

**CITY OF BILOXI
AGENDA ITEM
FACT SHEET**

Item No.: 4F

Council Meeting Date: October 20, 2026

ITEM TITLE: ORDINANCE (2nd Reading)

INTRODUCED BY: Mayor Andrew "FoFo" Gilich

CONTACT PERSON: Rick Weaver, CAO

Jerry Creel Director of Community Development

SUMMARY EXPLANATION:

An Ordinance to approve a Zoning Map Amendment to authorize a change in zoning district classification for a parcel of land from its present zoning district classification of RB Regional Business to I Industrial, identified as 980 Motsie Road.

Ward 6, Case No 26-047-PC, Thomas Kennedy

Resolution _____ Ordinance ✓ Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes ✓ Plans/Maps _____ Deed _____ Lease _____

Other (Specify): application, case fact sheet

Submittal Authorization: Council President _____ Mayor ✓

STAFF RECOMMENDATION: Staff recommends approval

COUNCIL ACTION: Motion By: Glavan Second By: Creel

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Gray	_____	_____	_____	_____	Tisdale	_____	_____	_____	_____
	Marshall	_____	_____	_____	_____	Glavan	_____	_____	_____	_____
	Nail	_____	_____	_____	_____	Shoemaker	_____	_____	_____	_____
	Creel	_____	_____	_____	_____					

ACTION TAKEN: First reading was on October 6, 2026

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A **ZONING MAP AMENDMENT** TO AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR A PARCEL OF LAND FROM ITS PRESENT ZONING DISTRICT CLASSIFICATION OF **RB REGIONAL BUSINESS** TO **I INDUSTRIAL**, IDENTIFIED AS 980 MOTSIE ROAD

WHEREAS, on Thursday, September 17, 2026, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 26-047-PC, Thomas Kennedy on behalf of Kennedy Engine Co., Inc., a request for a **Zoning Map Amendment**; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Thomas Kennedy had submitted the request for a **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres (more or less) in size, from its present zoning district classification of **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000); and

WHEREAS, on September 17, 2026, the Biloxi Planning Commission, after due consideration and discussion, voted 15-0 to recommend approval of the **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres, more or less, from its present zoning district classification of **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000), having determined that the proposed zoning change is consistent with the existing uses on and adjacent to the property and will bring the existing business, which has been established and operating on the property for many years, into compliance with the City's zoning regulations; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby

adopts the report and findings of the Biloxi Planning Commission, and in so doing, determines that approval of the **Zoning Map Amendment** is appropriate for the property as related in Case No. 26-047-PC, and identified as 980 Motsie Road.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION, BASED UPON A DETERMINATION THAT THIS PROPERTY IS CONFORMING TO NEARBY PROPERTY AND TO THE CHARACTER OF THE NEIGHBORHOOD, THAT THE FOLLOWING SHALL BE AUTHORIZED:

Section 1. That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, be hereby further amended by a change in zoning district classification from **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000), more fully described as follows:

6.9 ac(c) beg 1018.8 ft n of inter of n mar of Popp's Ferry Rd & e mar of Motsie Rd s 80 dg e 495.7 ft n 99 dg e 552.4 ft to s mar of I-10 wly along Hwy 599.7 ft m/l s 30 ft m/l e 25 ft m/l to Motsie Rd s 535 ft m/l along rd to pob part of e 1/2 of sw 1/4 of sec 7-7-9.

Further described as land most nearly bounded by the following streets: situated the North of Popp's Ferry Road, South of and adjacent to Interstate 10, West of Starks Road, and East of and fronting upon Motsie Road.

Section 2. Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote, this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.

.....A

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING WITH RESPECT TO AN
APPLICATION FOR **ZONING MAP AMENDMENT** TO AUTHORIZE A CHANGE IN
ZONING DISTRICT CLASSIFICATION FOR A PARCEL OF LAND FROM ITS PRESENT
ZONING DISTRICT CLASSIFICATION OF **RB REGIONAL BUSINESS** TO **I**
INDUSTRIAL, IDENTIFIED AS 980 MOTSIE ROAD

WHEREAS, on Thursday, September 17, 2026, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 26-047-PC, Thomas Kennedy on behalf of Kennedy Engine Co., Inc., a request for a **Zoning Map Amendment**; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Thomas Kennedy had submitted the request for a **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres (more or less) in size, from its present zoning district classification of **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000); and

WHEREAS, on September 17, 2026, the Biloxi Planning Commission, after due consideration and discussion, voted 15-0 to recommend approval of the **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres, more or less, from its present zoning district classification of **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000), having determined that the proposed zoning change is consistent with the existing uses on and adjacent to the property and will bring the existing business, which has been established and operating on the property for many years, into compliance with the City's zoning regulations; and

WHEREAS, the City Council of the City of Biloxi, Mississippi, having given the Planning

Commission's recommendation full consideration, has determined that this is a matter of public concern, and being so, it is in the best interest of the community to hold a public hearing on this matter before the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, will conduct a public hearing in reference to Case No. 26-047-PC, Thomas Kennedy on behalf of Kennedy Engine Co., Inc., on a date to be set and in accordance with all requirements, as prescribed by the City of Biloxi Land Development Ordinance governing the conduct of public hearings.

..... B

RESOLUTION NO. _____

RESOLUTION DENYING A REQUEST FOR **ZONING MAP AMENDMENT** TO
AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR A PARCEL OF
LAND FROM ITS PRESENT ZONING DISTRICT CLASSIFICATION OF **RB REGIONAL
BUSINESS TO I INDUSTRIAL**, IDENTIFIED AS 980 MOTSIE ROAD

WHEREAS, on Thursday, September 17, 2026, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 26-047-PC, Thomas Kennedy on behalf of Kennedy Engine Co., Inc., a request for a **Zoning Map Amendment**; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Thomas Kennedy had submitted the request for a **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres (more or less) in size, from its present zoning district classification of **RB Regional Business to I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000); and

WHEREAS, on September 17, 2026, the Biloxi Planning Commission, after due consideration and discussion, voted 15-0 to recommend approval of the **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres, more or less, from its present zoning district classification of **RB Regional Business to I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000), having determined that the proposed zoning change is consistent with the existing uses on and adjacent to the property and will bring the existing business, which has been established and operating on the property for many years, into compliance with the City's zoning regulations; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby rejects the report and findings of the Biloxi Planning Commission and, in so doing, determines that

denial of this **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres (more or less) in size, from its present zoning district classification of **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000) is appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT, having given the Planning Commission's recommendation full consideration, hereby rejects said recommendation and hereby denies the requested **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres (more or less) in size, from its present zoning district classification of **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000), as related in Case No. 26-047-PC, Thomas Kennedy on behalf of Kennedy Engine Co., Inc., based upon a determination that the rezoning requested is not warranted, as submitted, due to a finding that no Mistake in Original Zoning is apparent, and that no Change in the Character of the Neighborhood with an established community need is of notice at this location.

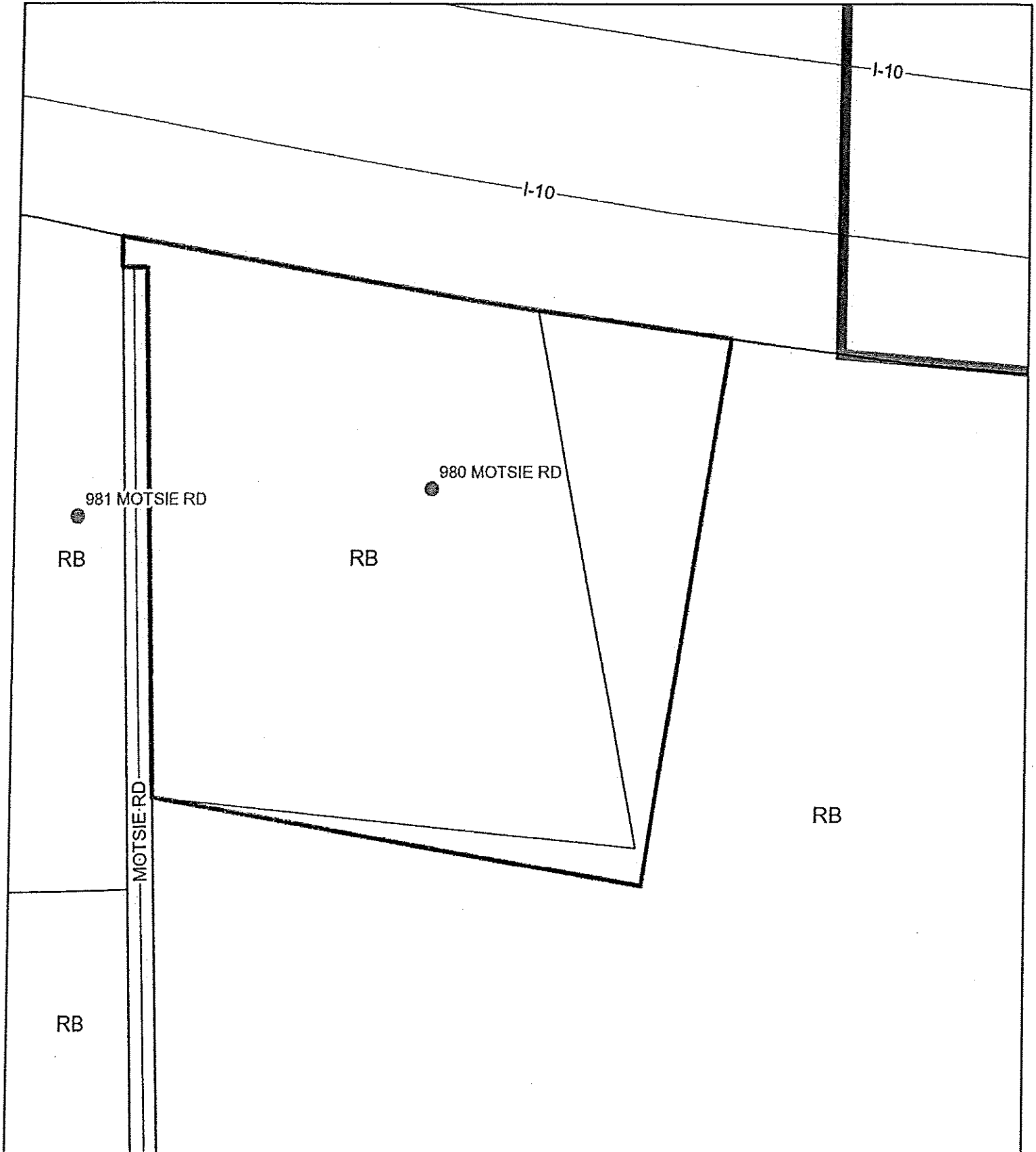
..... C

26-047-PC

Thomas Kennedy on behalf of Kennedy Engine Company, Inc.,

980 Motsie Road

Map Amendment RB to I



DATA DISCLAIMER

This map is provided by the City of Biloxi for informational purposes only. No warranties are expressed or implied regarding accuracy or completeness. This map is not a legal survey; users should rely on licensed surveys and professional services before acting on this information. Not for resale.

Date Exported: 9/8/2026 10:13 AM



Scheduled for
September 17, 2026
PC Meeting

Thomas Kennedy on behalf of Kennedy Engine Co., Inc.
Case No. 26-047-PC
Zoning Map Amendment
RB to I



**Planning Commission
Case Fact Sheet**

Case No.:	26-047-PC
Name of Owner:	Thomas Kennedy on behalf of Kennedy Engine Co., Inc.
Address of Properties:	980 Motsie Road
Tax Parcel/Ward:	1308M-02-001.000/Ward 6

Request:	Zoning Map Amendment
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Purpose of Request:	To consider an application for a Zoning Map Amendment to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres (more or less) in size, from its present zoning district classification of RB Regional Business to I Industrial , identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000).
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Size of Property:	6.9 acres (More or Less)
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Present Zoning:	RB Regional Business
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Flood Zone:	X
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Present Use:	Commercial Business
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Most Nearly Bounded By (streets):	To the North of Popp's Ferry Road, South of and adjacent to Interstate 10, West of Starks Road, and East of and fronting upon Motsie Road.
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Adverse Influences:	A Zoning Map Amendment should only be authorized when conditions clearly suggest that a change in zoning is warranted, that a change of the character of the neighborhood is evident, coupled with a community need to address this change, and that the change proposed is consistent with uses found upon adjacent or nearby properties.
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Positive Influences:	If approved, this rezoning would bring the property's present use, Kennedy Engine Company, into compliance with the
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applicable zoning regulations.

Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case, as of September 10, 2026.

Comments/

Recommendations: Thomas Kennedy, on behalf of Kennedy Engine Company, Inc., has submitted a **Zoning Map Amendment** to authorize a change in zoning district classification for a parcel of land measuring approximately 6.9 acres (more or less) in size, from its present zoning district classification of **RB Regional Business** to **I Industrial**, identified as 980 Motsie Road (re: Tax Parcel No. 1308M-02-001.000).

The applicant explained that the property was developed for industrial use in 1976, at which time it was under Harrison County jurisdiction. When the City of Biloxi annexed the property, the zoning was changed to Regional Business, which rendered the existing industrial use a legal nonconforming use. The applicant is seeking to bring the existing use back into compliance with the current zoning regulations.

As with all requests for **Zoning Map Amendment**, discussion points should focus on the merits or demerits of the Zoning Map change proposed, considering the following criteria:

- 1) Consistency (or lack thereof) with the Comprehensive Plan;
- 2) Compatibility with the present zoning and conforming uses of nearby property and to the character of the neighborhood;
- 3) Suitability of the property affected by the amendment for uses permitted by the present district;
- 4) Suitability of the property affected by the amendment for uses permitted by the proposed amendment;
- 5) Change in the character of the neighborhood and established community need for uses permitted by the district applicable to the property at the time of the proposed amendment;
- 6) Availability of utilities and infrastructure sufficient to address the impacts associated with the allowed uses in the proposed district; and
- 7) Mistake in the original zoning

Options:

1. Recommend approval of this request for a **Zoning Map Amendment** for a parcel of land from its present zoning district classification of **RB Regional Business** to **I Industrial**, having determined that a mistake in the original zoning is of notice.
2. Recommend denial of this **Zoning Map Amendment**, having determined that insufficient evidence has been provided to establish that a mistake in the original zoning or a Change in the Character of the Neighborhood, coupled with no valid Community need to warrant the level of zoning change herein proposed for the parcels of land under consideration for zoning change.



Planning Commission Application
City of Biloxi Planning Division
Mailing Address: P.O. Box 508, Biloxi, MS 39533

Office Location: 676 Dr. MLK Blvd.,
Building (228) 435-6270 Planning (228) 435-6266 Fax (228) 435-6188

Case No. 24-047-PC

To Be Completed by Owner/Applicant

Date: 7-28-26

Name of Rightful Owner(s):

KENNEDY ENGINE COMPANY, INC

Name of Applicant: (if different than Owner)

Property Address:

980 MOTSIE RD., BILOXI, MS 39532

Ward Number

6

Tax Parcel Identification Number(s):

1308M-02-001.000 00000000 00000000
00000000 00000000 00000000
00000000 00000000 00000000

Mailing Address of Property Owner:

980 MOTSIE RD

Mailing Address of Applicant (if different than Owner):

City: BILOXI

City:

State: MS

State:

Zip: 39532

Zip:

County HARRISON

County:

Telephone: () 228-392-2200

Telephone: ()

Property Size (please give in acres or by dimension):

6.9 ACRES

Present Zoning Classification: RB

Is the property located within an AHRC District? Yes ☐ No ☒ If so, which District?

Is this property a Historic Landmark? Yes ☐ No ☒

Flood Zone(s) of Property:

North

South

East

West

Property is most nearly bounded by what streets?

POPPSFURY

#10

MOTSIE RD

STARKS RD

If property directly fronts or is adjacent one of the streets above, please indicate with a ✓

☐

☒

☒

☐

REQUESTED ACTION BY THE PLANNING COMMISSION (A separate supplement form is required for each): ✓

Text Amendment

✓ Zoning Map Amendment – must include zone classification change in narrative

Planned Development

Master Plan/Update

Preliminary Subdivision Review

Conditional Use

Public ROW Vacation

Street Name Change

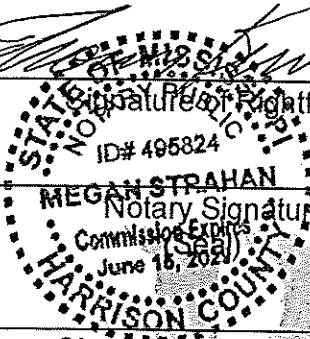
Variance

Appeal

Tree Removal

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the application process have been fully explained and understood, including the timetable for processing of the application; the applicant has further received the following appropriate handouts: Application Processing Timetable; Instructions for Application Completion, Procedures for a Conditional Use or Community Unit Plan; and Variance Procedures. The completed application must be returned to the Planning Office not later than the first or third Thursday of any month in order that a public hearing may be held on the first or third Thursday of the following month. Receipt of fee(s) does not constitute receipt of a completed application.

The Planning Commission (PC) is a recommendation board, all cases will go to the Biloxi City Council for a final determination. If any case is denied by the Biloxi City Council, you will have ten (10) days to appeal their decision.

			
Signature of Rightful Owner _____ _____ Signature of Rightful Owner		Signature of Rightful Owner _____ _____ Signature of Applicant	
Notary Signature (Seal) _____ _____ Notary Signature (Seal)		Notary Signature (Seal) _____ _____ Notary Signature (Seal)	
Date _____ _____ Date		Date _____ _____ Date	

If someone other than the applicant needs to be notified concerning this case, please note name(s) and address(es) below:

NOTES:

NOTE: Please see attached instructions for details on documents required for a complete application.



PLANNING COMMISSION SUPPLEMENT

Map Amendment (Master Plan update)

City of Biloxi Planning Division

Mailing Address: P.O. Box 508, Biloxi, MS 39533

Office Location: 676 Dr. MLK Blvd.,

Planning (228) 435-6266 Fax (228) 435-6188

TO BE COMPLETED BY APPLICANT

DATE: 7-28-26

Shaded Areas for Staff Only

MAP AMENDMENT – When the public necessity, convenience, general welfare or appropriate land use practices justify such action, and after the required review, public notice and report by the Planning Commission, the City Council may undertake the necessary steps to amend the Zoning District Map.

Please note that no application for the same parcel(s) requesting the same change may be made more often than once every 24 months.

PLEASE ATTACH A SEPARATE STATEMENT OF SUPPORT - This narrative must set forth proposed use and justification for the change, utilizing criteria set forth in Section 23-2-4(B)(3) of the Biloxi Code of Ordinances and including all proposed and existing structures as well as the uses planned for the site in question. Be specific as to development proposals, sale of property, or other transactions/plans proposed or scheduled for preparation subject to this rezoning request being granted approval.

	Existing	New
I am requesting a zoning change from this zone to this zone:	RB	I

If zoning change request includes more than one parcel, you must provide a wraparound legal description.

Detailed Site Plan Attached (If no site plan is attached, this application is considered incomplete and will not be accepted.)

Criteria:

1. Is the proposed map amendment consistent with the Comprehensive Plan?

Yes	No
☒	☐

Please explain: RB IS INTENDED TO ACCOMMODATE A DIVERSE RANGE OF HIGH INTENSITY COMMERCIAL USES. RB STANDARDS ARE INTENDED ENSURE DEVELOPMENT IS COMPATIBLE WITH SURROUNDING USES. SURROUNDING USES INCLUDE AUTO SALVAGE YARD, INTERSTATE HIGHWAY, & VACANT LAND.

2. Is the proposed map amendment compatible with present zoning and conforming uses of nearby property and with the character of the neighborhood?

Yes	No
☒	☐

Please explain:

AUTO SALVAGE YARD - INTERSTATE 10 - CURRENT USE IS DIESEL ENG. MANUF.



PLANNING COMMISSION SUPPLEMENT

Map Amendment

City of Biloxi Planning Division
Mailing Address: P.O. Box 508, Blvd., Biloxi, MS 39533
 Office Location: 676 Dr. MLK Blvd.,
 Planning (228) 435-6266 Fax (228) 435-6188

Criteria (continued)	✓	
	Yes	No
3. Is the property suitable for uses permitted in the present zoning district?	☐	☒
Please explain: <u>THE PROPERTY IS SITUATED ALONG I-10 OFF OF ANY MAJOR STREET. IT IS IMPROVED WITH A SUBSTANTIAL MANUFACTURING PLANT. IT IS ADJACENT TO AN AUTO SALVAGE YARD.</u>		
4. Is the property suitable for uses permitted in the proposed zoning district?	☒	☐
Please explain: <u>BUILDING WAS BUILT FOR, AND SUITABLE FOR, MANUFACTURING. ~~THE OTHER REAS~~</u>		
5. Has there been a change in the character of the neighborhood?	☐	☒
Please explain: <u>THE AREA ALONG POPPS FERRY AND CEDAR LAKE ROAD HAS GROWN COMMERCIALLY OVER THE DECADES SINCE THIS BLDG WAS CONSTRUCTED, HOWEVER THE IMMEDIATE NEIGHBORHOOD ALONG I-10 & MOTSEE HASN'T CHANGED.</u>		
6. Is there an established community need for uses permitted in the proposed zoning district?	☒	☐
Please explain: <u>MANUFACTURING IS A MAJOR SUPPLIER OF GOOD PAYING SKILLED JOBS. THERE IS NOT ENOUGH INVENTORY WITH I-10 VISIBILITY TO MEET DEMAND.</u>		
7. Was there a mistake in the original zoning of the property?	☐	☐
Please explain: <u>BUILDING WAS BUILT IN 1980S AS A MANUFACTURING PLANT FOR DIESEL ENGINES. SOMETIME LATER IT WAS ZONED RB. CHANGING BACK TO "I" WILL BRING THE ZONING IN ALIGNMENT WITH THE CURRENT AND HISTORICAL USE OF THE PROPERTY.</u>		
8. Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district?	☒	☐
Please explain: <u>THE PROPERTY IS CURRENTLY A MANUFACTURING PLANT AND HAS BEEN FOR NEARLY 50 YRS.</u>		
Site Plan attached: (please circle): Yes	Case No. ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	
No		

Request to Rezone Property from Regional Business (RB) to Industrial (I)

The applicant respectfully requests approval of a Zoning Map Amendment to rezone approximately 6.9 acres located at 980 Motsie Road, Biloxi, Mississippi, from **Regional Business (RB)** to **Industrial (I)**. The purpose of this request is to restore the property's zoning classification so that it accurately reflects the property's historical use, existing improvements, and intended use.

The property was acquired by Kennedy Engine Company in 1973 for industrial purposes. In 1976, the owner constructed a 60,000-square-foot tilt-wall industrial building with approximately 5,000 square feet of office space and 24-foot eave heights specifically designed to accommodate manufacturing and industrial operations.

At the time the building was constructed, the property was zoned for industrial use and was developed in full compliance with the zoning regulations then in effect in the county. The zoning classification was Heavy Industry.

Following the City's annexation of this area, the property was rezoned to **Regional Business (RB)**. Although the zoning classification changed, the existing industrial operation was allowed to continue as a legal nonconforming use. As a result, the property has remained an operating industrial facility for decades despite no longer carrying an industrial zoning designation.

This application simply seeks to bring the zoning classification back into alignment with the property's actual use and the substantial industrial improvements that have existed on the site for fifty years.

The building itself is uniquely suited for industrial operations. Its tilt-wall construction, warehouse configuration, generous ceiling heights, loading capabilities, and limited office area make it significantly more appropriate for manufacturing and industrial activities than for the commercial uses contemplated within the Regional Business district. Reusing this existing facility for industrial purposes represents an efficient use of existing infrastructure and avoids unnecessary redevelopment.

The applicant has entered into a contract with a purchaser who intends to utilize the facility for the manufacture of prefabricated insulated wall panels. This proposed operation is fully consistent with the property's original design and historical use as a manufacturing facility. No significant exterior expansion of the building is proposed, and the request does not intensify development beyond what has existed on the site for decades.

The surrounding area is also compatible with industrial activity. The property enjoys immediate access to Interstate 10 and is located adjacent to existing industrial and heavy commercial uses, including an automobile salvage facility. These surrounding land uses have coexisted with the subject property throughout its history as an industrial operation.

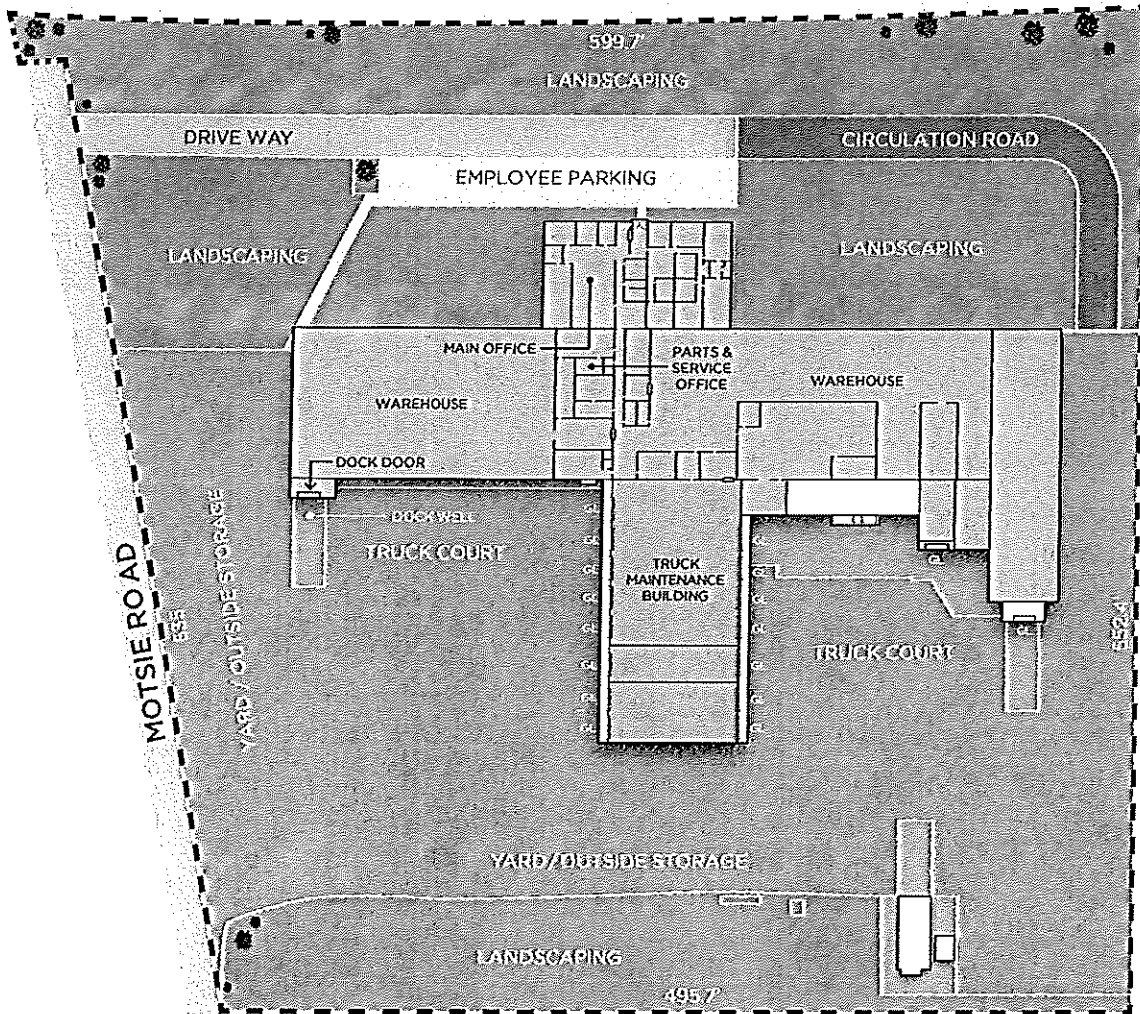
Approval of this request will:

- Restore consistency between the property's zoning and its long-established use.
- Preserve and continue productive industrial employment within the City of Biloxi.
- Support additional private investment in an existing industrial facility.
- Encourage the adaptive reuse of an existing building specifically designed for manufacturing.
- Generate additional employment opportunities and economic activity without requiring new industrial development on previously undeveloped land.
- Eliminate the unnecessary burden of operating under a legal nonconforming status.

This request does not represent the introduction of a new industrial use into an established commercial area. Rather, it recognizes and formalizes a manufacturing use that has existed on the property for five decades.

For these reasons, the requested zoning amendment is consistent with sound planning principles, compatible with surrounding land uses, supported by existing infrastructure, and serves the public interest by bringing the property's zoning designation into alignment with its historical and current use.

Accordingly, the applicant respectfully requests approval of the requested Zoning Map



BILOXI PLANNING COMMISSION MEETING
 SEPTEMBER 17, 2026
 COMMUNITY DEVELOPMENT,
 DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,
 676 DR. MARTIN LUTHER KING JR. BOULEVARD,
 BILOXI, MISSISSIPPI,
 BEGINNING AT 2:03 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Charlie Dellenger, Chairman
 Ronnie Bogard
 Kyle Carron
 Robert Collier
 Dr. Larry Drawdy
 Harry Joachim
 Joe King
 Gary Lechner
 Debora Magee
 August Parker
 Jimmy Poulos
 Shante' Shaw
 John Snow
 David Stanovich
 Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
 Felicia Serpas, Senior Planner
 Caryle Lena, Planner I
 Teresa Shelton, Keesler
 Jamie Creel, Councilman Ward 4
 Dr. Paul Tisdale, Councilman Ward 5

REPORTED BY

Melissa Burdine-Rodolfich
 Simpson Burdine & Migues

Simpson Burdine & Migues 228.388.3130

CHAIRMAN DELLENGER:

We will go ahead and call the Planning
 Commission meeting to order.

We can record the members present:

Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee,
 Ms. Shaw, Mr. Stanovich, Mr. Bogard, Mr. Collier,
 Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King,
 Mr. Snow, Mr. Poulos and myself, Mr. Dellenger.

We also have Felicia Serpas, Senior
 Planner; Jerry Creel, Director of Community
 Development; Caryle Lena, Planner; Melissa
 Rodolfich, court reporter.

And I see Mr. Creel, Councilman, and
 Dr. Tisdale, Councilman, and Teresa Shelton from
 Keesler is here too. Glad to have you.

MS. SHELTON:

Thank you.

CHAIRMAN DELLENGER:

Mr. Parker, would you mind leading us in
 a moment of prayer, please?

(Moment of prayer.)

CHAIRMAN DELLENGER:

Would everyone please stand for Pledge?
 Mr. Stanovich, will you please lead us in the
 Pledge?

Simpson Burdine & Migues 228.388.3130

C-O-N-T-E-N-T-S

CONTINUED PUBLIC HEARING(S) : PAGE:

(None) --

NEW PUBLIC HEARING(S) :

26-047-FC 6

26-048-FC 24

26-049-FC (Withdrawn by applicant) --

26-050-FC 32

26-051-FC 42

TREE HEARINGS:

(None) --

Simpson Burdine & Migues 228.388.3130

(Pledge of Allegiance.)

CHAIRMAN DELLENGER:

I'd like to welcome everybody to the
 Planning Commission meeting today. If you would,
 please silence all your cell phones.

And I would like to remind you, if you
 come up to speak at the podium, sign in and state
 your name and address for the record on the sheet
 there on the podium.

And if everyone has had a chance to
 review the minutes from the last meeting, I would
 like a motion to approve.

MR. JOACHIM:

So moved.

MR. BOGARD:

Second.

CHAIRMAN DELLENGER:

So moved by Mr. Joachim; second by
 Mr. Bogard.

All those in favor, please state by
 saying "aye."

(Unanimous vote.)

CHAIRMAN DELLENGER:

Any opposed?

(None opposed.)

Simpson Burdine & Migues 228.388.3130

CHAIRMAN DELLENGER:

Motion carries.

All right. Do we have any committee reports today?

MR. CREEL:

We do. Mr. Chairman and members of the Commission, over the past two weeks, the department has issued 164 building permits, with a total construction valuation of \$4.5 million. We have collected almost \$35,000 in permit fees. Issued licenses for 18 new businesses; six of those for peddlers. We also did 390 renewals. This is that time of the year where we send out business license renewal forms.

There was 13 certificates of occupancy issued. And of the permits issued, one was for the Memorial Hospital to remodel the first floor and the third floor at 150 Reynoir Street and three single-family houses.

CHAIRMAN DELLENGER:

Thank you, Mr. Creel.

We don't have any continued public hearings for today.

I would like to note that Case Number 26-049-FC, Justin and Emily Anderson and Pramod

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2701 English Drive, Ocean Springs. My office is at 790 Howard Avenue, Biloxi. My company is the Molyneaux Group, and I'm here to represent Tommy Kennedy on behalf of Kennedy Engine Company to respectfully request an amendment to the zoning map on approximately 6.9 acres on Motsie Road, 980 Motsie Road along Interstate 10.

The purpose of the rezoning request is to restore the zoning classification to align it with the current and historical use of the property.

In 1973, Kennedy Engine Company purchased the property along I-10. At that time, it was Harrison County. In 1976, 60,000-square-foot tilt-wall industrial building on the site, 18-inch thick walls. It even has a concrete roof deck and they have been operating there for 50 years now.

At the time, it was in full compliance with the county zoning. After the City annexed that area and the property was rezoned to RB or Regional Business, the existing operations were allowed to continue under a legal non-conforming status and have been operating that way ever since.

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Patel, this case has been withdrawn by the applicant and will not be heard today. So if you're here for that case, we will not be hearing that case because that was withdrawn by the applicant.

The first case today will be Case Number 26-047-FC, Thomas Kennedy on behalf of Kennedy Engine Company requesting a zoning map amendment to authorize a change in zoning district classification to a parcel of land measuring approximately 6.9 acres more or less in size from its present zoning district classification of RB, Regional Business, to I, Industrial, identified as 980 Motsie Road. Tax parcel 1308M-02-001.000. If we can please see the video on that.

MS. SERPAS:

Uh-huh. (Video played.)

CHAIRMAN DELLENGER:

Thank you.

I would like to note this was advertised an 8/28, 9/4 and 9/11.

Is Mr. Kennedy or their representative here?

MR. MOLYNEAUX:

Good afternoon. I'm Doug Molyneaux,

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So the request that we have here today is just simply to bring the zoning class into alignment with what the property is currently being used for, designed for and the way it's been used for the last 50 years. We're not asking for any changes to the use of property.

The improvements that are on the property, a 60,000-square-foot tilt-wall industrial building, are only suited for the industrial and manufacturing. So if you look at all the uses that are allowed under RB, the only possibility that I could come up with is -- with significant redevelopment, you might be able to use the property for storage, but that's about it.

So the property has been designed and functions as an industrial manufacturing facility, and the improvements are significant. I think if somebody were to try to build that building today, it would probably be in excess of \$10 million. It's just an incredibly well-built building.

So we are currently in negotiations with a group who would like to occupy a portion of the building to pour concrete walls and make -- assemble prefab insulated wall panels. And the use, if that -- if we come to terms and I think we

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1 will -- will not expand the exterior facilities at
2 all. There won't be any impact on what's going on
3 inside the building either. It's just a very
4 non- -- quiet use. It will be pouring concrete
5 and assembling wall panels.

6 So the use is also -- or the request is
7 also compatible with the surrounding area. We are
8 I-10 adjacent to the north. We have a towing and
9 salvage yard immediately to the west and a
10 concrete company just south of that, so the whole
11 area has been co-existing in an industrial fashion
12 for many, many, many decades.

13 But approval of this request will
14 restore the consistency of the zoning
15 classification with the current historical use of
16 property. It will preserve and grow the
17 productive industrial employment for Biloxi. The
18 new proposed use for the building will hire 60
19 people pretty immediately. It also will provide
20 investment in the existing facility. And most
21 importantly, it will eliminate the unnecessary
22 burden of operating under a legal non-conforming
23 status all these years.

24 We all know that the school is being
25 built just to the south of the property on

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1 property that was actually purchased from the
2 applicant. I think I should address noise for
3 that reason. We've really looked at this,
4 considered it and with the 18-inch thick walls,
5 the concrete roof deck and everything like that, I
6 can't see why anybody working inside would ever be
7 bothered by the screaming kids on the outside and
8 I just -- in all seriousness -- in all
9 seriousness, the pouring concrete and assembling
10 the walls is no more noise than assembling engines
11 right now and you're probably less -- if I had to
12 guess, there's probably more noise coming from the
13 tire store across Popp's Ferry and the collision
14 center right there at the corner, not to mention
15 I-10. I mean, it's really going to be an easy,
16 easy use.

17 For these reasons, we believe and feel
18 very strongly that the request -- requested
19 amendment is consistent with sound planning
20 principles, compatible with the surrounding area.
21 It supports existing infrastructure and it serves
22 the public interest by bringing the zoning into
23 alignment with the -- not only the historical uses
24 of the property, but its design and function.

25 So we're not asking you to turn a

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1 commercial property into an industrial property.
2 Nothing is going to change on the property. All
3 we're asking is for you to restore the zoning of a
4 purpose-built industrial facility that's been used
5 for manufacturing for 50 years now.

6 And with that, I will take any questions
7 if anybody has any.

8 CHAIRMAN DELLENGER:

9 Will the manufactured walls be
10 commercial or residential or both?

11 MR. MOLYNEAUX:

12 Residential is my understanding. It
13 will be used to build affordable housing.

14 CHAIRMAN DELLENGER:

15 Okay. Thank you. Does anyone else have
16 any questions?

17 MR. CARRON:

18 A couple of questions. You did say
19 fabrication was going to be totally inside the
20 building?

21 MR. MOLYNEAUX:

22 Yes, sir.

23 MR. CARRON:

24 And what is the average size of the
25 walls that are going to be fabricated? Is it --

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1 MR. MOLYNEAUX:

2 Can I iPhone a friend?

3 Ben, what are the size of the walls?

4 UNIDENTIFIED SPEAKER:

5 Pardon? What?

6 MR. MOLYNEAUX:

7 What are the size of the walls that you
8 will be fabricating?

9 UNIDENTIFIED SPEAKER:

10 24 feet by 10 feet.

11 MR. MOLYNEAUX:

12 10 feet high by 24 feet wide.

13 MR. CARRON:

14 So basically be hauled in and out with
15 18-wheelers on trailers?

16 MR. MOLYNEAUX:

17 Yes. I'm told that there will be like
18 one truck leaving the facility every day near the
19 end of the day.

20 MR. CARRON:

21 In the actual process, what all is used?
22 Does the concrete -- kind of give an idea of what
23 kind of chemicals are going to be involved and
24 what kind of impact it might have on the
25 neighborhood there.

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1 MR. MOLYNEAUX:

2 Yeah. It's my understanding -- and if
3 we need to go into more detail, we can bring the
4 prospective user to the stand, but the concrete
5 walls are your typical, you know, concrete
6 composition. And they're used by cities to
7 construct affordable housing. They can't be torn
8 up, and so there is considerable contracts in
9 place already for a lot of these.

10 The insulated panels, they're going to
11 go into more of like cottages and they can be
12 skinned with any kind of siding that somebody
13 would want to create tiny houses or small houses,
14 affordable housing.

15 MR. CARRON:

16 Thank you.

17 MR. BLESSEY:

18 If I may, Gerald Blessey representing
19 Kennedy Engine also. Ben just confirmed to me,
20 Ben Fabre', they use concrete and water. There is
21 no chemicals, so it's simple concrete.

22 MR. CARRON:

23 Is that similar to the process they have
24 done on the Bay now? There's -- they make --

25 MR. MOLYNEAUX:

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1 MR. BLESSEY:

2 But we'd assure the school is using the
3 entrance. I understand -- and I'm not certain.
4 Jerry, you can confirm this -- that the City is
5 planning a stoplight at that corner.

6 MR. CREEL:

7 Traffic signal. They will use the same
8 road. The traffic for the new company will come
9 out on Motsie on the north side of Popp's Ferry
10 and those coming to the school, their exit will
11 come out on Motsie as well.

12 MR. COLLIER:

13 Okay.

14 CHAIRMAN DELLENGER:

15 Any more questions? Any other
16 questions?

17 (No response.)

18 CHAIRMAN DELLENGER:

19 Thank you.

20 Is there anyone in the audience that
21 would like to speak in favor of the applicant's
22 request? Anyone in the audience to speak in
23 favor?

24 (No response.)

25 CHAIRMAN DELLENGER:

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1 Yes.

2 MR. BLESSEY:

3 He's saying yes.

4 MR. CARRON:

5 Thank you.

6 CHAIRMAN DELLENGER:

7 Does anybody else have any questions?
8 Any further questions?

9 MR. COLLIER:

10 The exit that's coming out to bring
11 these 18-wheelers, where the new school is being
12 built, will it be using the same road as the
13 school?

14 MR. MOLYNEAUX:

15 Yeah. I think the school will be using
16 Motsie Road.

17 MR. CREEL:

18 Yeah.

19 MR. MOLYNEAUX:

20 I haven't --

21 MR. COLLIER:

22 I just wanted confirmation from you.

23 MR. MOLYNEAUX:

24 I don't know where the entrance to the
25 new school is.

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1 Is there anyone in the audience to speak
2 in opposition? Anyone to speak in opposition?

3 MR. BOUDREAUX:

4 How are y'all? I'm not here to speak in
5 opposition. My name is Marcus Boudreaux. I'm the
6 superintendent of Biloxi Schools.

7 I just wanted to ask a question of if
8 the zoning change does go through, if this actual
9 acquisition falls through, does the zoning change
10 open it up for any kind of other more invasive
11 industrial project happening on that site? So
12 that's just my question, not exactly opposition.

13 MR. MOLYNEAUX:

14 We're looking for the zoning change to
15 be permanent because the building has always been
16 manufacturing and it's also going to be
17 manufacturing.

18 MR. BOUDREAUX:

19 My question is: If that zoning does
20 change to full industrial, does that -- if the
21 sale falls through, does it open it up -- could
22 any kind of other purchase that could be more
23 impactful to the school?

24 MR. CREEL:

25 It would allow anything that's allowed

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1 in the industrial zoning. Of course, if they come
2 with something more intensive, they're going to
3 have to go through DRC and everything else.

4 MR. MOLYNEAUX:

5 We'd be coming before the Commission to
6 ask for a zoning change, even if we were not in
7 negotiations, just so you know.

8 MR. CREEL:

9 That's correct.

10 MR. BOUDREAUX:

11 Just asking. Not speaking in
12 opposition. Just wanted to make sure.

13 CHAIRMAN DELLENGER:

14 Thank you, Mr. Boudreaux.

15 We did receive an e-mail that was on
16 behalf of Providence Pointe apartments in
17 opposition to this zoning change. I would like to
18 reflect that for the record.

19 Is there anybody else to speak in
20 opposition?

21 Okay. There being no further people,
22 we'll consider that hearing closed.

23 MR. CREEL:

24 I met with Mr. Fabre' who is the
25 proposed tenant that wants to go into it. What it

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1 at the dead end, so I can't see any way that
2 this -- moving into this empty tenant space is
3 going to have any adverse impact.

4 So staff has no opposition and would
5 recommend approval.

6 MR. PARKER:

7 So moved.

8 DR. DRAWDY:

9 Charlie, if we're talking about a zoning
10 change, it will only apply just to Kennedy, not
11 anything else out there, right?

12 MR. CREEL:

13 Just their property.

14 DR. DRAWDY:

15 Just their property.

16 MR. CREEL:

17 The other people are grandfathered in.
18 They have no reason to change the zoning on their
19 property. They can continue to exist from now on
20 as long as they don't close the doors for a year
21 and try to re-open. If they did that, they'd have
22 to come back in and make sure the zoning was
23 correct. But we don't see that happening.

24 DR. DRAWDY:

25 The reason I ask that question is

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1 is, we have a building here that's 45,000 square
2 feet. Kennedy Engine only operates 5,000 square
3 feet or occupies 5,000 square feet, so there's
4 40,000 square feet in there that hasn't been used.

5 And in order for this tenant to be able
6 to move in there, it would need to be industrial
7 zoning, so, basically, what they're doing is
8 bringing the zoning into compliance with what
9 Kennedy should have had from the beginning.

10 So the thickness of the walls, the fact
11 that they're doing everything inside in the
12 location, which is at the far north end of Motsie,
13 on the north side of Popp's Ferry Road and the
14 fact that they have got other uses around there
15 that are grandfathered in, the staff has no
16 objection and would recommend approval.

17 Let me mention a couple of things,
18 though. There is -- the City is in the works to
19 get a traffic signal at that intersection because
20 it's going to be needed there when the school
21 opens up. It's not going to happen immediately,
22 but it will happen eventually.

23 And as far as Providence Pointe
24 apartments, Providence Pointe apartments is on the
25 south side of Popp's Ferry Road, all the way down

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1 because with that number of children being out
2 there and kids, I'm just trying to make sure to
3 protect them in such a way that something else
4 doesn't come that really could be very harmful to
5 the overall situation as dealing with the
6 students.

7 MR. CREEL:

8 The building, I believe, is far enough
9 away from the school. I mean, it's on the north
10 end of this property and there is a large parking
11 area between that and the back property line of
12 the school, so I don't see that being a problem
13 for the school. And like he said, one truck will
14 leave after school is out every day, you know,
15 would be what they would be taking care of, but,
16 again, all the work will be inside.

17 I think it's a good use of the property.
18 It just needs to have the zoning changed in order
19 to make that happen.

20 DR. DRAWDY:

21 I know we can't foresee what might take
22 place, but I'm looking at future things that could
23 come up in that deal with an industrial complex
24 and now, all of sudden, we're getting into a very
25 complex situation that would be a harmful.

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1 situation to children.

2 CHAIRMAN DELLENGER:

3 Correct. You're not just talking about
4 the current tenant. You're talking about the
5 future?

6 DR. DRAWDY:

7 We can't determine what's going to be
8 there. I understand that, but I think it's
9 something we need to be very cognizant of.

10 MR. CREEL:

11 Well, one thing about that, Dr. Drawdy,
12 Industrial zoning is only one step up from RB, so
13 there is very little difference between the two.
14 But the manufacturing aspect of this is what kicks
15 it into industrial.

16 DR. DRAWDY:

17 Thank you.

18 MR. CARRON:

19 Jerry, I've got a question. It kind of
20 relates to why we're changing it. If Kennedy is
21 still operating as legally non-conforming, why is
22 it changed back to RB? Why can't it stay legally
23 non-conforming?

24 MR. CREEL:

25 Because you can't extend or expand a

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1 In my opinion -- I'm not representing
2 the Planning Commission, but in my opinion, then
3 you could object to that kind of usage, regardless
4 of what the zoning is, because it's not there now.
5 What's there now is not going to be obnoxious.

6 So it's a little -- it's not a zoning
7 issue in that sense. It's a legal issue as to
8 whether or not somebody's next door property --
9 that's like people living next door to me, if they
10 came in and started having banging loud noise
11 every night with a band, just because they're
12 zoned residential doesn't mean that they can do
13 that.

14 So I think you have that comfort in the
15 future that the school system will still have a
16 way of preventing that kind of inference.

17 DR. DRAWDY:

18 Thank you, Gerald.

19 I just wanted to make sure that we get
20 that for the record because I think it's important
21 that we look at it.

22 CHAIRMAN DELLENGER:

23 We have a motion by Mr. Parker. Do we
24 have a second?

25 MR. JOACHIM:

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1 non-conforming use without getting the zoning
2 correct. That's the reason they're here today.

3 MR. CARRON:

4 Just trying to clear that up.

5 MR. BLESSEY:

6 Mr. Chairman, would it be out of order
7 for me to try to answer Dr. Drawdy?

8 CHAIRMAN DELLENGER:

9 Yes, sir, absolutely.

10 MR. BLESSEY:

11 Of course, he's speaking about the
12 future and I think Kyle is too. If someone
13 10 years from now or whenever, 20 years came in
14 and wanted to change that usage there -- well, the
15 usage, use of the exterior, not only would they
16 have to go through the Development Review
17 Committee and everything with regard to particular
18 usage, but the general law of nuisance -- you're
19 concerned, as we all are, that the children not be
20 affected by it.

21 So the general law of nuisance, the
22 common law for 200 years, you would still have
23 that barrier to go through. You couldn't come in
24 there and do something obnoxious to the school
25 system.

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1 Second.

2 CHAIRMAN DELLENGER:

3 Second by Mr. Joachim.

4 Any further discussion?

5 Okay. There being no discussion, please
6 vote by raising your hand. Mr. Lechner,
7 Mr. Parker, Mr. Todaro, Ms. Magee, Ms. Shaw,
8 Mr. Stanovich, Mr. Bogard, Mr. Collier,
9 Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King,
10 Mr. Snow, Mr. Poulos, and myself, Mr. Dellenger.
11 That motion carries.

12 Next case is Case Number 26-048-PC,
13 Freddie Fountain on behalf of Mississippi
14 Edgewater Square Investors, LLC, which is a
15 request for a zoning amendment to authorize a
16 change in zoning district classification of two
17 parcels of land measuring approximately 11.2 acres
18 more or less in size from their present zoning
19 district classification of NB, Neighborhood
20 Business, to RB, Regional Business, identified at
21 280 Eisenhower Drive and 2469 Pass Road, Tax
22 Parcel Numbers 1110F-02.006.000 and
23 1110K-01.046.000. These were advertised on 8/28,
24 9/4 and 9/11. If we could see the video, please.
25 MS. SERPAS:

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