APPROVED

MINUTES OF THE PLANNING & ZONING COMMISSION
MEETING OF FEBRUARY 8, 2011
THE CITY OF STARKVILLE, MISSISSIPPI

The Planning & Zoning Commission of the City of Starkville, Mississippi held its regularly scheduled meeting in the City Hall Courtroom at 101 E. Lampkin Street, Starkville, Mississippi, commencing at 5:30 PM. Present were Commissioners James Hicks, Jerry Emison, Jason Walker and Ira Loveless. Attending the Commissioners were City Attorney Chris Latimer, City Planner Ben Griffith and Recording Secretary Vicki Lowrey. Absent from the meeting was Commissioners Dora Herring, John Moore and Jeremy Murdock. Commissioner Loveless made a motion to excuse the Commissioners absence, seconded by Commissioner Hicks and the Commission voted unanimously in the affirmative. In order to have a quorum to conduct business, the Chairman was required to vote on all matters placed on the agenda.

AN ORDER APPROVING THE WRITTEN AGENDA

The Commission considered the matter of approval of the written agenda dated January 11, 2011. After discussion and upon the motion of Commissioner Hicks, seconded by Commissioner Loveless, the Commission voted unanimously to approve the written agenda as presented.

AN ORDER APPROVING THE MINUTES OF THE JANUARY 11, 2011 MEETING

The Commission considered the matter of approval of the minutes of the January 11, 2011 meeting. After discussion and upon the motion of Commissioner Loveless, seconded by Commissioner Walker, the Commission voted unanimously to approve said minutes as presented.

CITIZEN COMMENTS

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

A REQUEST BY THE CREAMERY AT CENTRAL STATION, LLC FOR APPROVAL OF "THE CREAMERY AT CENTRAL STATION—PHASE TWO" A FINAL PLAT LOCATED IN A C-2 (GENERAL BUSINESS) ZONING DISTRICT AT 200 SOUTH MONTGOMERY STREET IN WARD 5

Next there came before the Commission item #FP 11-01: a request by Tabor Construction and Development for approval of "The Creamery at Central Station—Phase Two" a final plat located in a C-2 (General Business) zoning district at 200 South Montgomery Street in Ward 5. The City Planner then read a brief introduction of the item, recommending that condition #6 be stricken since the City Engineer had decided that it was not necessary for approval of the final plat.

Mr. Jeremy Tabor of Tabor Construction and Development presented the request. After a brief discussion, Commissioner Loveless made a motion to recommend approval to the Mayor and Board of Aldermen based on the findings of fact and conclusions of this staff report dated February 3, 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 phase two final condominium plat shall meet the minimum requirements for C-2 zoning dimensions.
3. All public utilities are currently in place.
4. The condominium documents shall include provisions for the maintenance of common areas; Section XXV shall be revised to reflect the City Attorney's standard hold-harmless indemnification clause; and Section XXXVIII shall be revised to include the verbiage provided by the City's Public Services Director, prior to staff execution of the phase two final condominium plat.
5. 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 prior to staff execution of the final plat.
6. ~~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.~~
7. 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.

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

A REQUEST BY LITTLE PROPERTIES, INC FOR APPROVAL OF "HIGHWAY 12 EXTENSION, PHASE 2" A FINAL PLAT LOCATED IN A C-2 (GENERAL BUSINESS) ZONING DISTRICT AT 982 MS HIGHWAY 12 EAST IN WARD 5

Next there came before the Commission item #FP 11-02: a request by Little Properties, Inc. for approval of "Highway 12 Extension, Phase 2" a final plat located in a C-2 (General Business) zoning district at 982 MS Highway 12 East in Ward 5. The City Planner read a brief introduction of the item, recommending that conditions #9 and #10 be stricken since the City Engineer had decided that they were not necessary for approval of the plat.

Mr. Thomas Allen of Pritchard Engineering presented the request.

Commissioner Hicks asked about the gray area shown on the plat and Mr. Allen stated that it was to show an existing easement, but that he would "hatch" it to make it easier to distinguish.

After discussion, Commissioner Hicks made a motion to recommend approval of the Highway 12 Extension, Phase 2, final plat to the Mayor and Board of Aldermen based on the findings of fact and conclusions of staff report dated February 3, 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 C-2 zoning dimensions.
3. All public utilities are currently in place.
4. Erosion control vegetation shall be established on all disturbed areas.
5. Upon the recommendation of the City's Public Services Director, General Note #6 shall be revised to read as follows: "On-site water and sanitary sewer service lines used exclusively by the site are private."
6. Sidewalk construction shall be required as part of the site plan approval and shall conform to the City's Sidewalk Ordinance and ADA standards.
7. Stormwater mitigation shall be required as part of the site plan approval and shall conform to the City's Stormwater Ordinance.
8. The applicant shall provide adequate and satisfactory test reports for roadways, curbs and all drainage structures and facilities, prior to staff execution of the final plat.
9. ~~A guarantee in the amount of 150% of the current cost of all remaining improvements shall be provided to City staff prior to Board approval of the final plat, if applicable.~~
10. ~~A bond or surety in the amount of 150% of the current cost of the proposed sidewalk and any other infrastructure improvements shall be provided to City staff prior to Board approval of the final plat.~~
11. The applicant shall execute the standard agreement ("developer contract") for the financial guarantee of the completion of the final requirements for acceptance of all electrical utility infrastructure, and the Board of Aldermen shall authorize the Mayor to execute same.
12. 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 prior to staff execution of the final plat.
13. 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.
14. 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.

Commissioner Loveless seconded the motion and the Commission voted unanimously to recommend approval of the final plat to the Mayor and Board of Aldermen.

A REQUEST BY BOARDTOWN DEVELOPMENT FOR APPROVAL OF "HIGH COTTON" A PRELIMINARY PLAT LOCATED IN AN R-5 (MULTI-FAMILY, HIGH DENSITY) ZONING DISTRICT AT 509 RUSSELL STREET IN WARD 4

Next there came before the Commission item #PP 10-05: A request by Boardtown Development for approval of "High Cotton" a preliminary plat located in an R-5 (Multi-Family, High Density) zoning district at 509 Russell Street in Ward 4. The City Planner read a brief introduction of the item.

Mr. Thomas Allen of Pritchard Engineering presented the request.

Mr. Latimer questioned the applicant about the density for this project in that the project, as proposed, would exceed the density allowed under R-5. Mr. Latimer then advised that the proper procedure to address the density issue would be for the applicant to seek a variance before the Board of Adjustments & Appeals.

Mr. Griffith stated that the Code allowed minor modifications based on innovative design and Commissioner Hicks asked if it was necessary as a preliminary plat.

Mr. Latimer answered that since a variance would be needed, the proper procedural route would be for the Board of Adjustments & Appeals address it.

After a brief, private discussion with his clients, Mr. Allen asked that the item be withdrawn so that a variance request could be submitted to the Board of Adjustments & Appeals.

Commissioner Walker stated that if the applicant was going to seek a variance that he should also consider a variance to the front building setback to bring the building closer to the street, matching others immediately adjacent to the site, adding that it would also help to provide additional parking at the rear of the site.

With the applicant's formal withdrawal of the item, there was no further discussion or action taken.

PLANNER'S REPORT

Mr. Griffith stated that he had placed a 2010 P&Z Activity Report at the Commissioner's seats and that if it met with their approval, he would schedule the Chairman's annual presentation before the Mayor and Board of Aldermen. The Commissioners agreed that the report was sufficient and the Chairman asked to be placed on the March 1st meeting agenda.

Mr. Griffith stated that there were three conditional use public hearings scheduled for the March 8th P&Z meeting and that there would perhaps be a plat or two as well. He also reminded the Commissioners to be mindful of all *ex parte* communications and to call the Planning Office with any questions regarding any items on upcoming agendas.

ADJOURNMENT

Commissioner Hicks made a motion, which was seconded by Commissioner Loveless to adjourn the meeting at 6:25 PM. The next scheduled meeting will be March 8, 2011 at 5:30 P.M. in the City Hall Courtroom.

Jerry Emison, Chairman

Ben Griffith, AICP, City Planner