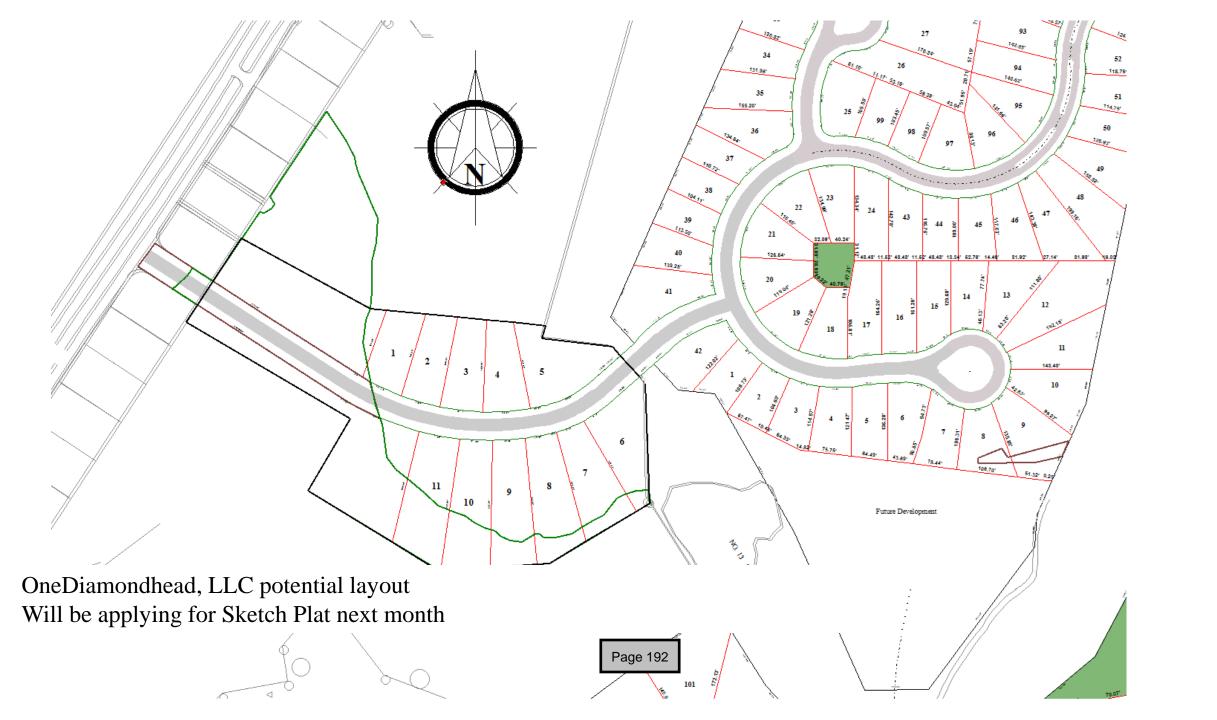
- All Live Oak Trees will be spared, if at all possible (final design not yet completed)
- Pine Trees will be removed in this scenario
- Will work with POA to ensure minimal disruption to golfers

# Option #2

Road crosses some of Structures of Diamondhead Property







# **Phasing**

- Elliott Homes will time the development of Phases to market conditions.
  - We estimate that all the infrastructure will be complete within 5 years
- Will plan phases to connect the 2 entry roads as soon as possible
- Temporary cul-de-sacs will be placed at the end of all phases until the next phase is started or until a connection can be made (to Structures of Diamondhead property)
  - ALL cul-de-sacs (temporary or permanent will meet requirement for fire truck turning
- Phase 1A will start from Golf Club Drive
  - What is shown on right is approximate
- Phase 1B will start from Diamondhead Drive West
  - What is shown on right is approximate
- All water and sewer will be designed in accordance with Diamondhead Water & Sewer District specifications







# **Summary**

## **Diamondhead Receives**

- \*\* These numbers are for the entire development of 210 homes
- Land Development (Roads, Water/Sewer, Drainage) \$7,350,000
- New Home Construction \$52,500,000
- Ad Valorem Tax Revenue \$537,000 per year
- Sales Tax Revenue
  - Homeowners direct spending Approximately \$100,000 per year
  - Ripple Effect Approximately \$250,000 per year.
- Land Donation Future Park, Green Space & Drainage
  - Estimated Value \$396,000
- An overall better traffic pattern and lessened development impact to the surrounding community

# T

City of Diamondhead, MS

# **Docket of Claims Register - Council**

APPKT01218 - Docket of Claims 3/3/2020

By Docket/Claim Number

Docket/Claim #	Vendor Name Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount Line Amount
DKT156892	AGJ					2,082.00
	03/03/2020	76037	monthly BDR service March 2020	001-140-60400	Professional Fees - IT	250.00
		MSP-76036	monthly service March 2020	001-140-60400	Professional Fees - IT	1,832.00
DKT156893	Coast Electric I	Power Association				18,147.41
	03/03/2020	2/11/2020-003	electrical services 1/12-2/11/2020	001-140-65000	Utilities - General	2,357.27
				001-301-65100	Utilities - Streetlights & Other	4,201.14
		2/11/2020-005	electrical services 1/12-2/11/2020 guard shack	001-301-65100	Utilities - Streetlights & Other	98.18
	•	2/11/2020-007	electrical services 1/12-2/11/2020 Alawai	001-301-65100	Utilities - Streetlights & Other	40.00
		2/11/2020-010	electrical services 1/12-2/11/2020 billboard	001-140-65000	Utilities - General	55.32
		2/11/2020-012	electrical services 1/12-2/11/2020 gazebo	001-140-65000	Utilities - General	37.90
		2/11/2020-015	electrical services 1/12-2/11/2020 bandstand	001-301-65100	Utilities - Streetlights & Other	37.30
		2/11/2020-016	electrical services 1/12-2/11/2020 DD East Pole	001-301-65100	Utilities - Streetlights & Other	36.90
		2/11/2020-017	electrical services 1/12-2/11/2020 sign/waterfall	001-301-65100	Utilities - Streetlights & Other	285.34
		2/11/2020-018	electrical services 1/13-2/11/2020 YC Dr Circle	001-301-65100	Utilities - Streetlights & Other	49.59
		2/11/2020-019	electrical services 1/12-2/11/2020 Gex Dr @ BK	001-301-65100	Utilities - Streetlights & Other	39.71
		2/11/2020-020	electrical servivces 1/12-2/11/2020 I10 Lighting	001-301-65100	Utilities - Streetlights & Other	1,266.40
		2/12/2020-001	electrical services 1/13-2/12/2020 streetlights	001-301-65100	Utilities - Streetlights & Other	6,709.57
		2/12/2020-002	·	001-301-65100	Utilities - Streetlights & Other	1,103.19
		2/12/2020-004		001-301-65100	Utilities - Streetlights & Other	1,463.15
		2/12/2020-011	electrical services 1/13-2/12/2020 oaks/tower	001-301-65100	Utilities - Streetlights & Other	366.45

Docket of Claims Register - Council

APPKT01218 - Docket of Claims 3/3/2020

	Vendor Name					Payme	nt Amount
Docket/Claim #	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	
DKT156894	CSpire Cell Se	rvice					1,046.78
	03/03/2020	2/18/2020	cellular service 1/19-2/18/2020	001-280-61100	Telephone - Cell	107.71	
				001-140-61100	Telephone - Cell	51.38	
				001-100-61100	Telephone - Cell	51.38	
				001-200-61400	Internet	341.90	
				001-301-61100	Telephone - Cell	494.41	
DKT156895	Custom Produ	cts Corporation					279.54
	03/03/2020	331622	Brite-Max Multi-View Post Red Reflectors	001-301-56000	Street Signs	279.54	
DKT156896	Deep South E	quipment Company					292.39
	03/03/2020	2/10/2020	Expansion Tank FA# 227	001-301-54300	Repairs & Maintenance - Equipment	292.39	
DKT156897	Delta World Ti	ire	_				105.24
	03/03/2020	140099928	Tires for Hot Box FA# 230	001-301-60600	Professional Fees - R&M Outside Services	105.24	
DKT156898	Diamondhead	Property Owners Associ	ation Inc				1,000.00
	03/03/2020	3/2020	public works barn rental March	001-301-67000	Rentals	1,000.00	
DKT156899	Diamondhead	Water and Sewer Distric	t		***		462.60
	03/03/2020	2/18/2020BDKL	water/sewer services 1/16- 2/18/2020 BDKL	001-301-65100	Utilities - Streetlights & Other	23.95	
		2/18/2020BL	water/sewer services 1/16- 2/18/2020 BL	001-140-65000	Utilities - General	291.12	
		2/18/2020GDIR	water/sewer services 1/16- 2/18/2020 GDIR	001-301-65100	Utilities - Streetlights & Other	23.95	
		2/18/2020GS	water/sewer services 1/16- 2/18/2020 GS	001-301-65100	Utilities - Streetlights & Other	75.15	
		2/18/2020IR	water/sewer services 1/16- 2/18/2020 IR	001-140-65000	Utilities - General	23.95	
		2/18/2020YCIR	water/sewer services 1/16- 2/18/2020 YCIR	001-301-65100	Utilities - Streetlights & Other	24.48	
DKT156900	Diaz Brothers	Printing					155.00
	03/03/2020	2726	Print Job Court Notice 3 part	001-110-63100	Printing & Binding	155.00	
DKT156901	Fuelman						1,042.94
	03/03/2020	NP57755438	fuel charges 2/10-2/16/2020 Police	001-200-52200	Fuel	523.59	•
		NP57774837	fuel charges 2/17-23/2020 Police	001-200-52200	Fuel	519.35	
DKT156902	Geiger Heating	g and Air			-		305.45
	03/03/2020	120947	Repairs to A/C-heater City Hall	001-140-60600	Professional Fees - Repair & Maint Outside Serv	305.45	
DKT156903	George Blair A	ttorney					1,000.00
	03/03/2020	1/31/2020	public defender January 2020	001-110-60300	Professional Fees - Legal	1,000.00	

**Docket of Claims Register - Council** 

#### APPKT01218 - Docket of Claims 3/3/2020

Docket/Claim #	Vendor Name Payable Date Payable Number	Payable Description	Account Number	Account Name	Payme Line Amount	ent Amount
DKT156904	Gulfport Industrial Supply Inc 03/03/2020 003050	Gloves, boots, safety glasses, disposable tool	001-301-50100	Supplies	483.90	483.90
DKT156905	James J Chiniche PA Inc 03/03/2020 17-057-092	Engineer SVS East Aloha/Shepards Square	001-301-60200	Professional Fees - Engineering	2,662.50	2,662.50
DKT156906	James J Chiniche PA Inc 03/03/2020 17-057-094	Engineer SVS Final Design East Aloha Drive	001-301-60200	Professional Fees - Engineering	2,156.25	2,156.25
DKT156907	James J Chiniche PA Inc 03/03/2020 17-057-093	Engineer SVS Montjoy Creek/public access project	110-600-60200	Professional Fees - Engineering Tidelands FY18	1,125.00	1,125.00
DKT156908	James J Chiniche PA Inc 03/03/2020 16-033-066	Engineer SVS East Aloha Widening	108-301-60200	Professional Fees - Engineering East Aloha	3,804.35	3,804.35
DKT156909	JE Borries Inc 03/03/2020 17-057-003-04	Devil's Elbow Improvements Tidelands 18	110-600-69100	Other Services & Charges-Tidelands FY18	13,123.14	13,123.14
DKT156910	Law offices of Derek R Cusick PLLC 03/03/2020 14	Legal Services 1/28-2/18/2020	001-140-60300 001-110-60300 001-280-60300 001-140-60300 001-280-60300	Professional Fees - Legal Professional Fees - Legal Professional Fees - Legal Professional Fees - Legal Professional Fees - Legal	5,688.50 3,000.00 500.00 218.75 2,562.50	11,969.75
DKT156911	Lowes Home Improvement 03/03/2020 79338	Letters & Numbers for Vehicles and Equipment	001-301-50100	Supplies	11.34	11.34
DKT156912	Marvin J Bobinger III 03/03/2020 3/2020	lobbying service March 2020	001-653-60100	Professional Fees - Consulting	2,500.00	2,500.00
DKT156913	Misty Parker 03/03/2020 2/26/2020	refund overpayment court fines	001-16100	Other Payables	100.00	100.00
DKT156914	Municipal Code Corporation 03/03/2020 00338657	municode design development imp phase	001-140-60400	Professional Fees - IT	1,900.00	1,900.00
DKT156915	North Bay Auto 03/03/2020 34823	oil change Unit# 688	001-200-60600	Professional Fees - R&M Outside Services	55.72	55.72

**Docket of Claims Register - Council** 

#### APPKT01218 - Docket of Claims 3/3/2020

Docket/Claim #	Vendor Name Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payme Line Amount	nt Amount
DKT156916	Robert Johnson	n					27.03
	03/03/2020	2/10/2020	Travel Reimbursement 2/10/2020	001-110-62000	Travel & Training	27.03	27.102
DKT156917	S&L Office Sup	plies				·	622.46
	03/03/2020	73420	Office supplies/janitorial supplies	001-140-50100	Supplies	7.89	022.10
				001-140-50100	Supplies	6.89	
				001-140-50100	Supplies	9.98	
				001-140-52000	Cleaning & Janitorial	39.06	
				001-280-50100	Office Supplies	87.80	
				001-110-50100	Supplies	135.00	
		73656	office/janitor supplies	001-140-50100	Supplies	14.69	
				001-140-50100	Supplies	3.08	
				001-301-50100	Supplies	19.97	
				001-140-50100	Supplies	8.76	
				001-140-52000	Cleaning & Janitorial	106.32	
		73657	USB Drives 5 pack/office supplies	001-280-50100	Office Supplies	48.71	
				001-280-50100	Office Supplies	72.39	
				001-140-50100	Supplies	61.92	
DKT156918	South MS Busin	ness Machines Gulfport					1,120.85
	03/03/2020	333768-17	copy rental 17 of 60 building	001-280-67200	Rent - Copier	281.28	1,120.05
		351616-7	copy rental 7 of 24 finance	001-140-67200	Rent - Copier	42.07	
		351617-8	copy rental 8 of 24 police	001-200-67200	Rent - Copier	42.07	
		365742	Copy usage 1/18-2/17/2020 Police	001-200-52600	Copier Usage/Maintenance	95.77	
		366178	copy usage 1/22-2/21/2020 Finance	001-140-52600	Copier Usage/Maintenance	59.55	
		366179	copy usage 1/22-2/21/2020 PW	001-301-52600	Copier Usage/Maintenance	44.87	
		366180	copy usage 1/22-2/21/2020 Building	001-280-52600	Copier Usage/Maintenance	97.45	
		366247	copy usage 1/27-2/26/2020 Administration	001-140-52600	Copier Usage/Maintenance	188.61	
		AR295388-37	copy rental 37 of 60 Administration	001-140-67200	Rent - Copier	187.21	
		AR298523-35	copy rental 35 of 60 public works	001-301-67200	Rent - Copier	81.97	
DKT156919	Southern Barks	Inc	-				707.50
	03/03/2020	1411	woodfiber mulch	001-301-54400	Repairs & Maintenance-Streets/Drainage/Other	707.50	707.50
DKT156920	Southern MS Pl	anning and Developmer	nt District Inc		···		2 220 06
	03/03/2020	11960	Consulting SVS Eco Dev/Grant Procurement 12/2019	001-653-60100	Professional Fees - Consulting	627.26	2,320.96
		11985	consulting SVS Eco Dev/Grant Procurement 1/2020	001-653-60100	Professional Fees - Consulting	1,693.70	
DKT156921	Southern Tire N	Mart			* ,,,,	····	363.49
	03/03/2020	2500032011	Dump Truck Tire FA# 67	001-301-60600	Professional Fees - R&M Outside Services	363.49	303.43

#### **Docket of Claims Register - Council**

#### APPKT01218 - Docket of Claims 3/3/2020

Docket/Claim #	Vendor Name Payable Date	Payable Number	Payable Description	Account Number	Account Name		Payme Line Amount	ent Amount
DKT156922	Sun Herald Adv 03/03/2020	ertising 0004555852	Advertise public hearing Elliot	001-280-63000	Advertising		309.68	309.68
DKT156923	Tyler Technologi 03/03/2020	es 025-287748	maintenance receipt printer building 4/1-9/30/2020	001-280-60400	Professional Fees - IT		135.10	135.10
DKT156924	UMB Card Servic 03/03/2020	res 2/12/2020	credit card charges as of 2/12/2020	001-280-63000 001-140-68000 001-140-64000 001-140-61300 001-301-50100	Advertising Promotions Membership Dues/Fee Postage Supplies	s	121.50 129.01 45.00 828.00 402.00	1,525.51
					·	Total Claims: 33	Total Payment Amount:	72,943.88

# CITY OF DIAMONDHEAD, MISSISSIPPI

# Financial Statements Coversheet to Monthly Budget Report For the Month Ended January 31, 2020

ALL FUNDS HIGHLIG	HT	S		
*Revenue:	Current Year Last			Last Year
Total YTD Revenue	\$	2,151,697	\$	2,171,380
Total Budget	\$	6,843,743	\$	7,127,811
% Actual to Budget		31.4%		30.5%
Current Month % to Fiscal Year		33.3%		33.3%
*Expenses YTD Activity:		rrent Year		Last Year
Total YTD Expenses Actual Activity	\$	1,620,089	\$	1,572,711
Total YTD Expenses Activity w/ Encumbrances	\$	3,005,567		
Total Budget		\$8,442,385	\$	7,896,564
% Actual to Budget		19.2%		19.9%
% Actual w/ Encumbrances to Budget		35.6%		
Current Month % to Fiscal Year		33.3%		33.3%

<sup>\*</sup> Excludes Other Financing Sources and Uses

The state of the s					
Hancock Bank Account Balances	as of:	January 31, 2	2020		
General Bank Acct:	\$	4,176,320	Unrestricted	\$	5,918,373
Accounts Payable Clearing:		6,285	Fiduciary Fund		10,213
Payroll Clearing:		8,637	Solid Waste		54,467
Contingency Operating Fund:		2,073,188	Infrastucture Mo	d	
Fire Department Fund:		22,478	Fire Fund		22,478
			<b>Grant Funds</b>		281,376
TOTAL	\$	6,286,907		\$	6,286,907

			Y	TD Actual w/			
Fund Activity		TD Actual	En	cumbrances	Total Budget		
001 - General Fund	\$	653,082	\$	(600,977)	\$	(1,507,130)	
104 - MS Infrasctructure Modification Fi	\$	30,641	\$	30,641	\$	-	
106 - Grant - I-10 Exit Lighting							
108 - Grant - TIP - East Aloha Widening	\$	(3,892)	\$	(23,868)	\$	(75,490)	
110 - Grant - Tidelands FY18 Montjoy (	\$	(207,131)	\$	(278,649)	\$		
111 - Grant - GRPC Commercial Area I	\$	1,411	\$	1,108	\$	- 1	
112 - Grant - Tidelands FY19 MontJoy	\$		\$	(25,000)	\$		
113 - Grant - GRPC Multi Modal Path	\$	-	\$	-	\$	(20,000)	
114 - Grant - GRPC Commercial Conne	\$		\$		\$	(15,000)	
115 - Grant- Tidelands FY20 Rotten Ba	\$	-	\$	(14,624)	\$		
401 - Solid Waste Fund	\$	57,322	\$	57,322	\$	18,458	
701 - Fire Department Fund	\$	176	\$	176	\$	521	
TOTAL Surplus (Deficit)	\$	531,609	\$	(853,870)	\$	(1,598,641)	

### CITY OF DIAMONDHEAD, MISSISSIPPI Financial Statement Grants Fund Breakdown For the Month Ended January 31, 2020

Fund Balances									
	<u>P</u>	rior Year							
		Project			YTI	O Actual w/		Total _	YTD %
Expense		<b>Totals</b>	Y	TD Actual	Enc	umbrances	В	udget	<u>Used</u>
106 - I-10 Interchange Lighting	\$	722,698							
108 - East Aloha Widening FY18	\$	24,901		3,892		23,868		218,840	11%
110 - Tidelands FY18 Montjoy Creek Imprc	\$	30,174		214,544		286,061		325,763	88%
111 - Commercial Area Improvement Study		19,607		-		303			0%
112 - Tidelands Grant FY19				5 P-1-		25,000		288,033	9%
113 - GRPC Multi Modal Path Grant						:-		100,000	0%
114 - GRPC Commercial Connectivity Stud	У			-				75,000	0%
115 - Grant- Tidelands FY20 Rotten Bayou		-		-		14,624		250,000	6%
TOTAL EXPENSES YTD	\$	797,379	\$	218,436	\$	349,855	\$1	,257,636	0%
Revenue									
106 - I-10 Interchange Lighting	\$	708,020	\$		\$		\$		0%
108 - East Aloha Widening FY18	\$	44,100		-		-		143,350	0%
110 - Tidelands FY18 Montjoy Creek Impro	\$	26,570		7,413		7,413		325,763	2%
111 - Commercial Area Improvement Study	\$	4,000		1,411		1,411		-	0%
112 - Tidelands Grant FY19	\$							288,033	0%
113 - GRPC Multi Modal Path Grant	\$	20,000		-		-		80,000	0%
114 - GRPC Commercial Connectivity Stuc	\$	15,000		-				60,000	0%
115 - Grant- Tidelands FY20 Rotten Bayou	\$	-		-		1/4		250,000	0%
TOTAL REVENUE YTD	\$	817,690	\$	8,823	\$	8,823	\$ 1	,147,146	1%
Department Total Surplus (Deficit)	\$	20,311	\$	(209,613)	\$	(341,032)	\$	(110,490)	

City of Diamondhead, MS

## **Income Statement**

**Group Summary**For Fiscal: 2019-2020 Period Ending: 01/31/2020

COOK IN THE REAL PROPERTY OF THE PERTY OF TH						
Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
ind: 001 - GENERAL FUND						
Revenue						
200 - TAXES	3,269,500.00	3,269,500.00	1,188,381.36	1,341,230.58	1,341,230.58	1,928,269.42
220 - LICENCES & PERMITS	412,300.00	412,300.00	73,796.29	172,883.85	172,883.85	239,416.15
250 - INTERGOVERNMENTAL	1,140,948.00	1,156,948.00	101,456.49	302,534.94	302,534.94	854,413.06
290 - FINES & FORFEITS	47,100.00	47,100.00	5,808.60	15,756.82	15,756.82	31,343.18
300 - MISCELLANEOUS	2,100.00	2,100.00	58.50	1,328.57	1,328.57	771.43
330 - CHARGES FOR SERVICES	0.00	10,250.00	0.00	3,298.34	3,298.34	6,951.66
700 - GRANTS/SUBSIDIES/ALLOCATIONS	3,400.00	13,400.00	0.00	14,170.00	14,170.00	-770.00
800 - DEBT SERVICE	112,320.00	112,320.00	11,625.82	45,202.30	45,202.30	67,117.70
Revenue Total:	4,987,668.00	5,023,918.00	1,381,127.06	1,896,405.40	1,896,405.40	3,127,512.60
Expense						
Department: 000 - NON-DEPARTMENTAL						
999 - OTHER	0.00	6,950.00	0.00	0.00	0.00	6,950.00
Department: 000 - NON-DEPARTMENTAL Total:	0.00	6,950.00	0.00	0.00	0.00	6,950.00
Department: 100 - LEGISLATIVE - COUNCIL						
400 - PERSONNEL SERVICES	42,700.00	42,700.00	3,588.33	12,917.99	12,917.99	29,782.01
500 - SUPPLIES	300.00	300.00	0.00	0.00	0.00	300.00
600 - CONTRACTUAL SERVICES	14,327.00	14,327.00	116.44	499.14	6,194.14	8,132.86
900 - CAPITAL OUTLAY	4,500.00	4,500.00	2,500.00	2,500.00	2,500.00	2,000.00
Department: 100 - LEGISLATIVE - COUNCIL Total:	61,827.00	61,827.00	6,204.77	15,917.13	21,612.13	40,214.87
Department: 110 - JUDICIAL - MUNICIPAL COURT						
400 - PERSONNEL SERVICES	126,746.25	126,746.25	9,709.02	42,656.26	42,656.26	84,089.99
500 - SUPPLIES	1,000.00	1,000.00	133.38	409.80	659.79	340.21
600 - CONTRACTUAL SERVICES	59,626.90	59,626.90	4,324.49	15,324.13	15,324.13	44,302.77
900 - CAPITAL OUTLAY	0.00	0.00	0.00	700.00	700.00	-700.00
Department: 110 - JUDICIAL - MUNICIPAL COURT Total:	187,373.15	187,373.15	14,166.89	59,090.19	59,340.18	128,032.97
Department: 140 - ADMINISTRATION - GENERAL						•
400 - PERSONNEL SERVICES	432,914.38	432,914.38	32,554.87	144,703.92	144,703.92	288,210.46
500 - SUPPLIES	18,210.00	18,210.00	4,334.82	7,567.77	9,010.19	9,199.81
600 - CONTRACTUAL SERVICES	733,600.49	750,006.74	93,786.39	240,603.80	280,908.94	469,097.80
700 - GRANTS/SUBSIDIES/ALLOCATIONS	70,196.00	70,196.00	0.00	39,696.00	39,696.00	30,500.00
900 - CAPITAL OUTLAY	139,200.00	140,200.00	0.00	5,063.97	5,063.97	135,136.03
Department: 140 - ADMINISTRATION - GENERAL Total:	1,394,120.87	1,411,527.12	130,676.08	437,635.46	479,383.02	932,144.10
Department: 200 - POLICE DEPARTMENT						
400 - PERSONNEL SERVICES	39,060.00	39,060.00	2,308.87	10,525.69	10,525.69	28,534.31
500 - SUPPLIES	48,200.00	48,200.00	3,429.77	9,884.41	9,884.41	38,315.59
600 - CONTRACTUAL SERVICES	826,182.71	826,182.71	59,806.47	168,891.31	169,106.81	657,075.90
700 - GRANTS/SUBSIDIES/ALLOCATIONS	9,600.00	9,600.00	0.00	9,600.00	9,600.00	0.00
900 - CAPITAL OUTLAY	53,418.00	53,418.00	0.00	0.00	51,802.00	1,616.00
Department: 200 - POLICE DEPARTMENT Total:	976,460.71	976,460.71	65,545.11	198,901.41	250,918.91	725,541.80
Department: 280 - Building/Planning & Zoning						
400 - PERSONNEL SERVICES	174,431.45	174,431.45	11,460.77	53,050.19	53,050.19	121,381.26
500 - SUPPLIES	4,454.40	4,454.40	265.25	804.96	818.08	3,636.32
600 - CONTRACTUAL SERVICES	177,210.79	180,317.29	3,062.97	10,477.56	30,648.17	149,669.12
900 - CAPITAL OUTLAY	19,000.00	19,000.00	0.00	0.00	18,936.00	64.00
The state of the s	375,096.64	378,203.14	14,788.99	64,332.71	103,452.44	274,750.70
Department: 280 - Building/Planning & Zoning Total:						
Department: 301 - PUBLIC WORKS		788.191.56	49.294.49	231.083.95	231,083.95	557,107.61
	788,191.56 151,052.00	788,191.56 151,052.00	49,294.49 8,050.18	231,083.95 24,148.52	231,083.95 33,848.14	557,107.61 117,203.86

#### Income Statement

Income Statement			FC	or Fiscal: 2019-2	uzu Perioa Enain	g: 01/31/2020
Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
700 - GRANTS/SUBSIDIES/ALLOCATIONS	3,000.00	3,000.00	0.00	3,000.00	3,000.00	0.00
900 - CAPITAL OUTLAY	1,777,766.88	1,851,516.88	22,900.00	76,477.66	1,020,019.26	831,497.62
Department: 301 - PUBLIC WORKS Total:	3,139,868.76	3,219,988.55	99,957.39	433,816.47	1,509,458.02	1,710,530.53
Department: 653 - Economic Development						
600 - CONTRACTUAL SERVICES	62,411.57	114,364.07	3,737.50	33,630.00	73,217.50	41,146.57
Department: 653 - Economic Development Total:	62,411.57	114,364.07	3,737.50	33,630.00	73,217.50	41,146.57
Department: 800 - Debt Service						
800 - DEBT SERVICE	174,354.41	174,354.41	0.00	0.00	0.00	174,354.41
Department: 800 - Debt Service Total:	174,354.41	174,354.41	0.00	0.00	0.00	174,354.41
Expense Total:	6,371,513.11	6,531,048.15	335,076.73	1,243,323.37	2,497,382.20	4,033,665.95
Fund: 001 - GENERAL FUND Surplus (Deficit):	-1,383,845.11	-1,507,130.15	1,046,050.33	653,082.03	-600,976.80	-906,153.35
Fund: 104 - MS Infrasctructure Modification Fund						
Revenue						
250 - INTERGOVERNMENTAL	20,000.00	20,000.00	30,640.83	30,640.83	30,640.83	-10,640.83
Revenue Total:	20,000.00	20,000.00	30,640.83	30,640.83	30,640.83	-10,640.83
Expense						
Department: 301 - PUBLIC WORKS						
900 - CAPITAL OUTLAY	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00
Department: 301 - PUBLIC WORKS Total:	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00
Expense Total:	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00
Fund: 104 - MS Infrasctructure Modification Fund Surplus (Deficit):	0.00	0.00	30,640.83	30,640.83	30,640.83	-30,640.83
Fund: 108 - Grant - TIP - East Aloha Widening FY18						
Revenue						
250 - INTERGOVERNMENTAL	136,400.00	136,400.00	0.00	0.00	0.00	136,400.00
350 - TRANSFERS AND NON REVENUE RECEIPTS	0.00	6,950.00	0.00	0.00	0.00	6,950.00
Revenue Total:	136,400.00	143,350.00	0.00	0.00	0.00	143,350.00
Expense						
Department: 301 - PUBLIC WORKS						
600 - CONTRACTUAL SERVICES	33,250.00	33,250.00	0.00	3,891.99	23,867.93	9,382.07
900 - CAPITAL OUTLAY	178,640.00	185,590.00	0.00	0.00	0.00	185,590.00
Department: 301 - PUBLIC WORKS Total:	211,890.00	218,840.00	0.00	3,891.99	23,867.93	194,972.07
Expense Total:	211,890.00	218,840.00	0.00	3,891.99	23,867.93	194,972.07
Fund: 108 - Grant - TIP - East Aloha Widening FY18 Surplus (Deficit):	-75,490.00	-75,490.00	0.00	-3,891.99	-23,867.93	-51,622.07
Fund: 110 - Grant - Tidelands FY18 Montjoy Creek Improvements Revenue						
250 - INTERGOVERNMENTAL	325,763.00	325,763.00	5,942.50	7,412.50	7,412.50	318,350.50
Revenue Total:	325,763.00	325,763.00	5,942.50	7,412.50	7,412.50	318,350.50
Expense						
Department: 600 - CONSERVATION OF NATURAL RESOURCES						
600 - CONTRACTUAL SERVICES	325,763.00	325,763.00	110,344.31	214,543.77	286,061.05	39,701.95
Department: 600 - CONSERVATION OF NATURAL RESOURCES Total:	325,763.00	325,763.00	110,344.31	214,543.77	286,061.05	39,701.95
Expense Total:	325,763.00	325,763.00	110,344.31	214,543.77	286,061.05	39,701.95
Fund: 110 - Grant - Tidelands FY18 Montjoy Creek Improvements Surpl	0.00	0.00	-104,401.81	-207,131.27	-278,648.55	278,648.55
Fund: 111 - Grant - GRPC Commercial Area Improv Study						
Revenue 250 - INTERGOVERNMENTAL	0.00	0.00	0.00	1,410.61	1,410.61	-1,410.61
Revenue Total:	0.00	0.00	0.00	1,410.61	1,410.61	-1,410.61
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For Fiscal: 2019-2020	Period Ending: 01/31/202	0
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Income Statement			Fo	r Fiscal: 2019-20	020 Period Ending	: 01/31/2020
Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Expense  Department: 653 - Economic Development						
600 - CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	302.78	-302.78
Department: 653 - Economic Development Total:	0.00	0.00	0.00	0.00	302.78	-302.78
Expense Total:	0.00	0.00	0.00	0.00	302.78	-302.78
				1,410.61	1,107.83	-1,107.83
Fund: 111 - Grant - GRPC Commercial Area Improv Study Surplus (Defic	0.00	0.00	0.00	1,410.61	1,107.63	-1,107.83
Fund: 112 - Grant - Tidelands FY19 MontJoy Creek						
Revenue						
250 - INTERGOVERNMENTAL	288,032.78	288,032.78	0.00	0.00	0.00	288,032.78
Revenue Total:	288,032.78	288,032.78	0.00	0.00	0.00	288,032.78
Expense						
Department: 600 - CONSERVATION OF NATURAL RESOURCES						
600 - CONTRACTUAL SERVICES	288,032.78	288,032.78	0.00	0.00	25,000.00	263,032.78
Department: 600 - CONSERVATION OF NATURAL RESOURCES Total:	288,032.78	288,032.78	0.00	0.00	25,000.00	263,032.78
Expense Total:	288,032.78	288,032.78	0.00	0.00	25,000.00	263,032.78
Fund: 112 - Grant - Tidelands FY19 Montloy Creek Surplus (Deficit):	0.00	0.00	0.00	0.00	-25,000.00	25,000.00
Fund: 113 - Grant - GRPC Multi Modal Path						
Revenue						
250 - INTERGOVERNMENTAL	80.000.00	80,000.00	0.00	0.00	0.00	80,000.00
Revenue Total:	80,000.00	80,000.00	0.00	0.00	0.00	80,000.00
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Expense						
Department: 500 - PARKS & RECREATION	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00
900 - CAPITAL OUTLAY  Department: 500 - PARKS & RECREATION Total:	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00
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Expense Total:	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00
Fund: 113 - Grant - GRPC Multi Modal Path Surplus (Deficit):	-20,000.00	-20,000.00	0.00	0.00	0.00	-20,000.00
Fund: 114 - Grant - GRPC Commercial Connectivity Study						
Revenue						
250 - INTERGOVERNMENTAL	60,000.00	60,000.00	0.00	0.00	0.00	60,000.00
Revenue Total:	60,000.00	60,000.00	0.00	0.00	0.00	60,000.00
Expense						
Department: 653 - Economic Development						
600 - CONTRACTUAL SERVICES	75,000.00	75,000.00	0.00	0.00	0.00	75,000.00
Department: 653 - Economic Development Total:	75,000.00	75,000.00	0.00	0.00	0.00	75,000.00
Expense Total:	75,000.00	75,000.00	0.00	0.00	0.00	75,000.00
Fund: 114 - Grant - GRPC Commercial Connectivity Study Surplus (Defic	-15,000.00	-15,000.00	0.00	0.00	0.00	-15,000.00
Fund: 115 - Grant- Tidelands FY20 Rotten Bayou Public Access						
Revenue						
250 - INTERGOVERNMENTAL	250,000.00	250,000.00	0.00	0.00	0.00	250,000.00
Revenue Total:	250,000.00	250,000.00	0.00	0.00	0.00	250,000.00
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Expense						
Department: 000 - NON-DEPARTMENTAL 600 - CONTRACTUAL SERVICES	25,000.00	25,000.00	0.00	0.00	14,623.59	10,376.41
900 - CAPITAL OUTLAY	225,000.00	225,000.00	0.00	0.00	0.00	225,000.00
Department: 000 - NON-DEPARTMENTAL Total:	250,000.00	250,000.00	0.00	0.00	14,623.59	235,376.41
****	250,000.00	250,000.00	0.00	0.00	14,623.59	235,376.41
Expense Total:						
Fund: 115 - Grant- Tidelands FY20 Rotten Bayou Public Access Surplus	0.00	0.00	0.00	0.00	-14,623.59	14,623.59
Fund: 401 - SOLID WASTE FUND						
Revenue						
200 - TAXES	638,805.00	638,805.00	22,989.33	215,035.07	215,035.07	423,769.93
250 - INTERGOVERNMENTAL	18,900.00	18,900.00	0.00	0.00	0.00	18,900.00
800 - DEBT SERVICE	1,404.00	1,404.00	191.12	616.68	616.68	787.32
Revenue Total:	659,109.00	659,109.00	23,180.45	215,651.75	215,651.75	443,457.25

For Fiscal: 2019-2020 Period Ending: 01/31/2020

Category	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
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Expense						
Department: 322 - WASTE COLLECTION						403 334 00
600 - CONTRACTUAL SERVICES	640,650.65	640,650.65	51,315.88	158,329.65	158,329.65	482,321.00
Department: 322 - WASTE COLLECTION 1	Total: 640,650.65	640,650.65	51,315.88	158,329.65	158,329.65	482,321.00
Expense 1	Total: 640,650.65	640,650.65	51,315.88	158,329.65	158,329.65	482,321.00
Fund: 401 - SOLID WASTE FUND Surplus (De	ficit): 18,458.35	18,458.35	-28,135.43	57,322.10	57,322.10	-38,863.75
Fund: 701 - FIRE DEPARTMENT FUND						
Revenue						
800 - DEBT SERVICE	520.65	520.65	44.46	176.26	176.26	344.39
Revenue 1	Total: 520.65	520.65	44.46	176.26	176.26	344.39
Fund: 701 - FIRE DEPARTMENT FUND	Total: 520.65	520.65	44.46	176.26	176.26	344.39
Total Surplus (De	eficit): -1,475,356.11	-1,598,641.15	944,198.38	531,608.57	-853,869.85	

#### **Fund Summary**

Fund	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
001 - GENERAL FUND	-1,383,845.11	-1,507,130.15	1,046,050.33	653,082.03	-600,976.80	-906,153.35
104 - MS Infrasctructure Modif	0.00	0.00	30,640.83	30,640.83	30,640.83	-30,640.83
108 - Grant - TIP - East Aloha W	-75,490.00	-75,490.00	0.00	-3,891.99	-23,867.93	-51,622.07
110 - Grant - Tidelands FY18	0.00	0.00	-104,401.81	-207,131.27	-278,648.55	278,648.55
111 - Grant - GRPC Commercial	0.00	0.00	0.00	1,410.61	1,107.83	-1,107.83
112 - Grant - Tidelands FY19	0.00	0.00	0.00	0.00	-25,000.00	25,000.00
113 - Grant - GRPC Multi Moda	-20,000.00	-20,000.00	0.00	0.00	0.00	-20,000.00
114 - Grant - GRPC Commercial	-15,000.00	-15,000.00	0.00	0.00	0.00	-15,000.00
115 - Grant- Tidelands FY20 Ro	0.00	0.00	0.00	0.00	-14,623.59	14,623.59
401 - SOLID WASTE FUND	18,458.35	18,458.35	-28,135.43	57,322.10	57,322.10	-38,863.75
701 - FIRE DEPARTMENT FUND	520.65	520.65	44.46	176.26	176.26	344.39
Total Surplus (Deficit):	-1,475,356.11	-1,598,641.15	944,198.38	531,608.57	-853,869.85	