

APPROVED

MINUTES OF THE PLANNING & ZONING COMMISSION MEETING OF MAY 11, 2010 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 Dora Herring, James Hicks, Jerry Emison, and John Moore. Attending the Commissioners were City Attorney Chris Latimer, City Planner Ben Griffith and Recording Secretary Sara McHann. Commissioners Jason Walker, Ira Loveless and Jeremy Murdock were absent from the meeting due to work obligations. Commissioner Emison made a motion to excuse the Commissioners' absence. Commissioner Moore seconded the motion which was unanimously approved by the Commissioners. Commissioner Hicks made a motion to excuse Commissioner Moore from the April 13, 2010 meeting. Commissioner Emison seconded the motion which was unanimously approved by the Commissioners.

AN ORDER APPROVING THE WRITTEN AGENDA

The Commission considered the matter of approval of the written agenda dated May 11, 2010. After discussion and upon the motion of Commissioner Moore, seconded by Commissioner Hicks, the Commission voted unanimously to approve the written agenda as presented.

AN ORDER APPROVING THE MINUTES OF THE APRIL 13, 2010, MEETING

The Commission considered the matter of approval of the minutes of the April 13, 2010 meeting. After discussion, and upon the motion of Commissioner Hicks, seconded by Commissioner Emison, the Commission voted unanimously to approve said minutes.

CITIZEN COMMENTS

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

A PUBLIC HEARING REQUESTED BY MR. JOHN HARTLEIN FOR APPROVAL OF A ZONING CHANGE FROM C-2 (GENERAL BUSINESS) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT 214 S. WASHINGTON STREET IN WARD 7

Next there came before the Commission item #PD-10-01: a public hearing requested by Mr. John Hartlein for a zoning change from C-2 (General Business) to PUD (Planned Unit Development), located at 214 South Washington Street in Ward 7. The City Planner read a brief introduction and

asked if any Commissioners had received any communications from anyone regarding the request; none had.

Mr. Hartlein presented the request, stating that he believes that the C-2 (General Business) zoning on the property is not compatible with the neighborhood zoning. He provided a letter of support from the Buckner family which owns three properties which were located within 160 feet of the subject property, adding that he had provided letters of support from two other adjacent property owners which were included in the staff report. If the request is granted he will build 16 condominium units on the property. The project would include 4 two-bedroom units and 12 one-bedroom units in two buildings facing each other to form a central courtyard area. The units will be available for fee-simple sale. There would be 1½ parking spaces provided for the 1 bedroom units and 2 spaces provided for the 2 bedroom units, in lieu of the 2 and 2½ spaces which would be required for the proposed one- and two-bedroom units respectively. He cited several examples of condos in the area which were primarily used by owners for weekend athletic events, such as the “Cotton Quarters” condos on Jarnigan Street beside the cemetery and “University Flats” condos on Old West Point Road, behind the “Quiznos” restaurant on University Drive. Mr. Hartlein stated that the metal building on the property would be removed and that he was proposing more than adequate green space than minimally required by the regulations. He stated that he would be providing several amenities for the owners, including a courtyard area for outdoor entertaining and use, as well as a bicycle parking area. Mr. Hartlein said that he believes this project would be a nice addition to the neighborhood and pointed out that there had already been an approval for a PUD in the neighborhood, which would back up to his project. He also stated that by providing residential options close by, that residents could walk to the downtown area and take advantage of the restaurant and shopping options available there. Mr. Hartlein concluded by stating that he intends to construct buildings using brick, wrought iron and other recycled materials, to give the development some historical character, hence the name “Georgetown” like the highly desirable and upscale area in Washington DC.

Chairman Herring then opened the floor for public comments.

Jeff Hosford, property owner of 205 & 206 South Washington Street, stated that he has been a resident of Starkville, MS since 1994. He bought his current residence in 2002 and added an addition some time later. Mr. Hosford stated that he is opposed to the rezoning and the plans to construct sixteen units on a half-acre site, which he felt was too dense. He further stated that he does not think the parking requirements should be waived by a variance. He stated that there were already parking problems on both sides of the street on Sundays by churchgoers at First Baptist. Traffic is another concern he has for the neighborhood. Mr. Hosford also voiced concern as to why notice letters were not sent to property owners within 300 feet of the property.

Shawn Sullivan, property owner of 208 South Washington Street, stated that he is opposed to the rezoning request. Mr. Sullivan stated that he and his wife moved to Starkville and recently bought the property where they presently reside. Mr. Sullivan stated that he and his wife have small children and are concerned with traffic and the narrowing of the roadway at the railroad trestle to the south of the property because there are already too many speeders along the street, including police cars. Parking is also a concern and asked if the condominiums would be kept up with regular maintenance or whether they would be run down in ten years.

Nancy Cook-Ball, property owner at 210 South Washington Street, stated that the property has been in her family for many years and she does not want to see apartments built nearby that will only be run down and unkempt in thirty years. Ms. Ball further stated that she has concerns with parking for the project and added traffic on Washington Street. She feared that with so many students moving in and out there would be U-Hauls hitting the low railroad trestle to the south of the property. She would like to see the historic character of the neighborhood kept intact. She reminded Commissioners that the PUD development to the west of the proposed project is not finished and has not had any construction going on in some time. She asked the Commissioners to protect their property values and neighborhood character.

Betsy Ball, property owner at 210 South Washington Street, read a statement from her father, Tom Ball, that he is opposed to the project and referenced the Mississippi Code and the City's Comprehensive Plan to reinforce the belief that this project was not suited for the neighborhood.

Bill Mann, Architect, stated that he is not a resident of Washington Street, but opposes the project because the neighborhood consists of mostly single family residences that have historic characteristics and he believes the character of the neighborhood should be protected.

Chairman Herring then asked for additional public comments and when none were received, closed the public hearing.

The Commissioners discussed the request, particularly the parking proposed for the project and the reasons for rezoning, especially whether there had been a change in neighborhood conditions. Commissioner Hicks asked if the reduction in parking could be approved as part of the PUD site plan and added that the applicant has shown by his "Maison de Ville" subdivision, that he builds a top-notch project. Mr. Hartlein stated that rezoning to a PUD would be based not only on changing conditions, but also on the conceptual site plan which had been reviewed and approved by the City's Development Review Committee.

After further discussion, Commissioner Emison made a motion to recommend denial of the request based on the belief that conditions in the neighborhood had not changed. Commissioner Moore seconded the motion and Commission voted unanimously to deny the request.

A PUBLIC HEARING REQUESTED BY TABOR PROPERTIES, LLC, TO APPROVE A CONDITIONAL USE TO ALLOW MULTI-FAMILY RESIDENTIAL USE IN A C-2 (GENERAL BUSINESS) ZONE LOCATED AT 703 SPRING STREET IN WARD 4

Next there came before the Commission item #CU 10-02: a public hearing requested by Tabor Properties, LLC, to approve a conditional use to allow multi-family residential use in a C-2 (General Business) zone, located at 703 Spring Street in Ward 4. The City Planner read a brief introduction and asked if any of the Commissioners had received any communications from anyone regarding the request; none had.

Mr. Larry Tabor presented the request, stating that he is asking for a conditional use for the property in order to allow a multi-family residential condominium-hotel in a C-2 zoning district. Presently there are two buildings on the property connected by a common stairway and balcony area. There

are a total of approximately 100 rooms, intended for conversion to 50 residential units which would be offered for fee-simple sale and intended to primarily target university alumni. A condominium association would be established upon approval of a condominium plat. Mr. Tabor stated that the project would be an asset to the area and pointed out several other Tabor properties around Starkville. He provided a before and after picture of the façade elevations proposed project as well as proposed floor plans.

Commissioner Herring then asked for public comments and when none were received, closed the public hearing.

There was much discussion among the Commissioners about the project, especially land uses and the adjacent properties where the proposed “Cotton Mill Marketplace” was proposed. Chairman Herring asked for a motion but, none was received. After further discussion and consideration, Commissioner Moore made a motion to table the request until the next Planning & Zoning meeting in June. Commissioner Emison seconded the motion. During the ensuing discussion, the applicant stated that a closing had been scheduled for June 6th and asked if the P&Z would consider holding a special call meeting to help keep him on track for Board approval and the scheduled closing. Commissioner Moore revised his motion to table the request until a special call meeting could be held. Commissioner Hicks seconded the motion and the Commissioners unanimously voted to hold a special call meeting as soon as the City Planner could schedule it. (NOTE: the special call meeting was held on Thursday, May 20, 2010.)

**A PUBLIC HEARING REQUESTED BY PINELAKE CHURCH TO APPROVE A
CONDITIONAL USE TO ALLOW A CHURCH IN A C-2 (GENERAL BUSINESS)
ZONE LOCATED AT 200 MS HIGHWAY 25 SOUTH IN WARD 1**

Next there came before the Commission item #CU 10-03: A public hearing requested by Pinelake Church to approve a conditional use to allow a church in a C-2 (General Business) zone, located at 200 MS Highway 25 South in Ward 1. The City Planner read a brief introduction and asked if any of the Commissioners had received any communications from anyone regarding the request; none had.

Pastor Rod Cadenhead presented the request, stating that the church is proposing to renovate the interior of the existing building for use as a church, with a sanctuary, classrooms, offices, child care, general storage and other spaces associated with the conduct of worship services. Some exterior facade improvements are also proposed. There would be services on Sunday morning and Sunday evenings as well as Wednesday night. Pastor Cadenhead stated that there was ample parking and renovations to the existing building would be focused on the interior with the addition of a covered portico. He added that there would be more renovations when the funds become available, to give the building a more church-like appearance.

Commissioner Herring then asked for public comments and when none were received, closed the public hearing. Commissioner Hicks asked if there were any oil storage equipment or tanks on the property, left over from the car dealership. Pastor Cadenhead answered that there were none.

After discussion, Commissioner Emison made a motion to approve the request subject to the five conditions recommended by staff. Commissioner Moore seconded the motion and the Commission voted unanimously to recommend approval to the Mayor and Board of Alderman.

**A REQUEST BY MR. MIKE BRENT FOR APPROVAL OF “STARK CROSSING—
PHASE 3 REVISION” A REVISED FINAL SUBDIVISION PLAT,
LOCATED ON EUDORA WELTY DRIVE ON THE EASTERN SIDE OF
THE MS HIGHWAY 25 BYPASS IN WARD 1**

Next there came before the Commission item #FP 10-03: a request by Mr. Mike Brent for approval of “Stark Crossing—Phase 3 Revision,” a revised final subdivision plat located on Eudora Welty Drive on the eastern side of the MS Highway 25 Bypass in Ward 1. The City Planner read a brief introduction.

Mr. Mike Brent of Brent Engineering Services represented the owner and addressed the Commissioners. Mr. Brent stated that the original final plat was recorded on December 13, 2000. The revised final plat will aggregate what were four separate lots on the original plat, into a new “Lot #1” on the revised plat. The original four lots of Lot #1 were encumbered with utility easements along all of the property lines. The intent is to abandon them all and create a single new lot for an unidentified commercial development. Storm water and sidewalks would be addressed as each individual lot is developed.

After discussion, Commissioner Hicks made a motion to recommend approval of the request subject to the six conditions recommended by staff. Commissioner Moore seconded the motion and the Commission voted unanimously to recommend approval to the Mayor and Board of Aldermen.

**A REQUEST BY MR. MIKE BRENT FOR APPROVAL OF “STARK CROSSING—
PHASE 4 REVISION” A REVISED FINAL SUBDIVISION PLAT, LOCATED AT THE
NORTHEAST INTERSECTION OF EUDORA WELTY AND ABERNATHY DRIVES
ON THE EASTERN SIDE OF THE MS HIGHWAY 25 BYPASS IN WARD 1**

Next there came before the Commission item #FP 10-04: a request by Mr. Mike Brent for approval of “Stark Crossing—Phase 4 Revision” a revised final subdivision plat, located at the northeast intersection of Eudora Welty and Abernathy Drives on the eastern side of the MS Highway 25 Bypass in Ward 1. The City Planner read a brief introduction.

Mr. Mike Brent of Brent Engineering Services represented the owner and addressed the Commissioners. Mr. Brent stated that the original final plat was recorded on December 30, 2002. The revised final plat adds a new lot (Lot #14) for a total of ten lots on the revised final plat. The new lot is being created for an unidentified commercial development. Storm water and sidewalks would be addressed as each individual lot is developed.

After discussion, Commissioner Emison made a motion to recommend approval of the request subject to the six conditions recommended by staff. Commissioner Hicks seconded the motion and the Commission voted unanimously to recommend approval to the Mayor and Board of Alderman.

PLANNER'S REPORT

Mr. Griffith stated that there would not be any public hearings for the June 8, 2010 meeting and there may not be a meeting, stating that as of the time of the meeting, he wasn't sure if any items would be brought forward for review. He added that Alderman Jeremiah Dumas had requested to appear before the Commission in June or July to give an update from the Comprehensive Planning Committee and that he would check on an exact date. Mr. Griffith concluded by reminding 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 to adjourn the meeting at 7:45 PM. The next regularly scheduled meeting will be Tuesday, June 8, 2010 at 5:30 PM in the City Hall Courtroom.

Dora Herring, Chairman

Ben Griffith, AICP, City Planner