



Commissioner Bice
Commissioner Milton
Commissioner Bower
Commissioner Rubar
Commissioner Hourin
Commissioner Torguson
Commissioner Hector

AGENDA

PLANNING AND ZONING COMMISSION

Tuesday, May 26, 2020

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Statement of Purpose

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

1. April 28, 2020

New Business

2. Election of Chairman
3. DBHL, LLC represented by Coby Smith 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 "Assisted Living Facility" in a R-3 district. The Case File Number is 202000138.

The tax parcel number is 067-0-25-026.000 in part. The property is located south of and adjacent to Kapalama Drive and west of and adjacent to Kapalama Cove. The property is legally described as the west 1/3 of west ½ of southwest ¼ of southwest ¼ Section 25-7-14. The newly assigned address of the property is 97144 Kapalama Drive. The property is in a R-3 zoning district.

Unfinished Business

Open Public Comments to Non-Agenda Items

Commissioners' Comments

Communication / Announcements

4. next City Council meeting is June 2, 2020 at 6:00 p.m. in council chambers in City Hall

Adjourn or Recess

Item Attachment Documents:

1. April 28, 2020



MINUTES
PLANNING AND ZONING COMMISSION
Diamondhead, Mississippi
Diamondhead City Hall Council Chambers
April 28, 2020
6:00 p.m. CST

1. Chairman Milton called the meeting to order at 6:04 p.m. CST.
2. Chairman Milton recited the Statement of Purpose.
3. Commissioner Rubar led the Pledge of Allegiance.

Present: Commissioners Rubar, Torguson, Bice, Milton, and Bower. Commissioner Hector (by tele-com) Absent: Hourin

Also, present, City Attorney Derek Cusick (by tele-com), Building Official Ronald Jones, Minutes Clerk Tammy Braud

4. Confirmation of the Agenda

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

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

MOTION CARRIED UNANIMOUSLY

5. Approve Minutes. –

Commissioner Bower moved, second by: Commissioner Torguson to accept the minutes of February 24 2020

Approved: **Unanimously**

6. New Business –

Planning & Zoning Minutes 02.24.2020

Case File Number 202000070

Kenneth McGhee Jr. has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' in height wooden privacy fence extending beyond 7' from the facade of their house fronting on Koloa Street. The case file number is 202000070.

The property address is 10812 Pueo Ct. The tax parcel number is 067H-1-25-025.000. The legal description is Diamondhead Subdivision Phase # 1, addition to Unit 8, Block 4, Lots 69-72. The property is located in an MH zoning district. The minimum front yard setback is 20 feet. No fence shall be constructed closer to the street than the building facade.

Chairman Milton asked if anyone was present to represent Kenneth McGhee.

Kenneth McGhee answered questions from the Commissioners.

Ronald Jones, Building Official, proposed a recommendation to allow the construction of a 6'in height wooden privacy fence extending beyond 7' front the façade of their house extending to the common property line between lots 70 and 71 fronting on Koloa Street. Afterward the fence shall follow the loin of the façade of the house for lots 71,72, and 73.

Chairman Milton asked if there were any public comments. None

Commissioner Rubar made a motion, seconded by Commissioner Bice, to recommend approval to the City Council the matter in the Case File Number 202000070 as recommended by Ronald Jones.

A Roll Call Vote Was Taken:

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

MOTION CARRIED UNANIMOUSLY

Case File Number 2020000115

Timothy and Gina Stockstill has file an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 4' in height a rod-iron fence extending 45' beyond the facade of their house fronting on Oahu Street. The Case File Number is 202000115.

The property address is 689 Ohua Street. The tax parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lots 63 in part and 64. The property is located in an R-2 zoning district. The minimum front yard setback is 20 feet. No fence shall be constructed closer to the street than the building façade.

Planning & Zoning Minutes 02.24.2020

Ronald Jones, Building Official presented the case and answered questions from the commissioners.

At this time Chairman Milton asked if anyone was present to represent Timothy and Gina Stockstill. Timothy Stockstill answered questions from the commissioners. Gina Stockstill also spoke to commissioners.

Ronald Jones, Building Official, proposed a recommendation to deny the application request based on the findings listed in the staff report. Mr. Ronald Jones also mentioned there were 2 letters, one from Ms. Crawford, and Ms. Grimms that opposed the project.

Chairman Milton asked if anyone there any public comments. None

Commissioner Torguson made a motion, second by Commissioner Bice to allow the construction of a 4' in height wrought iron fence extending beyond 45' from the façade of their house having a gate. The fence will connect to the neighbor's (Mark Oster) front fence. The condition is the neighbor has to construct his fence first.

A roll call was taken:

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

Motion Carried

The Preserve Subdivision Phase 1

The Sketch Plat is a 23 lot development having lot sizes ranging from the smallest lot of 7,042 sf to the largest lot of 18,042 sf. The total number of acres is approximately 6.9 acres as part of a larger parcel of 28 acres.

The property is generally located adjacent to Beaux Vue Subdivision Phase 1 on High Point Dr. The tax parcel number is 067L-0-35-012.00 in part.

Chairman Milton asked if anyone was present for Structures of Diamondhead.

Duke Levy representing Jim Grotowski, Structures of Diamondhead, answered questions from the commissioners.

Chairman Milton asked Mr. Jones to address the commissioners.

Ronald Jones, Building Official presented the case and recommended approval of the Sketch Plat of The Preserve Subdivision Phase 1 subject to addressing all of the comments mentioned at the DRC as well as meeting all the other adopted codes and regulations,

Chairman Milton asked if there were any public comments. None

Planning & Zoning Minutes 02.24.2020

Commissioner Bower made a motion, second by Commissioner Rubar to recommend approval of The Preserve Subdivision to the City Council.

A roll call was taken:

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

Motion Carried Unanimously

Case File Number 202000120

One Diamondhead LLC, represented by Kenneth Jones
Tax parcel number 067L-0-35-012.000 in part. Address not assigned yet.

One Diamondhead, LLC desires to change the current zoning from R-1(Low Density Single Family) to R-2(Medium Density Single Family) in part. The majority of the property is already R-2. The purpose of this map is to have the same zoning district classification for the proposed 11 lot subdivision on a 5.91 acre tract of land. Currently part of the proposed subdivision is zoned R-1 and R-2.

Chairman Milton asked if anyone was present to represent One Diamondhead LLC.
Kenneth Jones spoke through cell phone held to a microphone by Ronald Jones, Building Official.
Kenneth Jones answered questions from the commissioners.

Ronald Jones , Building Official ,presented and recommended changing the zoning district classification from R-1 to R-2 due to character of the area changing and there is a public need for additional lands based on supporting evidence.

Chairman Milton asked for Public Comments : None

Chairman Milton made a motion, second by Commissioner Bower to recommend approval of the map amendment to City Council for a zoning change from R-1 to R-2 as petitioned.

Roll Call was taken:

Ayes: Bice, Torguson, Hector, Bice, Bower, and Milton **Nays:** None

Motion Carried Unanimously

Deer Crossing Sketch Plat

One Diamondhead LLC represented by Kenneth Jones

Planning & Zoning Minutes 02.24.2020

The subject property is located in Section 35 Township 7S Range 14W. The property is located East of Diamondhead Dr. West, West of Cardinal Golf Course Hole # 12 & 13. North of Golf Course Hole # 7. Zoning District R-1 (Low Density Single Family) ;R-2 (Medium Density Single Family). Chairman Milton asked for Kenneth Jones to remain on the phone to answer questions.

Ronald Jones ,Building Official ,recommended approval of the Sketch Plat of Deer Crossing Subdivision subject to addressing all comments mentioned at the DRC as well as meeting all the other adopted codes and regulations. No variances have been requested.

Chairman Milton asked for public comments.

Llyod Ramirez asked questions to Mr. Kenneth Jones.
Mr. Wall also had concerns that was answered by the commissioners and Kenneth Jones.

Commissioner Ruber made a motion, second by Commissioner Bice to recommend approval of the Sketch Plat of Deer Crossing Subdivision subject to addressing all comments mentioned at the DRC and the other adopted codes and regulations.

Roll Call was Taken:

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

Motion Carried Unanimously

Case File Number 202000095

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 without Drive-thru; medical dental office and clinic; assisted living facility; offices; retail stores-indoor; health fitness club; and hotels including amending 8.4.2 A for parking space for golf carts ,motorcycles and scooters.

Mr. Jones presented his case , and answered questions from the commissioners.

Chairman Milton asked for any Public Comments : None

Commissioner Torguson made a motion, second by Commissioner Rubar to recommend approval of the proposed text amendments as presented by Ronald Jones, Building Official to City Council.

Roll Call was Taken:

Planning & Zoning Minutes 02.24.2020

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

Nays: None

Absent: Hourin

Motion Carried Unanimously

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 1 case for next month's meeting

11. Adjourn – Commissioner Bower moved, seconded by Bice, to adjourn at approximately 8:04 p. m. CST.

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

MOTION CARRIED UNANIMOUSLY

Dempsey Milton, Chairman

Planning & Zoning

Planning & Zoning Minutes 02.24.2020

Item Attachment Documents:

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NEW CONSTRUCTION

BEEHIVE ASSISTED LIVING FACILITY

KAPALAMA DRIVE DIAMONDHEAD MS 39525

ARCHITECT AINSWORTH CANIZARO DESIGN CONCEPTS, PA

SHEET INDEX		
ID	Name	Published
T-001	COVER SHEET	■
T-002	ADA DETAILS	■
T-101	LIFE SAFETY	■
C-101	SITE SURVEY	■
C-102	EXISTING SITE PLAN	■
C-103	PROPOSED SITE/DRAINAGE ...	■
C-104	DRAINAGE PLAN NOTES AN...	■
C-105	PARKING LOT PLAN	■
C-106	LANDSCAPE PLAN	■
A-101	FINISH PLAN	■
A-102	FLOOR PLAN	■
A-103	ENLARGED SUITE PLAN	■
A-104	REFLECTED CEILING PLAN	■
A-105	ROOF PLAN	■
A-201	ELEVATIONS	■
A-202	ELEVATIONS	■
A-301	SECTION	■
A-401	DOOR AND WINDOW SCHED...	■
A-402	INTERIOR ELEVATIONS	■
S-101	FOUNDATION PLAN	■
S-102	FRAMING PLAN	■
S-201	FOUNDATION DETAILS	■
M-101	HVAC PLAN	■
P-101	PLUMBING PLAN	■
E-101	ELECTRICAL PLAN	■

CODE REVIEW

IBC OCCUPANT LOAD: 1 PERSON / 100 SQ.FT. = 13 PEOPLE
BUILDING TYPE: 1 STORY, TYPE V-B, FULLY SPRINKLERED
OCCUPANCY TYPE: BUSINESS GROUP (B)
AREA: 1300 SQ. FT.
NUMBER OF EXITS: 2

GENERAL NOTES

1. ALL EXISTING UTILITIES AND CITY SERVICES ARE TO BE MAINTAINED, KEPT IN SERVICE, AND PROTECTED AGAINST DAMAGE DURING CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF THE RELOCATION OF ALL EXISTING UTILITIES REQUIRED FOR THE PROPOSED CONSTRUCTION.
3. ALL MATERIALS USED SHALL BE EQUAL TO OR EXCEED ALL APPLICABLE STATE OR LOCAL CODES AND REQUIREMENTS.
4. IF THE CONTRACTOR OR SUBCONTRACTOR SHOULD FIND ANY DISCREPANCY IN AND/OR OMISSIONS FROM THESE DRAWINGS OR IF CONTRACTOR SHOULD BE IN QUESTION AS TO THEIR MEANING OR INTENT, THE CONTRACTOR SHOULD CONTACT THE OWNER OR THE OWNER'S REPRESENTATIVE AT ONCE FOR INTERPRETATION OR CLARIFICATION.
5. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
6. A MINIMUM HORIZONTAL SEPERATION OF SIX (6) FEET IS REQUIRED BETWEEN SEWER SERVICE AND WATER SERVICE.

LIVING AREA

HEATED AREA: 8,881 SQFT
COVERED PORCHES: 926 SQFT
DRIVE-THRU CANOPY: 320 SQFT
TOTAL FOOTPRINT: 10,127 SQFT



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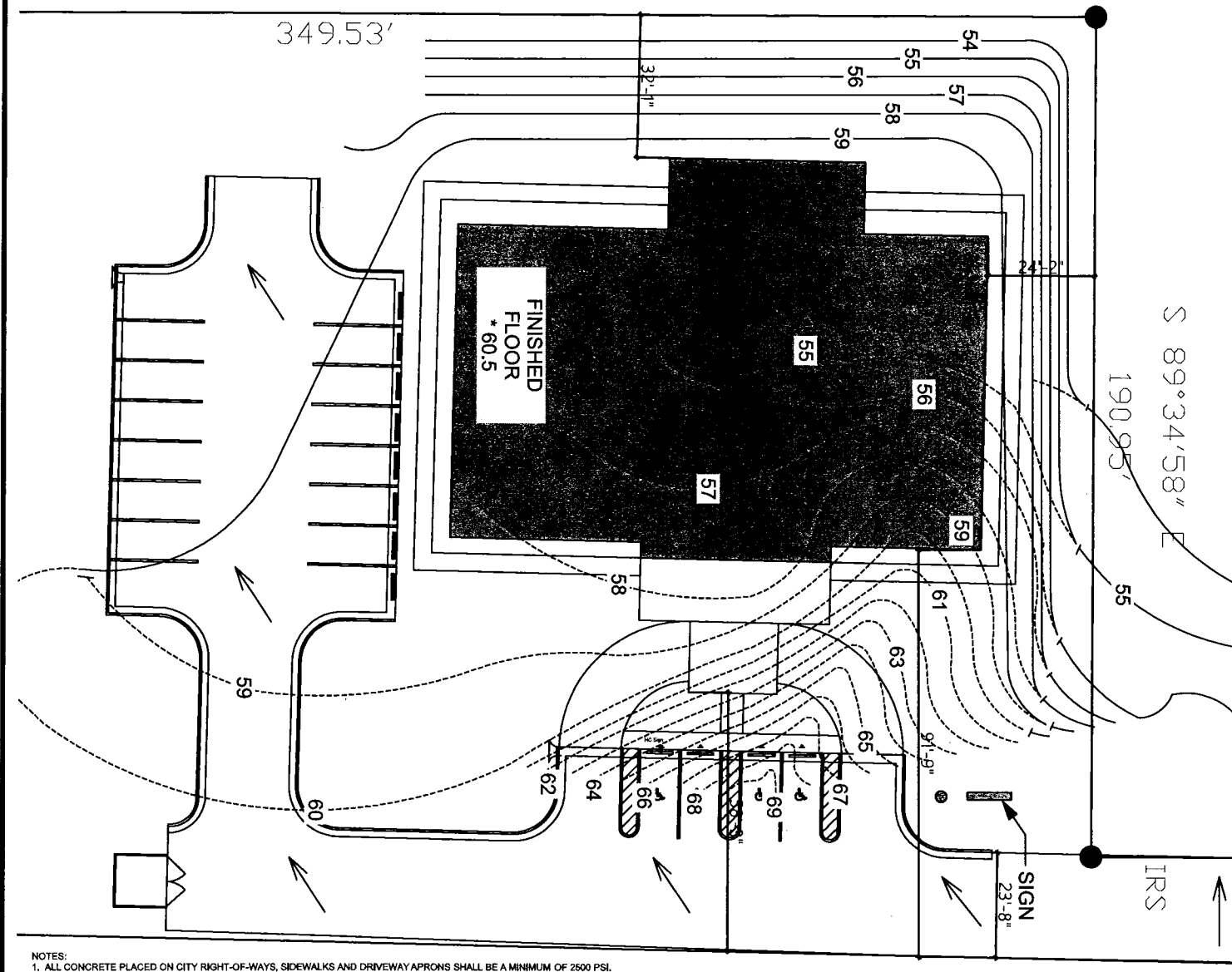
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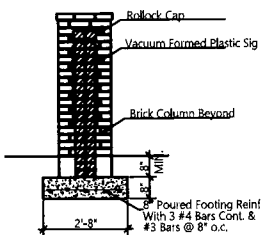
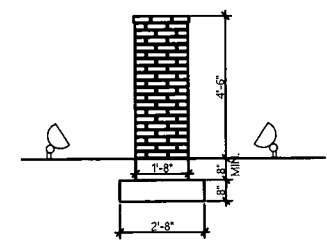
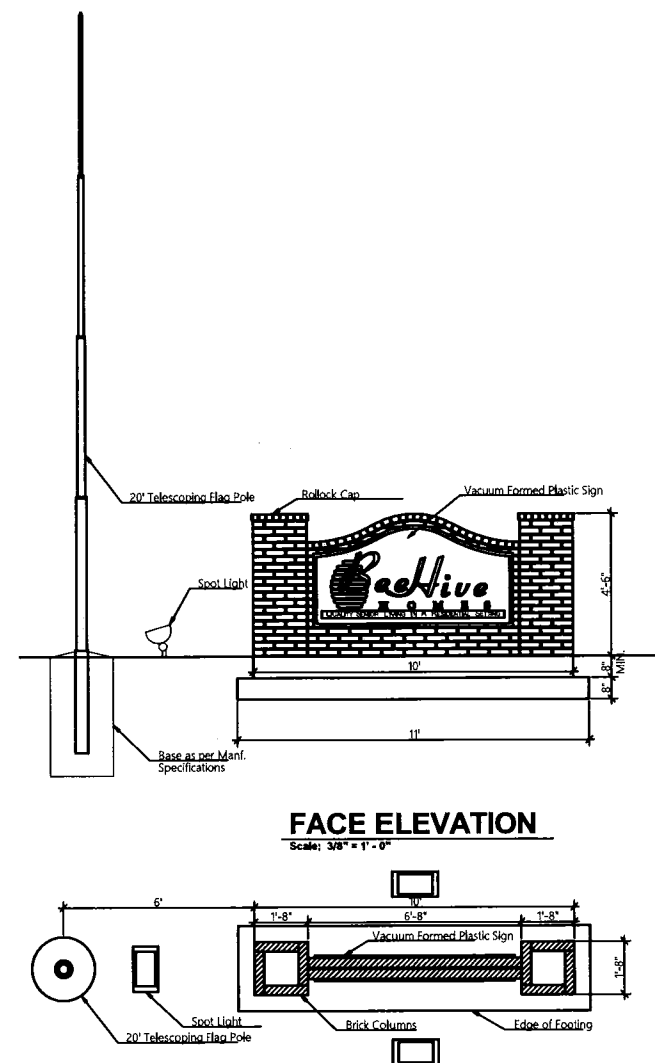
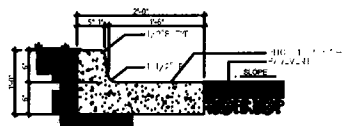
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NEW CONSTRUCTION
BEEHIVE ASSISTED LIVING FACILITY
BEEHIVE HOMES OF DIAMONDHEAD
KAPALAMA DRIVE DIAMONDHEAD MS 39525





NOTES:

1. ALL CONCRETE PLACED ON CITY RIGHT-OF-WAYS, SIDEWALKS AND DRIVEWAY APRONS SHALL BE A MINIMUM OF 2500 PSI.
2. ALL WATER RUN-OFF SHALL BE DIRECTED TO PROPER DRAINAGE WAY. SURFACE WATER RUN-OFF SHALL NOT ADVERSELY AFFECT ANY ADJACENT PROPERTIES.
3. ALL FILL SOIL MUST BE COMPACTED IN 6" LIFTS MAX.
4. ALL SOILS MUST BE TESTED AND MEET PROPER COMPACTION OF 95% PROCTOR.



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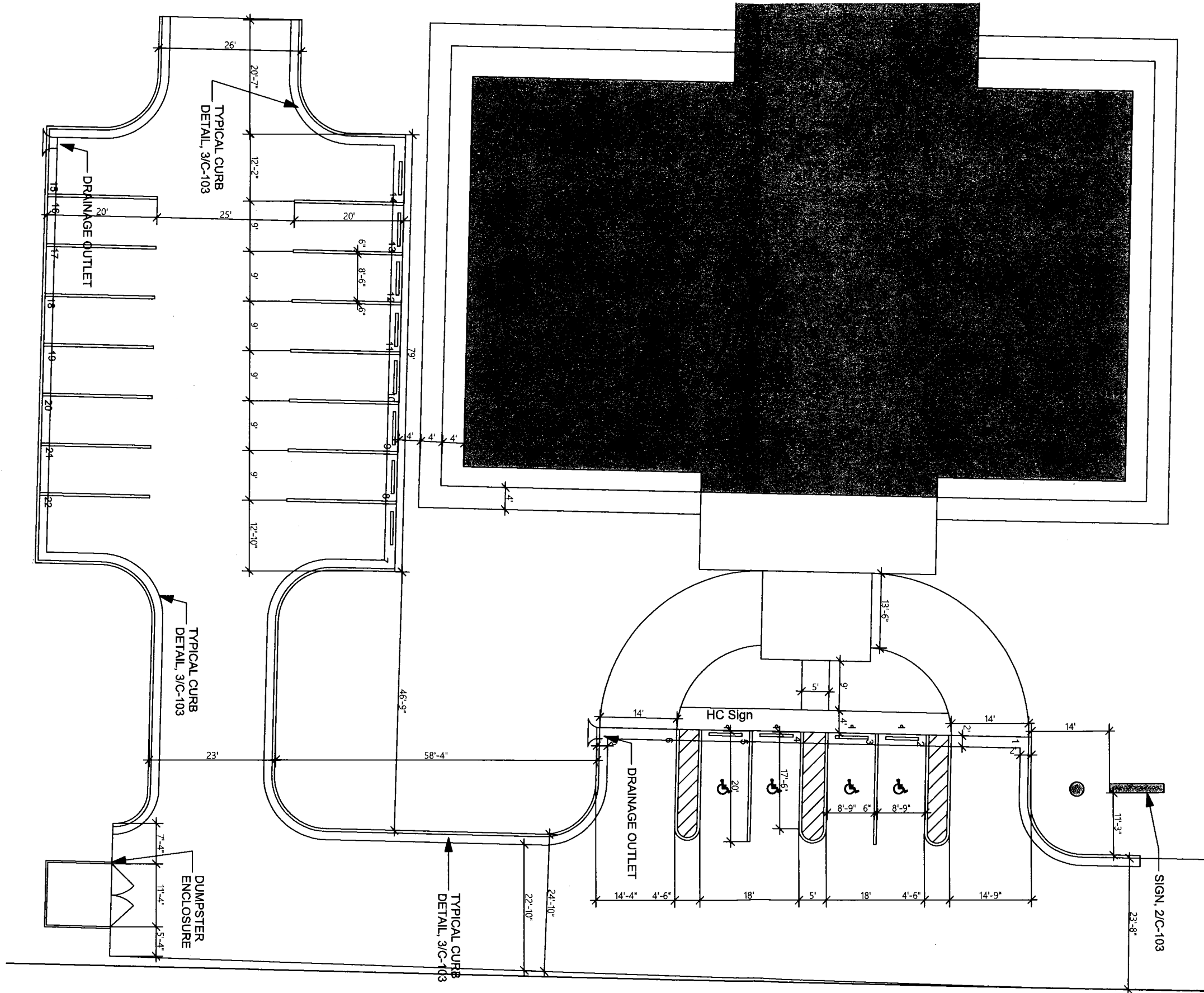
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C-103



1 PARKING PLAN
NOT TO SCALE

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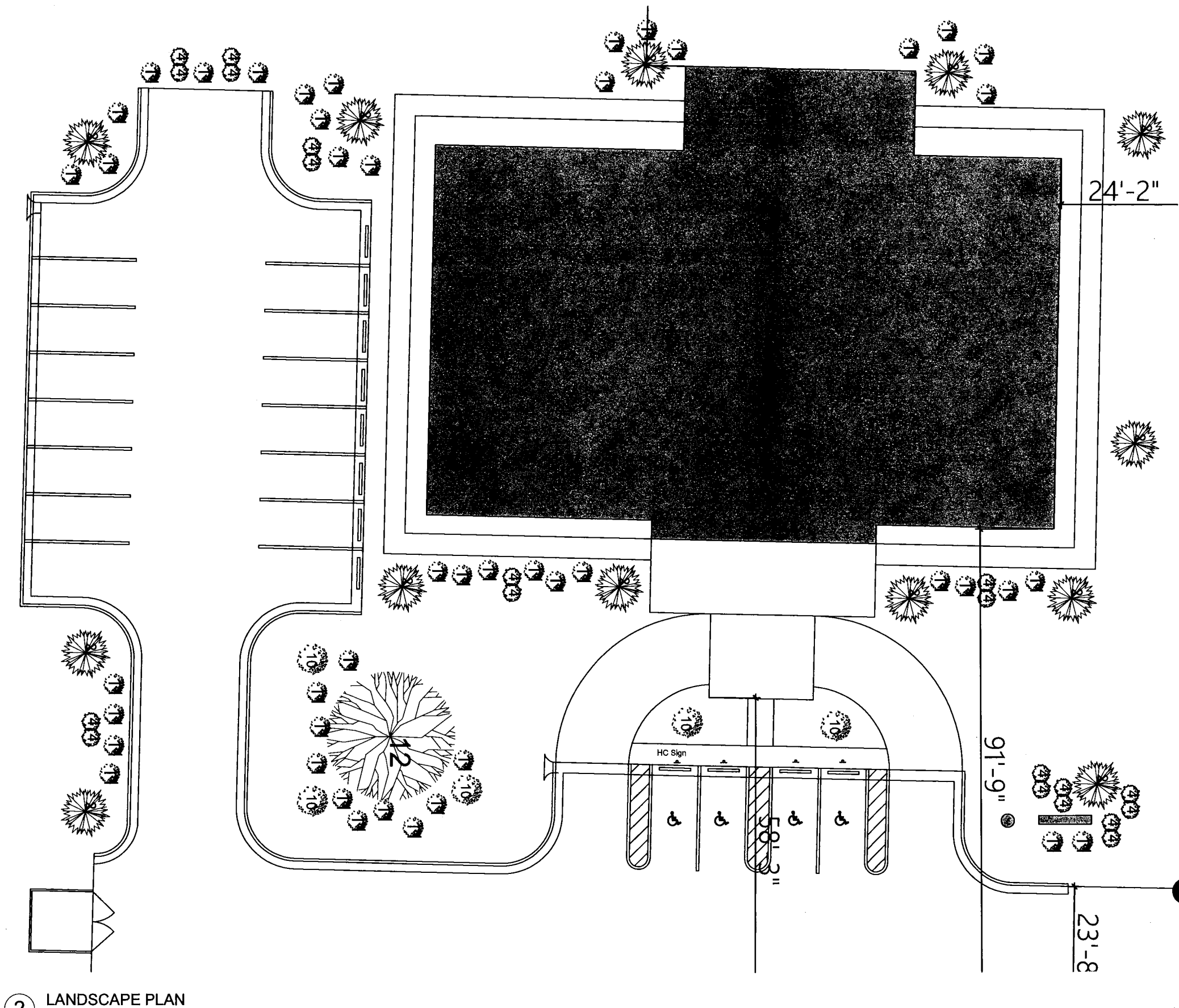
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C-105

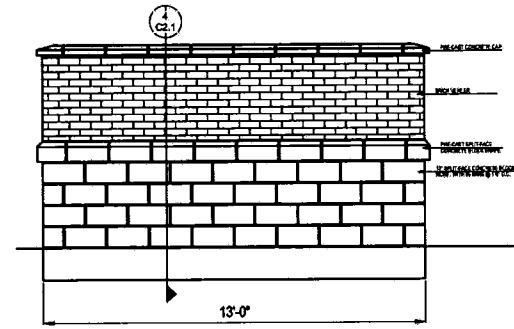
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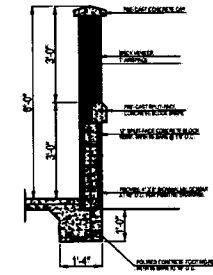
2 LANDSCAPE PLAN
SCALE: 1:110.93

LANDSCAPE LEGEND

- 1 SOUTHERN MAGNOLIA (15 GAL)
- 2 TREEFORM CREPE MYRTLE (15 GAL)
- 3 ELEAGNUS (1 GAL)
- 4 INDIAN HAWTHORN (3 GAL)
- 5 FOSTER'S HOLLY (15 GAL)
- 6 SILVER MAPLE TREE (15 GAL)
- 7 PINK FLOWERING DOGWOOD (15 GAL)
- 8 BARTLET PEAR TREE (15 GAL)
- 9 CONFEDERATE JASMINE (1 PINT)
- 10 AZDELIAS (1 GAL)
- 11 BLUE RUG JUNIPER (1 GAL)
- 12 RED MAPLE TREE (15 GAL)



3 DUMPSTER WALL ELEV
SCALE: 3/8" = 1'-0"



4 DUMPSTER WALL SECTION
SCALE: 3/8" = 1'-0"

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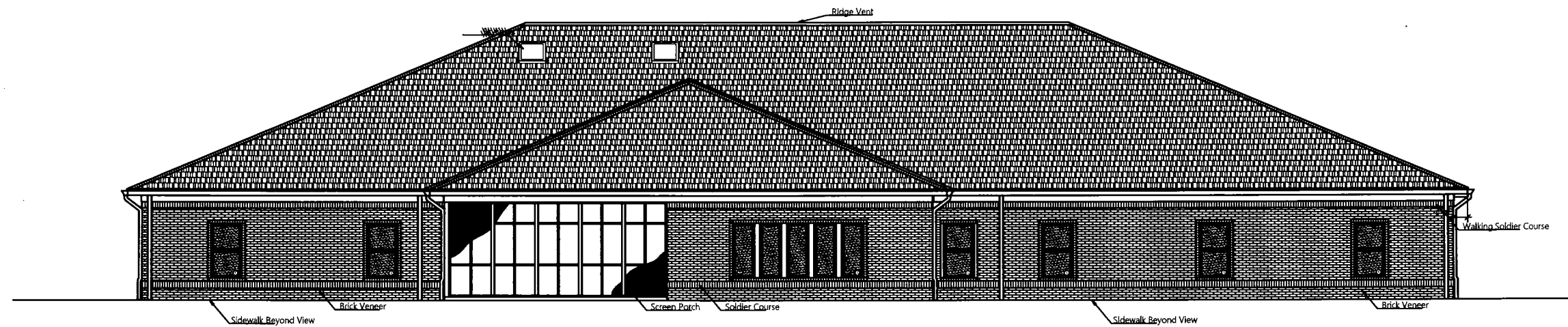
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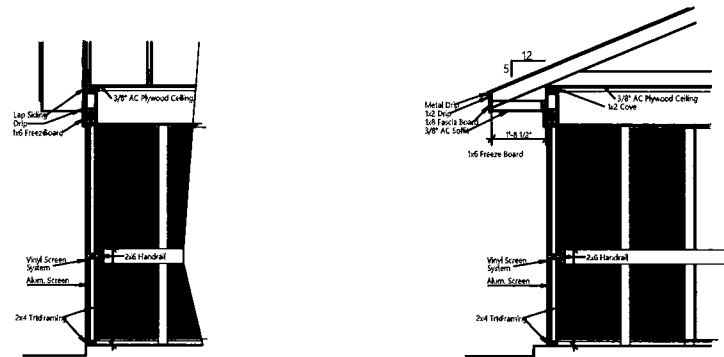
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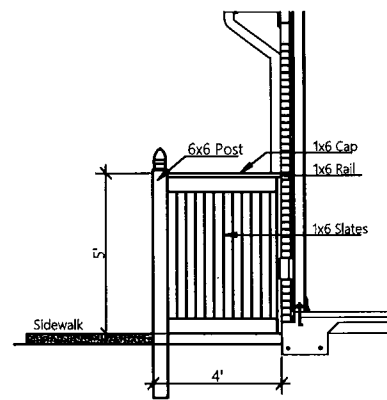
1 FRONT ELEVATION
SCALE: 3/16" = 1'-0"



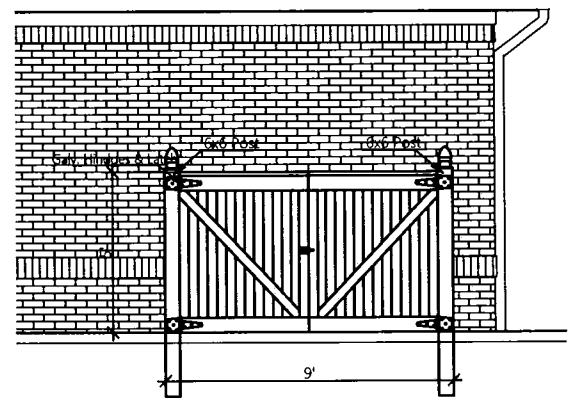
2 BACK ELEVATION
SCALE: 3/16" = 1'-0"



3 SCREEN PORCH DTL
SCALE: 3/8" = 1'-0"



4 FENCE ELEVATION
SCALE: 3/8" = 1'-0"



5 GATE ELEVATION
SCALE: 3/8" = 1'-0"

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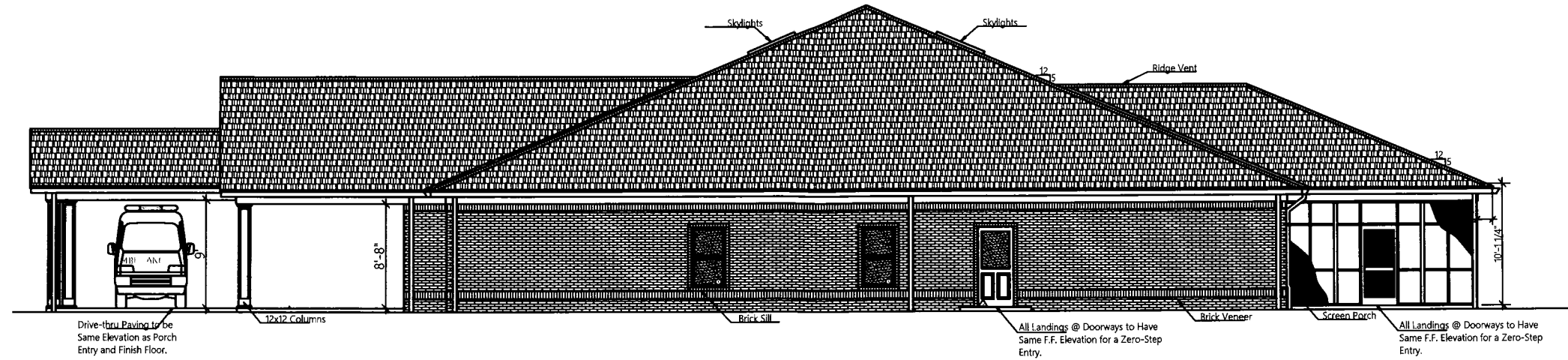
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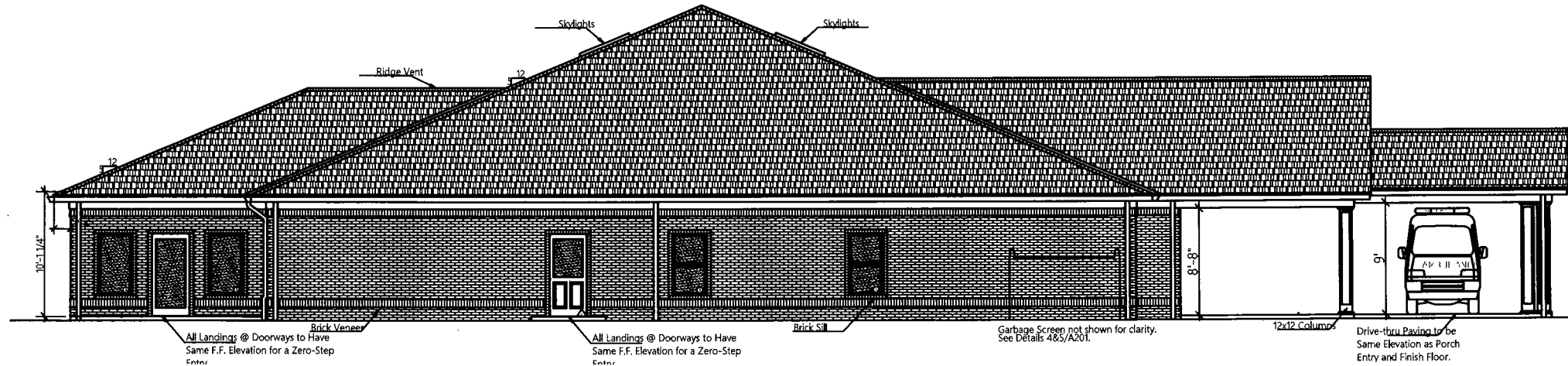
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A-201

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1 RIGHT ELEVATION
SCALE: 3/16" = 1'-0"



2 LEFT ELEVATION
SCALE: 3/16" = 1'-0"

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BEEHIVE HOMES OF DIAMONDHEAD
KAPALAMA DRIVE DIAMONDHEAD MS 39525



A-202



5000 Diamondhead Circle
Diamondhead, MS 39525
Ph: 228-222-4626
FX: 228-222-4390

APPLICATION FOR CONDITIONAL USE

Make
Copies

Case Number: 2020000138

Date APR 16 2020

BY: R/R 3:25 p.m.

Applicant: Coby Smith

Applicant's Address: 1836 Young Pointe Blvd Montgomery, AL 36106

Applicant's Email Address: smithcoby@yahoo.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) (334) 798-1322

Property Owner: Lance Newman / Coby Smith CDBHL, LLC d/b/a Beehive Homes of Diamondhead

Owner's Mailing Address: 1031 West Congress St. Brookhaven, MS 39601

Owner's Email Address lnewman@beehivehomes.com

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) (601) 754-5593

Tax Roll Parcel Number: 067-0-25-026.000 in Part

Physical Street Address: 9714 Kapalama Dr Diamondhead, MS 39525

Legal Description of Property: Parcel of land located in the West 1/3 of the West 1/2 of the SW 1/4 of the SW 1/4 of Section 25 Township 7 South Range 14 West Hancock County Mississippi

Zoning District: R-3 High density Single Family

State Purpose of Request: _____

To allow an "Assisted Living Facility," specifically Beehive Homes of Diamondhead, in a R-3 district. We are requesting a Conditional Use Permit in accordance w/ Zoning Ordinance Table 4.2, Article 4.21.1 (c) or Article 2.5

REQUIRED ITEMS:

- A. A statement describing the nature and operating characteristics of the proposed use, including any data pertinent to the findings required for approval of the application. For uses involving public assembly or industrial processing, or uses potentially generating high volumes of vehicular traffic, the Zoning Administrator may require specific information relative to the anticipated peak loads and peak use periods, relative to industrial processes and the ability of the use to meet performance standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.
- B. Site plans, preliminary building elevation, preliminary improvement plans, additional maps and drawings, all sufficiently dimensioned as required illustrating the following:
 - i. The date, scale, north point, title, name of owner, and name of persons preparing the site plan.
 - ii. The location and dimension of boundary lines, with distances and bearings, easements, and required yards and setbacks, water course drainage features and location and size of existing and proposed street and alleys, 100-year flood plains.
 - iii. The location, height, bulk general appearance and intended use existing and proposed buildings on the site, and the approximate location of existing buildings on abutting sites within 100 feet.
 - iv. The location of existing and proposed site improvements including parking and loading areas, pedestrian and vehicular access, landscaping areas, utility or service areas, fencing and screening, signs, and lighting.
 - v. A narrative identifying the nature of the operation of proposed use, including but not limited to, hours of operation, type of processes utilized (if any), type of products sold or services offered, etc.
 - vi. The location of watercourses and drainage features.
 - vii. The number of existing and proposed off -street parking and loading spaces, and a calculation of applicable minimum requirements.
 - viii. All proposed site grading and drainage provisions and proposals including contour data at a contour interval sufficient to indicate the topography of the site, but in no case to exceed a two-foot (2') interval, including proposed erosion control measures.
 - ix. A plan showing the Buffer Yards as required in Section 5.4.4.
 - x. The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.
 - xi. Any applicable fee established by the City Council.
- C. Payment of fee for request: \$100.00 as per Ordinance 2013-032.3

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, 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 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 _____ at _____ 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
- ☐ Copy of Deed, Lease or Contract
- ☐ Site Plan
- ☐ Parking Spaces
- ☐ List of Property Owner

- ☐ Application Signed
- ☐ Written Project Description
- ☐ Drainage Plan NA ☐
- ☐ Notarized Statement NA ☐

2.5 CONDITIONAL USE PROCEDURE

2.5.1 Title and Purpose

Sections 2.5.1 through Sections 2.5.11 shall be known as the Conditional Use Procedure. The purpose of this procedure is to provide for review and discretionary approval of uses typically having unusual site development features or unique operating characteristics requiring special consideration so that they may be located, designed, and operated compatibly with uses on surrounding properties. The Conditional Use Procedure process is intended to encourage broad public review and to ensure adequate mitigation of potentially unfavorable impacts.

2.5.2 Jurisdiction

The Zoning Administrator shall be responsible for administration of the Conditional Use procedure, and the Planning Commission shall be responsible for review, evaluation, and recommendation to the Mayor and City Council. Final action, approval and imposition of conditions shall lie with the Mayor and City Council.

2.5.3 Application and Fee

Application for a Conditional Use Permit shall be filed with the Zoning Administrator and said application shall include the information set forth herein. Within ten (10) days of the receipt of an application for Conditional Use, the Zoning Administrator shall transmit a full and complete copy of the application and provide any reports, comments, or recommendations made during staff and DRC review regarding the subject application to the Planning Commission.

An application for a Conditional Use Permit shall contain the following:

- A. Name and address of the owner and applicant.
- B. Address and legal description of the property. *executed warranty deed*
- C. If the applicant is not the legal owner of the property, a statement that the applicant is the authorized agent of the owner of the property.
- D. A statement describing the nature and operating characteristics of the proposed use, including any data pertinent to the findings required for approval of the application. For uses involving public assembly or industrial processing, or uses potentially generating high volumes of vehicular traffic, the Zoning Administrator may require specific information relative to the anticipated peak loads and peak use periods, relative to industrial processes and the ability of the use to meet performance standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.
- E. Site plans, preliminary building elevation, preliminary improvement plans, additional maps and drawings, all sufficiently dimensioned as required illustrating the following:
 - i. The date, scale, north point, title, name of owner, and name of persons preparing the site plan.
 - ii. The location and dimension of boundary lines, with distances and bearings, easements, and required yards and setbacks, water course drainage features and location and size of existing and proposed street and alleys, 100-year flood plains.
 - iii. The location, height, bulk general appearance and intended use existing and proposed buildings on the site, and the approximate location of existing buildings on abutting sites within 100 feet.
 - iv. The location of existing and proposed site improvements including parking and loading areas, pedestrian and vehicular access, landscaping areas, utility or service areas, fencing and screening, signs, and lighting.
 - v. A narrative identifying the nature of the operation of proposed use, including but not limited to, hours of operation, type of processes utilized (if any), type of products sold or services offered, etc.
 - vi. The location of watercourses and drainage features.
 - vii. The number of existing and proposed off -street parking and loading spaces, and a calculation of applicable minimum requirements.
 - viii. All proposed site grading and drainage provisions and proposals including contour data at a contour interval sufficient to indicate the topography of the site, but in no case to exceed a two-foot (2') interval, including proposed erosion control measures.
 - ix. A plan showing the Buffer Yards as required in Section 5.4.4.

- x. The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off-site improvements to be made.
- xi. Any applicable fee established by the City Council.

2.5.4 Public Hearing and Notice

At its next regular meeting following the receipt of an application for Conditional Use, but in any event within forty-five (45) days of receipt of such application by the Zoning Administrator, the Planning Commission shall recommend approval or disapproval the application along with any conditions related thereto.

The Planning Commission shall hold a public hearing on each application for a Conditional Use Permit. Notice shall be given as prescribed in Section 2.9.1. At the public hearing, the Commission shall review the application and shall receive pertinent evidence concerning the proposed use and the proposed condition under which it would be operated or maintained, particularly, with respect to the findings prescribed in Section 2.5.6. The applicant is required to be present at the public hearing.

2.5.5 Action by the Planning Commission

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.

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 use will be located within the district so as to be harmonious with and complimentary to adjacent and existing land uses.
 - ii. The structure 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

*Please
Address
A-L individually*

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.

2.5.7 Conditions of Approval

The Planning Commission may establish conditions of approval. Conditions may include but shall not be limited to: requirements for special setbacks, open spaces, buffer, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; architectural conditions; and such other conditions as the Commission may deem necessary to insure compatibility with surrounding uses.

2.5.8 Legislative Disposition

The Mayor and City Council shall examine all such applications, reports, and recommendations transmitted to it and shall take further action as it deems necessary and desirable to approve, disapprove, modify, or remand to the Planning Commission for further considerations. No land or structure for which the application for Conditional Use Permit has been denied by the Mayor and City Council shall be considered again by the Planning Commission or the Mayor and City Council for the same classification for at least one (1) year from the date such application was denied.

2.5.9 Renewal or Lapse of a Conditional Use Permit

- A. A Conditional Use Permit shall lapse and shall become void one (1) year following the date on which such permit became effective, unless prior to expiration a building permit is issued and construction is commenced and diligently pursued toward completion, or a certificate of occupancy or certificate of zoning compliance is issued for the use, or the site is occupied if no building permit or certificate of occupancy is required.
- B. A Conditional Use Permit subject to lapse may be renewed by the City Council for an additional period of one (1) year, provided that prior to the expiration date, a written request for renewal is filed with the Zoning Administrator.

2.5.10 Modification of Conditional Use Permit

Minor revisions or modifications may be approved by the Zoning Administrator if he determines that the circumstances or conditions applicable at the time of original approval remain valid, and that changes would not affect the findings prescribed in Section 2.5.6.

Article 2.5.6 Review and Evaluation Criteria

A. We will abide by all zoning standards and regulations set forth. The setbacks for an R-3 zoning districts are 20' front and rear yard and 10' side yard. The site plan submitted will show our property is set back 350' from Kapalama Dr to the North with our building set back another 24' from our property line. To the rear the building is some 97' from the south line. Building is setback 91' from the east line and 32' from the west line. There is heavy brush/trees surrounding the property and buffer will be left along each side in accordance with Section 5.4.4 Buffer Yards in the Zoning ordinance.

The parking area, as shown, will be in the rear of the property to minimize any potentially unfavorable impacts regarding the parking area. We included 4 Handicap parking spots on East side at the Drive-Thru as per ADA compliance to have handicap spots as close to main entrance as feasible.

B. We have submitted plans to be compatible with all existing and permitted uses on abutting sites. We believe we have met all requirements per regulations, but the plans are now in the process of reviewed by the city and , if perhaps, the city requires any adjustments to be made we will comply. We intend to meet and exceed all requirements so as to please all abutting sites/residents.

C. This development will have no unfavorable impact that would exceed those that would which would reasonably result from the number of homes that could be developed an built currently as zoned

D. We will make any modifications to our submitted plans that would mitigate any potentially unfavorable impacts. Previously mentioned and complied with are: parking in rear, no sign near the street, buffer around the property, etc

E. Based on the trip generation rates from the 8th edition ITE Generation Report for a 16 occupants of a congregate care facility, the calculated daily trips are 34, Likewise, the maximum density is 7 dwelling units per acre in a R-3 zoning district. So, the development site is ~2.1 acres. Seven dwelling units per acre times 2 is 14 single family homes. Using the ITE Trip Generation Report, 14 single family homes would generate ~133 daily trips. Therefore, our home would have much less of an impact than a 14 single family home subdivision on the city's infrastructure.

F. Post construction water surface runoff shall not exceed pre-construction water surface runoff. No other hazards or impacts from the facility. The drainage plan will be in accordance with the city and will be better seen once we are able to clear off some of the heavy brush so that we can see the topography of the site more clearly

G. The home will be 350' from Kapalama and at least 32' from every other property line. A heavy brush will be left on all sides to as to keep our home secluded in our own beautiful area of Diamondhead. The lighting will be only as bright as necessary for safety of our staff and

residents, and will be kept low as to not effect neighbors on either side. There will be no sign at the road as per your instructions.

H. We have adequate and convenient off-street parking and loading facilities. They are included in the plans we have submitted that are now up for your review.

I. The proposed use, Beehive Homes of Diamondhead, is in accordance with the objectives of the Zoning Ordinance. We also believe this fits in well with the objectives and policies of the Comprehensive Plan for the City of Diamondhead.

J.

i. The proposed use, Beehive Homes of Diamondhead, will be harmonious with and complimentary to adjacent and existing land uses. Our goal is that the design of the facility, the 'residential setting' and the care provided for those that need/want it will serve a great purpose in the district as well as Diamondhead as a whole

ii. The structure will, as seen on the plans for review, will resemble a large home and will be compatible with other homes in the neighborhood.

iii. We believe we have submitted plans that will be compatible in every area. However, we are more than willing to cooperate with the Planning Commission if there are any suggestions and changes to be made

iv. There are no existing structures on the proposed site

K. As stated above in "E", the effect our home will have compared to the current approved amount of single family homes that could be developed on the site is significantly less. We will do what is necessary to ensure minimum impact on nearby uses (i.e., parking in rear, no sign at road, buffer on all sides, low lighting, etc)

L. The proposed use, together with the conditions, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. At this point in time, no evidence has been documented that this development will be materially injurious to properties, improvements and public infrastructure. If any adverse impacts are noted during the review of the submitted plans, we will correct to mitigate those impacts. There is an 8" water main on the north side of Kapalama and a fire hydrant at the NW corner of Luawai Way and Kapalama Drive. A 6" sewer force main is located on the south side of Kapalama Drive. Mr Don Reid, Reid and Associates, has done the engineer work on the site and will come back to provide a more accurate topo for drainage and hookups once we are able to remove some of the heavy brush.

Fire Chief Jerry Dubission has stated "generally speaking, if this or any proposed development is built to applicable codes, property equipped with detection/alarm/extinguishing systems, compartmentalized for the occupants' protection, and having adequate emergency egress in place, this type of occupancy would pose no undue strain on the capabilities of this organization".

2020 3158
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Deed Book & Page
03-18-2020 12:06:18 PM
Timothy A Keller
Hancock County

Prepared by:
Melissa Nunley Raso
Attorney at Law, MS Bar No. 101506
2436 Pass Road, STE B
Biloxi, Mississippi 39531
228-207-0484

Return to:
Team Title, LLC
2436 Pass Road, Suite B
Biloxi, Mississippi 39531
228-207-0484

FILE NUMBER- 20-1203-MS

Indexing Instructions: Lot 4, Block Five 5, Unit 4-A, Diamondhead, Phase 2, Hancock County Mississippi; and West 1/3 of the West 1/2 of the SW 1/4 of the SW 1/4 of Section 25 Township 7 South Range 14 West, Hancock County, Mississippi.

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, we,

Michael Scott Womack and Jason Christopher Womack (Grantors)
2546 Fairmount Avenue
La Crescenta, CA 92105
(323) 839-9253

do hereby sell, convey, bargain and warrant to:

DBHL, LLC, a Mississippi Limited Liability Company (Grantee)
108 Noble Drive
Brookhaven, MS 39601
(601) 754-3593

the following described real property situated and located in Hancock County, State of Mississippi, more particularly and certainly described as:

Page 1 of 4

Lot Four (4), Block Five (5), Unit 4-A, DIAMONDHEAD, Phase 2, according to the map or plat thereof recorded in Plat Book 4, at Pages 30-32, in the office of the Chancery Clerk of Hancock County, Mississippi.

AND ALSO:

Parcel of land located in the West 1/3 of the West 1/2 of the SW 1/4 of the SW 1/4 of Section 25 Township 7 South Range 14 West, Hancock County, Mississippi, being more particularly described as follows:

Commencing at a concrete monument at the Southwest corner of Section 25 Township 7 South Range 14 West in the City of Diamondhead, Hancock County, Mississippi,

Thence: North 0 degrees 17 minutes 12 Seconds East for 349.53 feet to an iron rod,

Thence: North 89 degrees 34 minutes 59 seconds West for 190.94 feet to an iron rod,

Thence: North 0 degrees 34 minutes 32 seconds East for 466.87 feet to an iron rod,

Thence: South 87 degrees 43 minutes 16 seconds West for 30.00 feet to an iron rod,

Thence: North 0 degrees 34 minutes 32 seconds East for 20.00 feet to an iron rod at the Southerly margin of Kapalama Drive,

Thence: North 87 degrees 43 minutes 16 seconds East for 60.00 feet along the Southerly margin of Kapalama Drive to an iron pipe,

Thence: South 0 degrees 34 minutes 32 seconds West for 837.81 feet to an iron rod,

Thence: North 89 degrees 34 minutes 59 seconds West for 190.94 feet to the Point of Beginning.

Said parcel contains 2.12 acres, more or less.

Being the property obtained by Grantors under Warranty Deed dated January 30, 2020, and filed for record on February 13, 2020, in the office of the Chancery Clerk of Hancock County in Book 2020 at Page 1816; and under Warranty Deed dated January 17, 2020, and filed for record on January 24, 2020, in the office of the Chancery Clerk of Hancock County in Book 2020 at Page 1051.

The conveyance herein is subject to all easements, roadways, servitudes, restrictive covenants and oil, gas and other mineral reservations, exceptions, conveyances and leases of record or obvious on reasonable inspection of the subject property.

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

The property is no part of the homestead of the Grantors herein.

The parties agree that the Ad Valorem taxes for 2020 tax year are being prorated as of this date and are assumed by the Grantee herein.

WITNESS our signatures, this the 12 day of March, 2020.

GRANTOR:

Michael Scott Womack
Michael Scott Womack

STATE OF CA
COUNTY OF Los Angeles

Personally appeared before me, the undersigned authority in and for the said County and State, on this 12 day of March, 2020, within my jurisdiction, the within named **Michael Scott Womack**, acknowledged that he executed the above foregoing instrument on the day and year herein indicated.

[Signature]
Notary Public

My Commission expires: Aug. 27, 2021

Sec Attached
Att

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

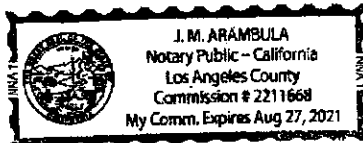
State of California

County of Los Angeles

On March 12, 2020 before me, J.M. Arambula, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Michael Scott Womack
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer -- Title(s): _____

☐ Partner -- ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer -- Title(s): _____

☐ Partner -- ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

GRANTOR:

Jason Christopher Womack
Jason Christopher Womack

STATE OF California
COUNTY OF Los Angeles

Personally appeared before me, the undersigned authority in and for the said County and State, on this 12 day of March, 2020, within my jurisdiction, the within named **Jason Christopher Womack**, acknowledged that he executed the above foregoing instrument on the day and year herein indicated.

[Signature]
Notary Public

See Attached Deed

My Commission expires: Aug. 27, 2024

TAX NOTICES: Grantee is responsible for the property taxes. Tax Notices should be sent to **DBHL, LLC, 108 Noble Drive, Brookhaven, MS 39601.**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California

County of Los Angeles

On March 12, 2020 before me,

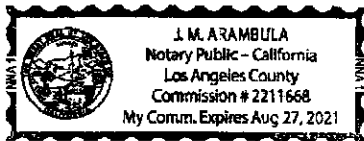
J.M. Arambula, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Jason Christopher Womack
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____



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: May 12, 2020

CASE FILE NUMBER: 202000138

APPLICANT: DBHL, LLC represented by Coby Smith

PROPERTY OWNER: DBHL, LLC

TAX PARCEL NUMBER: 067-0-25-026.000 in part

PHYSICAL STREET ADDRESS: The physical address of the property is 97144 Kapalama Drive (newly assigned). The property is located south of and adjacent to Kapalama Drive. The property is also located east of Kino Street and east of and adjacent to Kapalama Cove condos.

LEGAL DESCRIPTION: The property is legally described as the west 1/3 of west 1/2 of southwest 1/4 of southwest 1/4 Section 25-7-14.

ZONING DISTRICT: R-3 High Density Single Family

ADJACENT EXISTING LAND USES: North= single family dwellings, East= Kapalama Cove condos
West=single family dwellings; South= single family dwellings

TYPE OF APPLICATION: Conditional Use

NATURE OF REQUEST: DBHL, LLC represented by Coby Smith 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 "Assisted Living Facility" in a R-3 district.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: May 26, 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 use will be located within the district so as to be harmonious with and complimentary to adjacent and existing land uses.
 - ii. The structure 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:

Proper notice was given in accordance with the Zoning Ordinance i.e. through legal notice in the Echo and by notice to the adjacent property owners within 300' through the USPS.

The existing land use is vacant developable property with no wetland related issues. The property is zoned R-3 (high density single family). The future land use plan also identifies this property as high density residential (see attached). By Table 4.2 in the Zoning Ordinance an “assisted living facility” is allowed as a conditional use in an R-1, R-2 and R-3. It is allowed by right in the C-1 and C-2 zoning districts (see Table 4.2 in part). It is prohibited in the remaining other zoning district. As a general note, the Zoning map for the City does not have any mixed-use district or transitional zoning district between a purely residential area and a purely commercial area i.e. multi-family uses and light commercial uses. The Future Land Use plan does not identify any multi use zoning districts. Therefore, projects like the “assisted living facility” must be considered on an individual basis. Beehive facilities in Brookhaven, Carthage and Philadelphia, MS are all located in multi-family zoning districts, R-3, R-3 and R-4 respectively.

In the 25-year Comprehensive Plan for the City of Diamondhead, one of the Housing Goals is to “ensure the availability of housing opportunities within the City to meet the needs of all market sectors”. Objective 9.1 states “to provide housing availability for an aging population”. Policy 9.1.2 states “the City of Diamondhead will encourage the development of group housing development for the aging and elderly. This includes assisted living facilities and nursing homes”. Therefore, this type of project is recommended and in harmony with the Comprehensive Plan.

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
A site plan has been submitted for construction. Please see the attached site plan review for planning and zoning and shall show evidence of compliance. When a Development Review Committee convenes to review and comments on the site and building plans, their recommendations shall be followed as well.

The setbacks for an R-3 zoning district are 20’ front and rear yard and 10’ side yard.

The parking area being in the rear of the property should minimize any potentially unfavorable impacts regarding the parking area. The minimum number of parking spaces shall be provided including adequate width of ingress/egress lanes particularly for emergency and fire vehicles. The minimum width of the fire apparatus access road shall be 20’.

- 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. Upon compliance with the site plan review for planning and zoning, the site should be in harmony with the surrounding neighborhood,
- 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. Based on my knowledge, I’m not aware of any unfavorable effects or impacts which may exceed those which reasonably may result from this type of development.
- D. 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; See the attached letter from A.J. Gambino with the Hancock county Sheriff's office.

Based on the trip generation rates from the 8th edition ITE Trip Generation Report for a 16 occupants of a congregate care facility, the calculated daily trips are 34. Likewise, the maximum density is 7 dwelling units per acre in an R-3 zoning district. So, the development site is ~2.12 acres. Seven dwelling units per acre times 2.12 acres is 14.84 single family homes. Using the ITE Trip Generation Report, 14 single family homes would generate 134 daily trips (see attached ITE Report). Therefore, this development would have less of an impact than a 14 unit single family subdivision of the city's infrastructure.

- E. Protection of persons and property from flood or water damage, odors, fire, noise, glare, and similar hazards or impacts. See attached letter from Mike Munger, Diamondhead Fire Chief.

Adequate provision shall be made for the fire department access road and any fire department apparatus to turn around. The water main shall be sized to meet the demand for general fire fighting purposes and the auto sprinkler system. The water main shall also be looped. Fire hydrants shall be provided for general fire fighting purposes and to support the auto sprinkler system. Fire Chief Munger has talked to AMR and they require 11' vertical clearance for their ambulances to prevent damage to the radio antennas and tracking equipment, the plans are showing 9' for the "covered drive thru". Provision shall be made for ambulances to use the covered drive thru.

This property is not located in a Special Flood hazard Area.

As it relates to drainage, post construction water surface runoff shall not exceed pre-construction water surface runoff. Water surface run-off shall not have any adverse impacts on surrounding properties in accordance with the Stormwater Ordinance.

The protection of persons and property of those hazards shall be a condition for development. It is not anticipated that these issues will be a problem. However, if any issues occurs in the future, it shall be immediately abated by Beehive Homes.

- F. Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties. The applicant has to provide lighting for the parking lot since it is over 10 spaces. At this time, no signs have been proposed at the entrance of Kapalama Drive. It will be the city's prerogative to create a speed zone for that area and/or other traffic control measures.
- G. Adequacy and convenience of off-street parking and loading facilities. One off-street loading space shall be provided. Please see the attached site plan review for planning and zoning.
- H. 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. This proposed use is in accordance with the objectives of the Zoning Ordinance as well as the goals, objectives and policies of the Comprehensive Plan.

- I. The type of residential use will be in an R-3 district and will be harmonious with and complimentary to adjacent and existing land uses.
- J. The structure 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. Based on the elevations shown in the construction plans, it should be architecturally compatible.
- K. The conditions set forth 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. The proposed use, together with the conditions, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. At this point in time, no evidence has been documented that this development will be materially injurious to properties, improvements and public infrastructure. The potential impacts on water, sewer and fire will be assessed through the Development Review committee and plan review process. During this process, if any adverse impacts are noted, the developer shall be responsible to mitigate those impacts. There is an 8-inch water line on the north side of Kapalama and a fire hydrant at the northwest corner of Luawai Way and Kapalama Drive. A 6' sewer force main is located on the south side of Kapalama Drive.
- M. This conditional use application is for only a proposed assisted living facility on the property which is located on the south side of Kapalama Drive at 97144 Kapalama Drive. In the future if other facilities are proposed, those facilities will have to stand on its own merits.

Notwithstanding comments from concerned citizens and Planning Commissioners, one could make a determination based on the documents submitted that this proposed assisted living facility could be allowed at this location as a condition use in an R-3 zoning district complying with the above conditions and statements set forth in their application. This recommendation allows the development of an assisted living facility (residential congregate living facilities (nontransient)) with the above stated conditions located on the parcel that is south of and adjacent to Kapalama Drive. This type of development shall be classified as a type of residential occupancy as defined by the International Building Code.

Attachments



City of Diamondhead

5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222-4626

FAX: (228) 222-4390

www.diamondhead.ms.gov

Site Plan / Zoning Compliance Review

ADDRESS: 97144 Kapalama Drive

AD VALOREM TAX PARCEL NUMBER: 067-0-25-026.000 in part

LEGAL: The property is legally described as the west 1/3 of west 1/2 of southwest 1/4 of southwest 1/4 Section 25-7-14. See metes and bound description in Conditional Use application for DBHL, LLC.

SPECIAL FLOOD HAZARD AREA: X

ZONING DISTRICT: R-3 PROVIDED

MAX BLDG HEIGHT: 35' less than 26'

MAX BLDG SITE COVERAGE: 60% 10.96% (10,127 sf footprint)

MINIMUM LOT AREA: 6,000 SF 2.12 acres (92,347.2 sf)

FRONT YARD SETBACK: 20' 20' North

SIDEYARD SETBACK: 10' 58'3" East

SIDEYARD SETBACK: 10' 32'1" West

REAR YARD SETBACK: 20' 95' South

MINIMUM LOT WIDTH: 60'

MINIMUM PARKING SPACES: 16 spaces required; 22 provided (including 4 accessible spaces; **van accessible spaces shall be 11' in width Show evidence of compliance** 9' x 19' regular

CONCRETE

ASPHALT

PARKING AND AISLES:

Requirements for Dead-end Fire Apparatus Access Roads IFC Table D103.4

Length 151-500 feet Width=20' Turnarounds Required 120' hammerhead, 60' "Y" or 96' diameter cul-de-sac in accordance with figure D103.1 **Provide evidence of compliance**

ZO 8.4.3 A. Parking facilities shall be designed with appropriate means of vehicular access to a street or alley in such manner as will least interfere with the movement of traffic, and so as to provide adequate maneuvering area for the vehicle to turn around where only one entry or exit is provided in order that no backing of vehicles into the street or alley is required. **No driveway or curb cut in any district shall exceed forty feet in width and the location of such driveway or curb cut shall be subject to the approval of the Zoning**

Administrator on the basis of providing the minimum traffic interference. Provide evidence of compliance. Provide cross -section detail of driveway and drainage features on each side of roadway.

Zo 8.4.3 B Parking lot access drives may be designed for either one-way or two-way traffic and in either case shall be appropriately marked. In the case of two-way traffic, a parking lot access drive shall not be less than twenty-four (24) feet in width. **Provide evidence of compliance-access drive entrance to parking lot of 16 spaces.**

ZO 8.4.3 C . Adequate provisions shall be made to maintain uninterrupted parallel drainage along a public street at the point of driveway or access drive entry. **Provide evidence of compliance**

NIGHTTIME ILLUMINATION

ZO 8.4.5 A. Any parking area designed for use by ten (10) or more cars after dusk shall be adequately illuminated.
B. Illumination shall be provided in compliance with Article 18. See attachment. **Provide evidence of compliance**

LANDSCAPING **Provide evidence of compliance**

- ZO 8.4.6
- A. All parking spaces and access drives shall be at least five (5') feet from any side or rear lot lines.
 - B. All areas not serving as parking spaces, aisles, access drives or pedestrian walkways shall be permanently landscaped and maintained.
 - C. Except where entrance and exit drives cross street lines, all parking areas for any purpose other than single family residences shall be physically separated from any public street by a concrete curb and by a planting strip which shall not be less than ten (10') feet in depth (measured from the right-of-way line).
 - D. Planted areas shall be planted and maintained with live landscape material, such as trees, plants, or shrubbery. In the event any location is subject to more than one provision with respect to planting areas, the more restrictive provision shall apply.
 - F. All parking rows must be anchored on either end with a curbed planted island/projection. Each island/projection must have one (1) indigenous shade tree for single parking rows, and two (2) for double parking rows at a minimum two-and-one-half (2½) inch caliper.

SCREENING **Provide evidence of compliance**

ZO 8.4.7 A. Any area of six (6) or more spaces which is not within a building and abuts or is across a street from any lot in a residential zoning district, shall be provided with a suitable fence, wall, berm, or evergreen planting, or a combination thereof, at least four (4') feet in height, designed to screen visibility and headlight glare from such residential lot.

OFF-STREET LOADING FACILITIES **Provide evidence of compliance**

ZO 8.5.1 TABLE 8.5 ONE (1) 10' X 25' off street load zone required.

ZO 8.5.1 C No loading space shall be closer than fifty (50) feet to any property in a residential district unless completely enclosed by building walls, or a uniformly painted solid noncombustible fence or wall, or any combination thereof not less than six (6) feet in height. No permitted or required loading space shall be located within fifty (50) feet of the nearest point of intersection of any two streets.

DUMPSTERS **Provide evidence of compliance**

- ZO 12.4.1 A. All dumpsters shall be screened from sight by a fence or wall at least six inches taller than the tallest point on the dumpster. In no case shall said wall or fence exceed eight feet in height.
- B. The fence shall be constructed of an opaque material made of brick, stucco, split face block, wood, vinyl, or similar material to that of the principal building.
- C. Fences constructed of chain link or chain link with vinyl slats shall not be allowed.
- D. Dumpsters shall be located in the rear yard behind the building they serve, or otherwise in an inconspicuous location.

GRADING, SURFACE DRAINAGE

ZO 8.4.4 Adequate storm water drainage facilities shall be installed in order to insure that storm water will not collect upon the parking areas and remain there and to insure that storm water will not flow onto abutting property or abutting sidewalks. **Provide evidence of compliance; Provide drainage plan, stamped and sealed and designed by a professional engineer registered in the State of MS showing calculations.in accordance with the Stormwater Ordinance.**

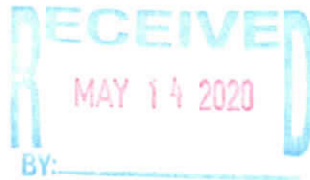
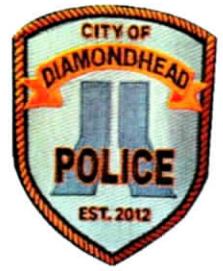
Section B (A) of the City of Diamondhead Ordinance for Storm water Runoff, Illicit Discharges and Illegal Connections states "It is prohibited to place fill material or construct impervious cover or construct or place any other structure on such person's property or perform any excavation or grading in a manner, which alters the flow of surface water across said property in a manner which damages any adjacent property."

Ronald R. Jones, Building Official
5-06-2020



Diamondhead Police Department

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



May 14, 2020

It has been requested of me to write a letter expressing safety and convenience of vehicular and pedestrian circulation in the vicinity of the proposed Beehive Assisted Living Facility. According to the drawing Ronald Jones has presented to me it does not appear any issues would hinder this requirement. However, due to its location on Kapalama Dr. I would recommend that the City of Diamondhead place signs acknowledging the facility and create a speed zone in the area. This opinion is based on my experience associated with these types of facilities and the possible issues which could potentially arise from the possibilities of vulnerable pedestrians in the area.

Professionally,

Captain A.J. Gambino

Trip Generation Rates from the 8th Edition ITE Trip Generation Report

Instructions:

Enter Numbers into the "Expected Units" in the Corresponding Yellow Column

NA: Not Available
DU: Dwelling Unit
Occ.Room: Occupied Room

KSF²: Units of 1,000 square feet
Fuel Position: # of vehicles that could be fueled simultaneously

Description / ITE Code	Units	Rate Weekday Daily Traffic	PM Peak Period Rate	% PM In	% PM Out	Expected Units (independent variable)	Calculated Daily Trips	PM Peak Trips - Total	PM In	PM Out
Waterport/Marine Terminal 010	Berths	171.52	NA	NA	NA		0	NA	NA	NA
Commercial Airport 021	Employees	13.40	0.80	54%	46%		0	0	NA	NA
Commercial Airport 021	Avg Flights/Day	104.73	5.75	56%	44%		0	0	NA	NA
Commercial Airport 021	Com. Flights/Day	122.21	6.88	54%	46%		0	0	NA	NA
General Aviation Airport 022	Employees	14.24	1.03	45%	55%		0	0	NA	NA
General Aviation Airport 022	Avg. Flights/Day	1.97	NA	NA	NA		0	NA	NA	NA
General Aviation Airport 022	Based Aircraft	5.00	0.37	45%	55%		0	0	NA	NA
Truck Terminal 030	Acres	81.90	6.55	43%	57%		0	0	NA	NA
Park&Ride w/ Bus Service 090	Parking Spaces	4.50	0.62	22%	78%		0	0	NA	NA
Park&Ride w/ Bus Service 090	Occ. Spaces	9.62	0.81	28%	72%		0	0	NA	NA
Light Rail Station w/ Park 093	Parking Space	2.51	1.24	58%	42%		0	0	NA	NA
Light Rail Station w/ Park 093	Occ. Spaces	3.91	1.33	58%	42%		0	0	NA	NA
General Light Industrial 110	KSF ²	6.97	0.97	12%	88%		0	0	NA	NA
General Light Industrial 110	Employees	3.02	0.42	21%	79%		0	0	NA	NA
General Heavy Industrial 120	KSF ²	1.50	0.68	NA	NA		0	0	NA	NA
General Heavy Industrial 120	Employees	0.82	0.88	NA	NA		0	0	NA	NA
Industrial Park 130	KSF ²	6.96	0.86	21%	79%		0	0	NA	NA
Industrial Park 130	Employees	3.34	0.46	20%	80%		0	0	NA	NA
Manufacturing 140	KSF ²	3.82	0.74	36%	64%		0	0	NA	NA
Manufacturing 140	Employees	2.13	0.36	44%	56%		0	0	NA	NA
Housing 150	KSF ²	3.56	0.32	25%	75%		0	0	NA	NA
Housing 150	Employees	3.89	0.59	35%	65%		0	0	NA	NA
Mini Warehouse 151	KSF ²	2.50	0.26	51%	49%		0	0	NA	NA
Mini Warehouse 151	Storage Units	0.25	0.02	NA	NA		0	0	NA	NA
Mini Warehouse 151	Employees	61.90	6.04	52%	48%		0	0	NA	NA
High-Cube Warehouse 152	KSF ²	1.44	0.10	33%	67%		0	0	NA	NA
High-Cube Warehouse 152	Employees	NA	0.66	35%	65%		0	0	NA	NA
Utilities 170	KSF ²	NA	0.76	45%	55%		0	0	NA	NA
Utilities 170	Employees	NA	0.76	90%	10%		0	0	NA	NA
Single Family Homes 210	DU	9.57	1.01	63%	37%	14.0	134	14	9	5
Single Family Homes 210	Vehicles	6.02	0.67	66%	34%		0	0	NA	NA
Apartment 220	DU	6.65	0.62	65%	35%		0	0	NA	NA
Apartment 220	Persons	3.31	0.40	NA	NA		0	0	NA	NA
Apartment 220	Vehicles	5.10	0.60	NA	NA		0	0	NA	NA
Low Rise Apartment 221	Occ DU	6.59	0.58	65%	35%		0	0	NA	NA
High Rise Apartment 222	DU	4.20	0.35	61%	39%		0	0	NA	NA
Mid-Rise Apartment 223	DU	NA	0.39	58%	42%		0	0	NA	NA
Rental Townhouse 224	DU	NA	0.72	51%	49%		0	0	NA	NA
Resd. Condo/Townhouse 230	DU	5.81	0.52	67%	33%		0	0	NA	NA
Resd. Condo/Townhouse 230	Persons	2.49	0.24	67%	33%		0	0	NA	NA
Low Rise Resd. Condo 231	DU	NA	0.78	58%	42%		0	0	NA	NA
High Rise Resd. Condo 232	DU	4.18	0.38	62%	38%		0	0	NA	NA
Luxury Condo/Townhouse 233	Occ. DU	NA	0.55	63%	37%		0	0	NA	NA
Mobile Home Park 240	DU	4.99	0.59	62%	38%		0	0	NA	NA
Mobile Home Park 240	Persons	2.46	0.26	63%	37%		0	0	NA	NA
Retirement Community 250	DU	NA	0.27	56%	44%		0	0	NA	NA
Elderly Housing-Detached 251	DU	3.71	0.27	61%	39%	0.0	0	0	NA	NA
Congregate Care Facility 253	Occ DU	2.15	0.17	56%	44%	16.0	34	3	2	1
Elderly Housing-Attached 252	Occ DU	3.48	0.16	60%	40%		0	0	NA	NA
Recreational Homes 260	DU	3.16	0.26	41%	59%		0	0	NA	NA
Residential PUD 270	DU	7.50	0.62	65%	35%		0	0	NA	NA
Hotel 310	Occ. Room	8.92	0.70	49%	51%		0	0	NA	NA
Hotel 310	Rooms	8.17	0.59	53%	47%		0	0	NA	NA
Hotel 310	Employees	14.34	0.80	54%	46%		0	0	NA	NA

All Suites Hotel 311	Occ Room	6.24	0.55	42%	58%		0	0	NA	NA
All Suites Hotel 311	Rooms	4.90	0.40	45%	55%		0	0	NA	NA
Business Hotel 312	Occ. Room	7.27	0.62	60%	40%		0	0	NA	NA
Business Hotel 312	Employees	72.67	7.60	60%	40%		0	0	NA	NA
Motel 320	Occ.Room	9.11	0.58	53%	47%		0	0	NA	NA
Motel 320	Rooms	5.63	0.47	54%	46%		0	0	NA	NA
Motel 320	Employees	12.81	0.73	54%	46%		0	0	NA	NA
Resort Hotel 330	Occ. Room	13.43	0.49	43%	57%		0	0	NA	NA
Resort Hotel 330	Rooms	NA	0.42	43%	57%		0	0	NA	NA
City Park 411	Picnic Sites	5.87	NA	NA	NA		0	NA	NA	NA
County Park 412	Acres	2.28	0.06	41%	59%		0	0	NA	NA
State Park 413	Picnic Sites	9.95	0.65	43%	57%		0	0	NA	NA
State Park 413	Employees	NA	4.67	43%	57%		0	0	NA	NA
Water Slide Park 414	Parking Space	2.27	NA	NA	NA		0	NA	NA	NA
Beach Park 415	Acres	29.81	1.30	29%	71%		0	0	NA	NA
Campground/RV Park 416	Acres	74.38	0.39	NA	NA		0	0	NA	NA
Regional Park 417	Picnic Sites	61.82	9.60	41%	59%		0	0	NA	NA
Regional Park 417	Employees	79.77	10.26	45%	55%		0	0	NA	NA
National Monument 418	Employees	31.05	5.58	NA	NA		0	0	NA	NA
Marina 420	Berths	2.96	0.19	60%	40%		0	0	NA	NA
Golf Course 430	Employees	20.52	1.48	48%	52%		0	0	NA	NA
Golf Course 430	Holes	35.74	2.78	45%	55%		0	0	NA	NA
Miniature Golf Course 431	Holes	NA	0.33	33%	67%		0	0	NA	NA
Golf Driving Range 432	Tees	NA	1.25	45%	55%		0	0	NA	NA
Multipurpose Rec. Facility 435	Acres	90.38	5.77	NA	NA		0	0	NA	NA
Live Theater 441	Seats	NA	0.02	50%	50%		0	0	NA	NA
Movie Theater w/o matinee 443	KSF ²	78.06	6.16	94%	6%		0	0	NA	NA
Movie Theater w/o matinee 443	Movie Screens	220.00	24.00	41%	59%		0	0	NA	NA
Movie Theater w/o matinee 443	Seats	1.76	0.07	75%	25%		0	0	NA	NA
Movie Theater w/o matinee 443	Employees	53.12	4.20	NA	NA		0	0	NA	NA
Movie Theater w/ matinee 444	KSF ²	NA	3.80	64%	36%		0	0	NA	NA
Movie Theater w/ matinee 444	Movie Screens	153.33	20.22	40%	60%		0	0	NA	NA
Theater w/ matinee 444	Seats	NA	0.14	53%	47%		0	0	NA	NA
Track 452	Employees	2.60	NA	50%	50%		0	NA	NA	NA
Track 454	Attendees	1.09	0.13	66%	34%		0	0	NA	NA
460	Employees	10.00	NA	50%	50%		0	NA	NA	NA
Ice Rink 465	Seats	1.26	0.12	NA	NA		0	0	NA	NA
Casino/Video Lottery Establishment 473	KSF ²	NA	13.43	56%	44%		0	0	NA	NA
Amusement Park 480	Employees	8.33	0.50	61%	39%		0	0	NA	NA
Zoo 481	Acres	114.88	NA	50%	50%		0	NA	NA	NA
Zoo 481	Employees	23.93	NA	50%	50%		0	NA	NA	NA
Tennis Courts 490	Courts	31.04	3.88	NA	NA		0	0	NA	NA
Tennis Courts 490	Employees	66.67	5.67	NA	NA		0	0	NA	NA
Racquet Club 491	Courts	38.70	3.35	NA	NA		0	0	NA	NA
Racquet Club 491	KSF ²	14.03	1.06	NA	NA		0	0	NA	NA
Racquet Club 491	Employees	45.71	4.95	NA	NA		0	0	NA	NA
Health Club 492	KSF ²	32.93	3.53	57%	43%		0	0	NA	NA
Bowling Alley 494	KSF ²	33.33	3.54	35%	65%		0	0	NA	NA
Recreational Com. Center 495	KSF ²	22.88	1.45	37%	63%		0	0	NA	NA
Recreational Com. Center 495	Employees	27.25	3.16	44%	56%		0	0	NA	NA
Military Base 501	Employees	1.78	0.39	NA	NA		0	0	NA	NA
Elementary School 520	Students	1.29	0.15	49%	51%		0	0	NA	NA
Elementary School 520	KSF ²	15.43	1.21	45%	55%		0	0	NA	NA
Elementary School 520	Employees	15.71	1.81	49%	51%		0	0	NA	NA
Private School (K-12) 536	Students	2.48	0.17	43%	57%		0	0	NA	NA
Middle/ JR. High School 522	Students	1.62	0.16	49%	51%		0	0	NA	NA
Middle/ JR. High School 522	KSF ²	13.78	1.19	52%	48%		0	0	NA	NA
High School 530	Students	1.71	0.13	47%	53%		0	0	NA	NA
High School 530	KSF ²	12.89	0.97	54%	46%		0	0	NA	NA
High School 530	Employees	19.74	1.55	54%	46%		0	0	NA	NA
Junior/ Comm. College 540	Students	1.20	0.12	64%	36%		0	0	NA	NA
Junior/ Comm. College 540	KSF ²	27.49	2.54	58%	42%		0	0	NA	NA
Junior/ Comm. College 540	Employees	15.55	1.39	58%	42%		0	0	NA	NA
University/College 550	Students	2.38	0.21	30%	70%		0	0	NA	NA
University/College 550	Employees	9.13	0.88	29%	71%		0	0	NA	NA

DIAMONDHEAD FIRE PROTECTION DISTRICT

4440 KALANI DRIVE, DIAMONDHEAD MS 39525

May 8, 2020

Re: Beehive ALF Project

Mr. Ron Jones,

The Fire District's two main concerns with this project are access for fire apparatus and water supply. The plans for the proposed project show a single access road that makes a 90 degree right turn into a dead-end parking lot. This arrangement would not allow proper clearance for a fire engine to turn around and it provides limited access on two sides of the structure. Please refer to NFPA 1 Chapter 18 for design requirements for fire department access roads. In short, there would need to be an approved turn around near the structure that allows the Fire Department's longest apparatus (Ladder 1 is 36') to turn around. The other issue I could not evaluate from the sketch plan was the hydrant spacing and flow capability. The flow requirement for this building based on NFPA 1 - 18.4.5.3.2 is not less than 1000 GPM for 2 hours with a residual pressure of at least 20 psi while flowing 1000 GPM. This is based on a reduction of the full required flow (2750 GPM) due to an approved sprinkler system. Per NFPA 1 - 18.5 the fire hydrant(s) servicing this building should not be more than 400' from the closest point on the building. This is measured along fire department access roads. Lastly, while not required by code it is my opinion that the exposed wood materials in the attic space should be required to either be protected by the sprinkler system or intumescent paint. This is due to the likelihood that many of the residents may not physically be able to self evacuate in the 10 minutes the 13D system is designed to slow the fire, especially if it starts in the attic, such as with a lightning strike.

Sincerely,

Michael O. Munger

Fire Chief

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