

APPROVED

**MINUTES OF THE PLANNING & ZONING COMMISSION
MEETING OF OCTOBER 11, 2011
THE CITY OF STARKVILLE, MISSISSIPPI**

The Planning & Zoning Commission of the City of Starkville, Mississippi held its regularly scheduled meeting at 5:30 PM in the Building Department on the second floor of City Hall at 101 E. Lampkin Street, Starkville, Mississippi. Present were Commissioners Dora Herring, James Hicks, Jerry Emison, Jason Walker, Ira Loveless and John Moore. Commissioner Murdock was absent due to a conflict with his work and requested, via an e-mail to the Planning Office, to be excused. After discussion, and upon the motion of Commissioner Herring, seconded by Commissioner Moore, the Commission voted unanimously to excuse Commissioner Murdock's absence. Attending the Commissioners were City Attorney Chris Latimer, City Planner Ben Griffith, Assistant City Planner Pamela Daniel and Recording Secretary Bill Green.

AN ORDER APPROVING THE WRITTEN AGENDA

The Commission considered the matter of approval of the written agenda dated October 11, 2011. Commissioner Murdock made a motion to approve the meeting agenda as presented. The motion was seconded by Commissioner Walker and the Commission voted unanimously to approve the agenda as presented.

AN ORDER APPROVING THE MINUTES OF THE SEPTEMBER 13, 2011 MEETING

The Commission considered the matter of approval of the minutes of the September 13, 2011 meeting. After discussion and upon the motion of Commissioner Hicks, seconded by Commissioner Moore, the Commission voted unanimously to approve said minutes as amended.

CITIZEN COMMENTS

Chairman Emison asked if any member of the public cared to address the Commission, stating that there was a public hearing on the agenda and comments regarding that item would be called for at the appropriate time. No comments were received.

**A PUBLIC HEARING REQUESTED BY MS. LOUISE PAGE FOR APPROVAL OF A
ZONING CHANGE FROM R-1(SINGLE FAMILY) TO R-6 (MOBILE HOMES,
MHP/MHS) LOCATED AT 1641 ROCKHILL ROAD IN WARD 6**

There came before the Commission item #RZ 11-02: a request by Ms. Louise Page for approval of a zoning change from R-1 (Single Family) to R-6 (Mobile Homes, MHP/MHS) for approximately 17.7 acres of land located at 1641 Rockhill Road in Ward 6.

The Assistant City Planner read a brief introduction of the item and introduced Ms. Louise Page to the Commissioners.

The City Attorney asked how many mobile homes were currently on the site and the Assistant City Planner answered that there was currently one mobile home on the property.

Ms. Page stated that she wanted to place a mobile home on her property for her grandson to live close to her, stating that it was not financially feasible for her to have one acre surveyed which is why she is asking to rezone the entire parcel.

The Commissioners asked about the “blank spot” in the subject property on the locator map, the exact amount of acreage under review and the use of the property directly to the north of the property.

Chairman Emison opened the public hearing portion of the meeting.

Mr. Larry Bell stated that he had not received notice of the hearing until yesterday and that he objected to the rezoning for a number of reasons which were detailed in a letter prepared by his wife and sisters-in-law, dated October 11, 2011 and provided to the Commissioners at the hearing.

Ms. Ann Daniels stated that she was not opposed to placement of a trailer on the property but was opposed to rezoning of the entire parcel. She pointed out that there were discrepancies with the application, the staff report, the courthouse records and referred to the issues listed in the October 11th letter provided to the Commissioners. Ms. Daniels presented a copy of the 2001 Official Zoning Map and stated that there was no error in the zoning map, referring to the subject property areas.

Ms. Mary Bell asked to see a copy of the poll regarding mobile and manufactured housing because she had not been asked to participate in any such poll and referred to the issues detailed in the October 11th letter provided to the Commissioners.

City Planner Ben Griffith answered that no poll had been taken, but based the statement on the fact that no building permits had been issued for conventionally-built homes in the area in the last four years, only permits for mobile and manufactured homes.

After further considerable and lengthy discussion, Chairman Emison closed the public hearing, offering that he felt uncomfortable without sufficient information and that there were too many ambiguities with the land itself and missing bits of information to make a decision. He then asked Commissioners Herring and Loveless if they would like to share their conversation with the rest of the Commission.

Commissioner Herring stated that they were trying to determine the exact number of dwellings on the property and where they were located.

The City Attorney advised the Commissioners on the legal test for a rezoning.

The Commissioners discussed the item at length and were concerned with some of the discrepancies and inaccuracies of the courthouse records and staff report. They discussed their course of action and offered the options to the applicant which included withdrawal of the application so she could resubmit when the issues had been addressed.

Ms. Page stated that she would like to withdraw her request for the rezoning.

Chairman Emison formally announced that Ms. Page was withdrawing her application and would work with Planning staff to resubmit at a later date.

A REQUEST BY BREWER CONSTRUCTION FOR APPROVAL OF THE “SOUTH WEDGEWOOD—PART II” FINAL SUBDIVISION PLAT LOCATED IN AN R-1 (SINGLE FAMILY) ZONING DISTRICT AT THE NORTHEASTERN CORNER OF SOUTH MONTGOMERY STREET AND SOUTH WEDGEWOOD ROAD IN WARD 3

There came before the Commission item #FP 11-10: A request by Brewer Construction for approval of a final subdivision plat located at the northeastern corner of South Montgomery Street and South Wedgewood Road in Ward 3. The City Planner then read a brief introduction of the item.

Mr. Chad Phillips of Springer Engineering presented the request.

Commissioner Hicks pointed out a minor discrepancy between a bearing in the legal description and on the drawing which needed to be corrected prior to recording of the plat.

After further discussion, Commissioner Hicks made a motion to recommend approval of the final plat to the Mayor and Board of Aldermen based on the findings of fact and conclusions of the staff report dated October 6, 2011, and the following conditions:

1. The final plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The final plat shall meet the minimum requirements for R-1 zoning dimensions.
3. All public utilities are currently in place and awaiting notification from the developer to inspect sewer system and witness pressure test of water, which shall be required prior to staff execution of the final plat.
4. Copies of MDEQ and MDOH permits shall be provided to the City for water and sewer extensions prior to staff execution of the final plat.
5. The final plat shall include the City of Starkville’s standard dedication of utility language as provided to the engineer of record.
6. Erosion control vegetation shall be established on all disturbed areas.
7. The applicant shall add the following note on the face of the recorded plat: “All lots shall be required to construct a sidewalk along all roadway frontages in accordance with the City of Starkville Sidewalk Ordinance prior to receiving a certificate of occupancy for any structure.”
8. Sidewalk construction shall conform to the City’s Sidewalk Ordinance and ADA standards.
9. A bond or surety in the amount of 150% of the current cost of the required sidewalks, estimated to be \$15,335.85 by the City Engineer, shall be provided prior to staff execution of the final plat.
10. The applicant shall provide “as-built” drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, sidewalks, etc.) in “AutoCAD” format as well as a paper copy that is signed and sealed by a licensed design professional, guaranteeing accuracy, prior to staff execution of the final plat.
11. The applicant shall provide two paper copies of the recorded plat to the City, along with a digital copy in “AutoCAD” format in standard state plane coordinates.
12. The final plat shall be recorded at the Office of the Oktibbeha County Chancery Clerk within thirty (30) days of the approval by the Mayor and Board of Aldermen.
13. The bearing shown along the easternmost property line shall correlate to the bearing in the description.

Commissioner Walker seconded the motion and the Commission voted unanimously in favor of recommending approval of the final plat to the Mayor and Board of Aldermen.

WORK SESSION TO REVIEW AND DISCUSS PROPOSED REVISION OF THE CHART OF PERMITTED AND CONDITIONAL LAND USES AND RELATED DEFINITIONS OF THE CITY'S ZONING REGULATIONS

City Planner Ben Griffith provided a brief overview of the revised permitted and conditional land use chart and definitions, stating that the chart had gone from eleven pages to a single 11" x 17" sheet. The Commissioners began a lengthy discussion which focused on several items, most notably: agricultural uses, mixed-use and accessory residential uses, public spaces, parks & recreation and indoor/outdoor entertainment. Mr. Griffith stated that he would make revisions and provide a revised chart and definitions for the November 8th public hearing.

PLANNER REPORT

City Planner Ben Griffith stated that it looked like there currently would be a public hearing and possibly a plat on the November 8th agenda. He stated that he would like to schedule a work session for the P&Z on Tuesday, October 25th for the Commissioners to provide feedback on the proposed Form Based Code from the PlaceMakers consulting group, which would include portions of the revised permitted and conditional land use chart discussed earlier in the evening. This would be in preparation for public hearings scheduled for the November 8th P&Z meeting. Mr. Griffith concluded by reminding the Commissioners to be mindful of all *ex parte* communications and to contact the Planning Office with any questions regarding any items on upcoming agendas.

ADJOURNMENT

Commissioner Walker made a motion to adjourn at approximately 7:35 PM. A work session meeting has been scheduled for Tuesday, October 25th at 5:30 PM in the Building Department on the second floor of City Hall. The next regularly scheduled meeting of the Planning & Zoning Commission will be Tuesday, November 8, 2011 at 5:30 PM in the City Hall Courtroom.

Jerry Emison, Chairman

Ben Griffith, AICP, City Planner