OFFICIAL AGENDA

PLANNING & ZONING COMMISSION

CITY OF STARKVILLE, MISSISSIPPI

REGULAR MEETING OF TUESDAY, September 10, 2013

CITY HALL COURTROOM, 101 E. LAMPKIN STREET, 5:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

III. ROLL CALL

IV. CONSIDERATION OF THE OFFICIAL AGENDA

V. CONSIDERATION FOR APPROVAL OF THE August 13, 2013 MEETING MINUTES

VI. CITIZEN COMMENTS

VII. OLD BUSINESS

VIII. NEW BUSINESS

A. FP 13-05: A REQUEST BY MR. MIKE KRAKER FOR APPROVAL OF "THE COTTAGES AT CREEKSIDE" FINAL PLAT LOCATED NEAR THE INTERSECTION OF GARRARD AND OLD WEST POINT ROAD IN AN PUD ZONING DISTRICT IN WARD 5

B. CU 13-07: CITY OF STARKVILLE ON BEHALF OF MSU; "MILL DEVELOPMENT PARKING DECK" CONDITIONAL/EXCEPTION USE REQUEST FOR A PARKING DECK IN A T-6 ZONING DISTRICT IN WARD 4

C. FP 13-06: MISSISSIPPI STATE UNIVERISTY; "MILL AT MSU" FINAL PLAT APPROVAL AND VARANICE REQUEST IN AN T-6 ZONING DISTRICT IN WARD 4

D. PLANNER REPORT

IX. ADJOURNMENT

The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Mr. Joyner Williams, at (662) 323-8012, ext. 121 at least forty-eight (48) hours in advance for any services requested.

UNAPPROVED

MINUTES OF THE PLANNING & ZONING COMMISSION
MEETING AUGUST 13, 2013
THE CITY OF STARKVILLE, MISSISSIPPI

The Planning & Zoning Commission of the City of Starkville, Mississippi held its regular meeting in the Court Room at 101 E. Lampkin Street, Starkville, Mississippi, commencing at 5:30 PM. Present were Commissioners James Hicks, Jerry Emison, Jeremy Murdock, Ira Loveless, John Moore and Mike Brooks. Commissioner Dora Herring's absence was excused. The meeting was called to order by Commission Chairman Jerry Emison. Attending the Commissioners were City Attorney, Chris Latimer; City Development Director, William Snowden; and Recording Secretary, Bill Green.

AN ORDER APPROVING THE WRITTEN AGENDA

The Commission considered the matter of approval of the written agenda dated August, 13, 2013. A request was made to move Item VIII. D. to the First Item, a legal matter to accommodate Attorney Chris Latimer's scheduling conflict with another meeting in progress. Commissioner Hicks made a motion to accept the Change in Agenda, with Commissioner Brooks making a second to the motion. The matter at hand was voted upon, and passed in favor of the change. Also noted was that Commissioner Murdock was absent from the meeting. With no further discussion, with Commissioner Loveless abstained, and upon the motion of Commissioner Hicks, seconded by Commissioner Brooks, the Commission voted unanimously to approve the written agenda.

AN ORDER APPROVING THE MINUTES OF THE JUNE 11, 2013 MEETING

The Commission considered the matter of approval of the minutes of the July 09, 2013 meeting. Noted was that Commissioner Murdock was absent from the meeting. And that there should be 1 tree per parking space. Commissioner Moore made a motion to approve the minutes as amended, duly seconded by Commissioner Brooks. Commissioners Loveless and Murdock abstained from voting. The resulting vote was unanimous in favor.

CITIZEN COMMENTS

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

NEW BUSINESS

A. **FP 13-03**: Approval of Revision #2 Condominium Plat for University Crossing Shopping Center.

DRAFT

There came before the Commission the matter of the consideration of a Revision of a Condominium Plat for University Crossing Shopping Center, a property located on Highway 12 E at Spring Street. The original approval was approved by the Planning and Zoning Commission in 2011.

The revision will add an additional outparcel comprising approximately .75 acres. This parcel will front along Highway 12 East and will house a nationally known retail outlet. The plat meets the requirements of the Subdivision Regulations and has been reviewed and approved by the City's Development Review committee.

Community Development Director, William Snowden, presented the matter and reported on the conditions that were included as part of the comments. Attorney Chris Latimer confirmed it was not necessary to contact adjacent property owners. Mr. Michael Brent, applicant for the property owner, had no additional comments to make.

Commissioner Loveless questioned the applicant, Mr. Brent, if sidewalks were planned for all sides of the property. Mr. Brent affirmed that sidewalks had been planned in the submittal.

A motion to approve the Alteration of the Plat as drawn, with the addition of the discussed sidewalks, was made by Commissioner Hicks, and seconded by Commissioner Moore. The resulting favorable vote was unanimous.

OLD BUSINESS

A. **RZ 13-09**: Continued from last meeting: A public hearing request by Michael Frayser, agent for Catholic Diocese of Jackson, seeking a rezoning from R-1 to B-1 for property located on Lots 16, 17, and 18 of block 28 (102 North Nash Street).

The Agent for the Applicant, Mr. Frayser, chose to withdraw his request at this time.

NEW BUSINESS

A. **Administrative Review 13-01**: An appeal of a denial to construct on Lot 1, Block 58, Central Station Subdivision (203 Worley Street) in accordance with Article VII, Section T, Transect District, Section 1.4 of the City of Starkville Zoning Ordinance.

There came before the Commissioners an appeal of a Denial of a previous request, to construct on the above referenced parcel because the T-5 regulations do not permit construction that would be compatible with adjacent development. Two townhouses are located to the south of the subject property, being built in 2011 when the property along Worley was zoned R-4, Multi Family.

In 2012, these developed parcels as well as the vacant subject property was rezoned to T-5, Transect District. The original site plan (dated 2010) for all three of these lots indicated that all three would be developed uniformly with the same townhouse design.

DRAFT

Recently, the applicant and owner of the townhouses submitted plans to construct on Lot 1 in accordance with the original plans. The application was denied because the Transect Regulations would only allow the applicant to construct a townhouse approximately one-third the size of the other two dwellings.

Commissioner Hicks made a motion to overturn the appeal to the applicant, and the motion was seconded by Commissioner Murdock.

B. **RZ 13-10**: Request to rezone a large acreage parcel located south of the Bryan Field Airport Runway. The property to be rezoned is now classified as R-1 Single Family. This use district will now allow for the future expansion of the runway. Thus, the need for rezoning.

There came before the Commission a request by Mr. Rodney Lincoln, Manager of Bryan field Airport, to rezone property located at the southern end of the airport runway from R-1 Single Family to M-1 Manufacturing, in keeping with the remainder of the airport property, and the Airport's plans to extend their runway. Apparently the R-1 zoning was a mistake made in 2005 and subsequent Zoning Map updates.

The applicant, Mr. Rodney Lincoln, chose to withdraw the rezoning request at this time.

C. **RZ 13-11**: Request for a rezoning from C-1 to C-2 for property located at the southeast intersection of US Highway 182 and Stark Road (900 Stark Road).

There came before the Commission a request by a Family Medical Clinic, whose property is in a C-1 Neighborhood Commercial Zone. The applicant's property adjoins two large contiguous parcels to the south fronting along Stark Road, and although undeveloped, are also zoned C-1 Neighborhood Commercial.

It is the wish of the Applicant to add an electronic message sign to its current on-site signage. The Zone C-1 prohibits electronic signage, but C-2 General Business Zoning does allow for this type of signage. Therefore the applicant is requesting their property be rezoned to C-2 General Business.

After much discussion, and no finding of errors, it was found that the property is protected by a Restrictive Covenant that restricts the properties to remain as C-1 Neighborhood Commercial Zoning.

The applicant was given the choice to Table the discussion, withdraw the application, or allow the Commission to act on the Rezoning Request.

The applicant chose to withdraw the application for rezoning, and to re-evaluate their signage choices.

DRAFT

PLANNER REPORT

Community Development Director, William Snowden indicated that he had no material to present.

ADJOURNMENT

There being no further business to discuss, Commissioner Loveless made a motion to adjourn, duly seconded by Commissioner Murdock. The next regularly scheduled meeting will be Tuesday, September 10, 2013 at 5:30 PM in the City Hall Courtroom.

_____
Jerry Emison, Chairman

_____
William Snowden
Community Development Director

DRAFT

THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 101 E. LAMPKIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission

FROM: Buddy Sanders City Planner (662-323-2525 ext. 131)

CC: Michael Kraker, Applicant

SUBJECT: FP 13-05: "The Cottages at Creekside" located west of the intersection of Garrard and Old West Point Roads, Ward 5.

DATE: September 5, 2013

The purpose of this report is to provide you with information regarding the request of Mr. Mike Kraker, for final subdivision plat approval for the Cottages at Creekside, 23 lots on 4.80 acres.

BACKGROUND INFORMATION

The subject property was rezoned from R-1 to PUD by the Board of Aldermen on October 4, 2011. The Preliminary Plat was approved by the Board of Aldermen on April 17, 2012.

PLAT PROPOSAL

General Information

The applicant is requesting final plat approval of a 23 lot subdivision. Portions of lots 17 through 23 are located in an "other flood area" and are noted on the final plat. Because of road widening along Garrard Road, slight changes were made to the orientation of lots 1 through 4, walking trail, and sidewalk location in the curve of the eastern most entrance. These are the only deviations from the approved preliminary plat.

Easements and Dedications

All easements and dedications are provided on the final plat. City streets have been constructed and all utility services will be provided by the City. A street number has been assigned for construction permitting and utility assignments. Please see Attachments 1 and 2.

Findings and Comments

The final plat is a Class "C" survey prepared by a professional licensed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and meets the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25

STAFF RECOMENDATION

Staff recommends for approval of the "The Cottages at Creekside" final subdivision plat located west of the intersection of Garrard and Old West Point Roads based on the final plat dated

September 3, 2013 the findings of fact and conclusions of this staff report dated September 5, 2013, 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. All public utilities are currently in place.

3. Erosion control vegetation shall be established on all disturbed areas.

4. Sidewalk construction shall conform to agreed locations and standards.

5. Additional easements may be required based on as-built conditions

6. All bond requirements are met prior to City Department Heads signatures

7. 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.

8. 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.

9. Approval of covenants prior to the recording of the plat.

10. Note on final plat stating the HOA is responsible for maintaining common areas.

11. A final plat review and approval shall be required prior to the recording of the plat at the Office of the Oktibbeha County Chancery Clerk.

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.

Attachment 1

DEDICATION OF UTILITY EASEMENTS

THE UNDERSIGNED OWNERS OF THE COTTAGES AT CREEKSIDE AS SHOWN ON THE FOREGOING PLAT TOGETHER WITH BANKFIRST, DO BY THIS INSTRUMENT CONVEY TO THE CITY OF STARKVILLE, MISSISSIPPI, ALONG WITH THE RIGHT OF INGRESS AND EGRESS, ALL UTILITIES AND UTILITY EASEMENTS TO BE USED BY THE CITY OF STARKVILLE, MISSISSIPPI FOR PROVIDING PUBLIC SERVICES, ALONG WITH PERMANENT AND PERPETUAL UTILITY EASEMENTS DESCRIBED AS BEING FIVE (5) FEET IN PERPENDICULAR DISTANCE, IN THE HORIZONTAL PLANE, FROM ANY POINT ON THE EXTERIOR SURFACES OF ALL PUBLIC UTILITY INFRASTRUCTURE ERRONEOUSLY LOCATED OUTSIDE THE PLATTED UTILITY EASEMENTS AT THE TIME OF DEDICATION.

IT IS UNDERSTOOD AND AGREED THAT THE CITY OF STARKVILLE IS HELD HARMLESS FROM LIABILITY OR PAYMENT OF COMPENSATION TO THE ABUTTING PROPERTY OWNERS, OR ENTITY DERIVING THEREFROM, FOR DAMAGES RESULTING FROM UTILITY LINE FAILURES OR DAMAGES TO IMPROVEMENTS WITHIN THE AFOREMENTIONED EASEMENTS, UP TO, BUT NOT LIMITED TO, BUILDINGS, LIGHT FIXTURES, MAILBOXES, ORNAMENTAL LANDSCAPING, TURF GRASS, FENCES, ALONG WITH PRIVATE ROAD SURFACES, CURBS AND GUTTERS, AS A RESULT OF INGRESS, EGRESS AND THE MAINTENANCE OR REPLACEMENT OF UTILITY LINES.

IT IS FURTHER UNDERSTOOD THAT THE ELEVATION OF ANY STRUCTURE CONSTRUCTED ON A LOT SHALL BE SUCH THAT THE MINIMUM SLOPE, PER THE PREVAILING CODE REQUIREMENTS FOR HORIZONTAL SEWER DRAINS, IS MAINTAINED BETWEEN THE STRUCTURE AND THE POINT OF CONNECTION TO THE PUBLIC SANITARY SEWER COLLECTION SYSTEM.

WITNESS OUR SIGNATURES THIS THE _____ DAY OF _____, 20___ .

BANKFIRST

BY: _____
TOMMY PRENTICE
VICE PRESIDENT
1000 HIGHWAY 12 WEST
STARKVILLE, MS 39759
662-323-3950

MICHAEL KRAKER CONSTRUCTION

BY: _____
MICHAEL KRAKER
OWNER

CERTIFICATE OF HOLDER OF SECURITY INTEREST

KNOW ALL MEN BY THESE PRESENT THAT THE UNDERSIGNED IS THE HOLDER OF A SECURITY INTEREST IN THE LANDS SHOWN AND INCLUDED IN THE PLAT AND DESCRIPTION AND DOES HEREBY CONSENT TO THE RECORDATION OF SAID PLAT AND RELATED DECLARATION OF RESTRICTIONS AND BY-LAWS RECORDATION.

BANKFIRST

BY: _____
TOMMY PRENTICE
VICE PRESIDENT
1000 HIGHWAY 12 WEST
STARKVILLE, MS 39759

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 20____, WITHIN MY JURISDICTION, THE WITHIN NAMED TOMMY PRENTICE, WHO ACKNOWLEDGED THAT HE IS VICE PRESIDENT OF BANKFIRST, EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AFTER FIRST HAVING BEEN DULY AUTHORIZED SO TO DO.

_____
NOTARY PUBLIC

(SEAL)

MY COMMISSION EXPIRES:

CERTIFICATE OF FLOOD ZONE

THIS IS TO CERTIFY THAT ACCORDING TO THE FLOOD HAZARD BOUNDARY MAP OF OKTIBBEHA COUNTY, MISSISSIPPI, PUBLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, COMMUNITY – PANEL NUMBER 28105C0156E, WITH AN EFFECTIVE DATE OF FEBRUARY 17, 2010, A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA.

_____
MICHAEL G. BRENT, P.E.

CERTIFICATE OF FINAL APPROVAL

PURSUANT TO THE STARKVILLE, MISSISSIPPI SUBDIVISION REGULATIONS, THIS DOCUMENT WAS GIVEN APPROVAL BY THE STARKVILLE CITY PLANNING COMMISSION AT A MEETING HELD ON THIS THE _____DAY OF _____, 20____. ALL OF THE CONDITIONS OF APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED, AND THIS CERTIFICATE EXECUTED UNDER AUTHORITY OF THESE REGULATIONS.

_____ _____
FIRE DEPARTMENT PUBLIC SERVICES DIRECTOR

_____ _____
ELECTRIC DEPARTMENT CITY ENGINEER

_____
CITY PLANNER

PURSUANT TO THE STARKVILLE, MISSISSIPPI SUBDIVISION REGULATIONS, THIS DOCUMENT WAS GIVEN APPROVAL BY THE MAYOR AND BOARD OF ALDERMAN AT A MEETING HELD ON THIS THE_____DAY OF _____, 20____. ALL OF THE CONDITIONS OF APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED AND THIS CERTIFICATE EXECUTED UNDER AUTHORITY OF THESE REGULATIONS, HOWEVER, THIS APPROVAL SHALL BE INVALID, NULL AND VOID, UNLESS THIS PLAT IS FILED WITH THE CHANCERY CLERK WITHIN SIX (6) MONTHS HEREAFTER.

_____ _____
DATE OF EXECUTION MAYOR, CITY OF STARKVILLE, MISSISSIPPI

_____
CITY CLERK

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, MICHAEL KRAKER, OWNER OF THE LANDS SHOWN AND INCLUDED ON THIS PLAT, HAVE CAUSED SAID LANDS TO BE SUBDIVIDED IN THE MANNER HEREON SHOWN. ALL STREETS, AVENUES, AND EASEMENTS, AND/OR PORTIONS HEREON ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC. THE CITY MAY AT ANY TIME CHANGE THE GRADE OF ANY SUCH STREET OR OTHER PUBLIC WAY OR ANY PART THEREOF FROM THE NATURAL GRADE TO THE PERMANENT GRADE WITHOUT THE PAYMENT OF COMPENSATION OR DAMAGES TO THE ABUTTING PROPERTY OWNERS.

BANKFIRST

_____
TOMMY PRENTICE

MICHAEL KRAKER CONSTRUCTION

_____
MICHAEL KRAKER, OWNER

DESCRIPTION OF THE MICHAEL KRAKER CONSTRUCTION PROPERTY

COMMENCE AT THE INTERSECTION OF THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 14 EAST, OKTIBBEHA COUNTY, MISSISSIPPI AND THE EAST RIGHT-OF-WAY FOR NORTH MONTGOMERY STREET; THENCE RUN S89°49'E 1916.60 FEET TO A FOUND IRON PIN; THENCE RUN N00°17'E 109.37 FEET TO A FOUND IRON PIN ON THE NORTH EDGE OF A CONCRETE SIDEWALK AND BEING THE NORTH RIGHT-OF-WAY FOR EAST GARRARD ROAD AND THE POINT OF BEGINNING FOR THIS DESCRIPTION.

CONTINUE N00°17'E ALONG AN OLD FENCE 434.21 FEET TO A FOUND IRON PIN; THENCE RUN S56°29'E 283.23 FEET TO A FOUND IRON PIN; THENCE RUN S69°46'E 104.58 FEET TO A FOUND IRON PIN; THENCE RUN S88°26'E 91.83 FEET TO A FOUND IRON PIN; THENCE RUN S82°25'E 218.80 FEET TO A FOUND IRON PIN; THENCE RUN S58°29'E 370.31 FEET TO A FOUND IRON PIN ON THE NORTH EDGE OF A CONCRETE SIDEWALK BEING THE NORTH RIGHT-OF-WAY FOR EAST GARRARD ROAD; THENCE RUN ALONG SAID RIGHT-OF-WAY S88°43'W 40.42 FEET TO A FOUND IRON PIN; THENCE RUN ALONG SAID RIGHT-OF-WAY S88°53'W 49.91 FEET TO A FOUND IRON PIN; THENCE RUN ALONG SAID RIGHT-OF-WAY S89°00'W 823.50 FEET TO A FOUND IRON PIN; THENCE RUN ALONG SAID RIGHT-OF-WAY S89°28'W 47.07 FEET TO A FOUND IRON PIN AND THE POINT OF BEGINNING FOR THIS DESCRIPTION

BEING A TOTAL OF 4.80 ACRES, MORE OR LESS.

ALL BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, T-19-N, R-14-E, OKTIBBEHA COUNTY, MISSISSIPPI.

CERTIFICATE OF OWNERSHIP

I, THE UNDERSIGNED, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY CERTIFY THAT I HAVE LAID OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE THE REAL ESTATE IN ACCORDANCE WITH THE WITHIN NAMED PLAT.

_____ _____
TOMMY PRENTICE MICHAEL KRAKER
VICE PRESIDENT OWNER
BANKFIRST MICHAEL KRAKER CONSTRUCTION

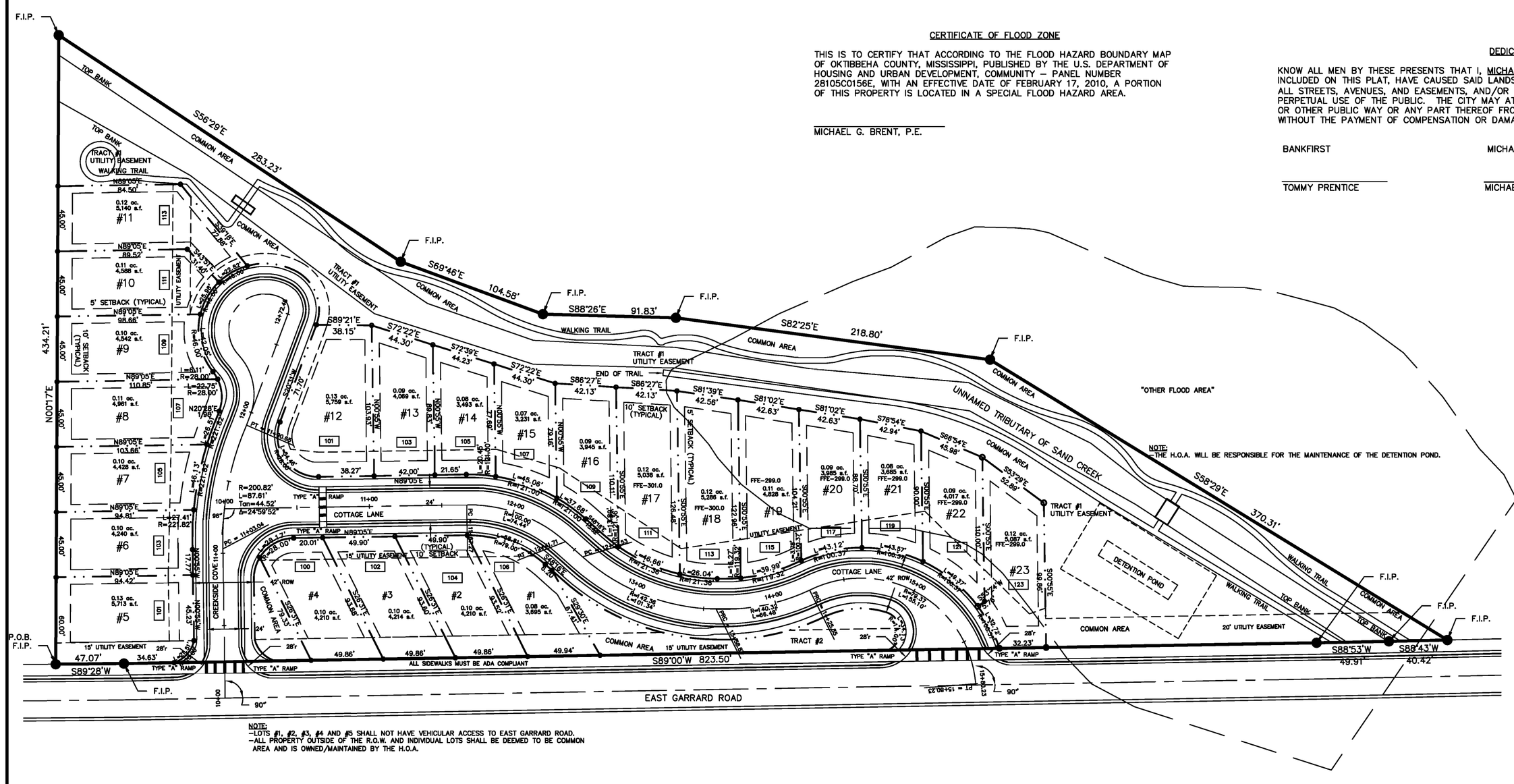
SURVEYOR'S CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

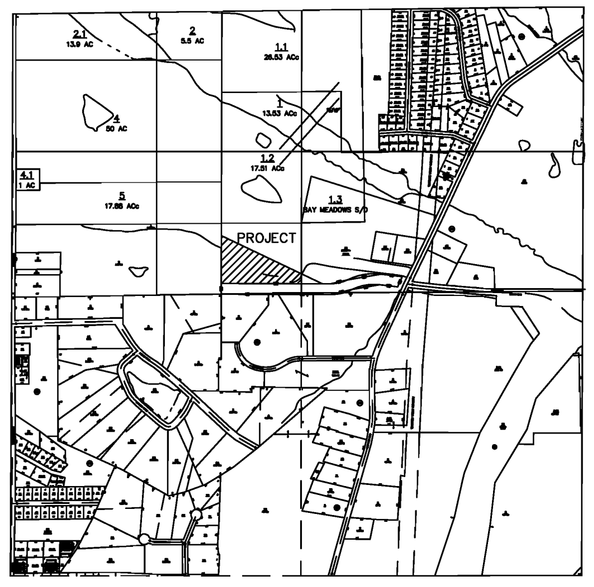
I, MICHAEL G. BRENT, THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SUBDIVIDED AND PLATTED THE LAND SHOWN ON THIS MAP, THE SAME BEING DESCRIBED AS PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 14 EAST, OKTIBBEHA COUNTY, MISSISSIPPI.

IN TESTIMONY WHERE OF, WITNESS MY SIGNATURE ON THIS THE _____ DAY OF _____, 2013.

_____
MICHAEL G. BRENT
PROFESSIONAL LAND SURVEYOR #2738
507-A M.L. KING DRIVE
STARKVILLE, MS 39759



VICINITY MAP



1 inch = 50 ft.

CERTIFICATE OF ENGINEERING ACCURACY

I, MICHAEL G. BRENT, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY AND PLAN MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL REQUIREMENTS OF THE STARKVILLE, MISSISSIPPI SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH.

_____
DATE

_____
MICHAEL G. BRENT
PROFESSIONAL ENGINEER #11253
STARKVILLE, MS

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

I, a Notary Public of the County and State aforesaid, certify that MICHAEL G. BRENT, a registered land surveyor personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the _____day of _____, 20____.

_____
NOTARY PUBLIC

(SEAL)

MY COMMISSION EXPIRES:

CERTIFICATE OF COMPARISON

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

WE, MONICA BANKS, THE CLERK OF THE CHANCERY COURT IN AND FOR OKTIBBEHA COUNTY, MISSISSIPPI, AND MICHAEL G. BRENT, MAKER OF THIS MAP, DO HEREBY CERTIFY THAT WE HAVE CAREFULLY COMPARED THIS DUPLICATE WITH THE ORIGINAL THEREOF AND FOUND SAME TO BE AN EXACT COPY OF SAID MAP.

DATED THIS THE _____ DAY OF _____, 2013.

_____ _____
MONICA BANKS MICHAEL G. BRENT
CHANCERY CLERK, OKTIBBEHA COUNTY, MS. PROFESSIONAL LAND SURVEYOR #2738

CERTIFICATE OF RECORDING

I, MONICA BANKS, CHANCERY CLERK OF OKTIBBEHA COUNTY, MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 200__ AT _____ O'CLOCK _____ AND RECORDED ON SLIDE _____ IN THE PUBLIC RECORDS OF LANDS IN OKTIBBEHA COUNTY, MISSISSIPPI.

WITNESS OUR SIGNATURES ON THIS THE _____ DAY OF _____, 2013.

_____
MONICA BANKS, CHANCERY CLERK
OKTIBBEHA COUNTY, MISSISSIPPI

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF OKTIBBEHA

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2013, WITHIN MY JURISDICTION, THE WITHIN NAMED MICHAEL KRAKER, IN HIS CAPACITY AS PRESIDENT OF MICHAEL KRAKER CONSTRUCTION – A MISSISSIPPI LIMITED LIABILITY COMPANY, AND THAT IN SAID REPRESENTATIVE CAPACITY HE EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AFTER FIRST HAVING BEEN DULY AUTHORIZED SO TO DO.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES:

LAND USE/SITE DATA TABLE

GROSS ACREAGE:	4.80 Ac.
OPEN SPACE:	0.00 Ac.
LAND USE ACREAGE:	RESIDENTIAL = 4.80 Ac.
TOTAL MAXIMUM NUMBER OF LOTS:	23 LOTS
TOTAL NUMBER OF RESIDENTIAL UNITS FOR MIXED USE:	0 UNITS
DENSITY:	23 LOTS/4.80 AC = 4.79 LOTS/AC

CONTACT INFORMATION

PROPERTY OWNER OF RECORD:	MICHAEL AND GAYLE KRAKER MIKE KRAKER CONSTRUCTION 501 S. MONTGOMERY ST., #19 STARKVILLE, MS 39759 662-324-1414
APPLICANT(S):	MICHAEL AND GAYLE KRAKER MIKE KRAKER CONSTRUCTION 501 S. MONTGOMERY ST., #19 STARKVILLE, MS 39759 662-324-1414
PROFESSIONAL DESIGN CONSULTANT, ENGINEER, AND/OR SURVEYOR:	BRENT ENGINEERING SERVICE, INC. MICHAEL G. BRENT,OWNER MISS. PLS #2738 507-A M.L. KING DRIVE STARKVILLE, MISSISSIPPI PHONE: 662.324.0713 FAX: 662.769.0718 mbrent39759@yahoo.com

CLASS "C" SURVEY

NOTES:
-BEARINGS DETERMINED BY SOLAR OBSERVATION
-DISTANCES BY E.D.M.
-CALCULATIONS BY COMPUTER
-DEED OF RECORD BOOK 2007 AT PAGE 3085

-WATER AND SEWER TO BE PROVIDED BY THE CITY OF STARKVILLE
-THE PROPERTY SURVEYED IS LOCATED IN AN P.U.D. ZONE.
-SET BACKS ARE SUBJECT TO P.U.D. REQUIREMENTS.
-UTILITY AND DRAINAGE EASEMENT ALONG FRONT LOT LINES UNLESS OTHERWISE NOTED.

LEGEND

BOUNDARY	———
LOT LINE	— · · —
CENTER LINE OF ROAD	— · — · —
EASEMENT	– – – –
SETBACK	— — — —
FOUND IRON PIN	◉
SET IRON PIN (1/2" REBAR)	○
STREET ADDRESS NUMBER	208

THE COTTAGES AT CREEKSIDE
FINAL PLAT FOR A P.U.D.

BRENT ENGINEERING SERVICE, INC.
507-A M.L. KING DRIVE
STARKVILLE, MS 39759
PHONE (662) 324-0713

MICHAEL KRAKER CONSTRUCTION
STARKVILLE, MISS.

DRAWN BY:	MGB	DATE:	9-3-13
CHECKED BY:	MGB	NAME:	FINAL_PLAT
JOB NO.:	07-172	SHEET	1 OF 1

Attachment 2

North

East

South

West

HISTORIC STARKVILLE
MISSISSIPPI'S COLLEGE TOWN
THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 101 E. LAMPKIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission

FROM: Buddy Sanders (662-323-2525 ext. 131)

SUBJECT: CU 13-07: City of Starkville on Behalf of MSU; "Mill Development Parking Deck" located in a T-6 Zoning District in Ward Four

DATE: September 4, 2013

AREA:

The subject property is located at the intersection of Mill and Russell Streets, or more specifically, 600 Russell Street (see Attachment 1). The property is owned by Mississippi State University and the proposed parking deck will be adjacent to the Cooley Building which is the physical plant for the University and has typical storage and light industrial uses that are common with university physical plants (Attachment 3). Zoning for the property is T-6.

There are multiple zoning districts and uses, adjacent to The Mill Property. There are residential homes located on the west side of Mill Street in R-5 and C-2 zones. North of the Cooley Building on the north side of Russell Street are residential uses and vacant property all in a T-5 zoning district. Property to the east is vacant, fronts Highway 12 and is zoned T-6. Property to the south is zoned C-2, vacant, and fronts Highway 12. Please see Attachments 1 and 2.

The proposed parking deck is planned to be located behind the Cooley Building on proposed lot 5 (Attachment 4) with access coming off of Mill Street.

CONDIONAL/EXCEPTION USE REQUEST:

The application by the City of Starkville is for a parking deck, which is listed as a use by Exception in a T-6 zone. While there are no parking requirements for a T-6 zone, Mississippi State University is proposing to convert the Cooley Building from a physical plant to a conference center and also has plans for a hotel on proposed lot two (Attachment 4), both which are uses by Right. The proposed parking deck will serve to provide parking for the conference center and hotel to ensure proper facilities are in place to support the proposed conference center complex.

The proposed parking deck will be located on proposed lot 5 and will be owned and operated by the City of Starkville. Please see Attachment 4.

The Board of Adjustments and Appeals will hear a variance request to allow a 20 to 13 foot tapered encroachment into the second lot layer along Mill Street near the entrance of the proposed parking deck.

REQUIREMENTS FOR A
CONDIONAL/EXCEPTION USE REQUEST:

General criteria for approving a conditional use. A conditional use shall be permitted only upon a finding that the proposed conditional use, application, and applicable performance criteria comply with the criteria herein specified unless the city determines that the proposed conditional use does not meet the criteria herein provided and that the proposed conditional use is adverse to the public's interest. In addition, the site plan criteria of an application for a conditional use shall describe the proposed land use characteristics and site plan techniques proposed to mitigate against possible adverse impacts to properties in the immediate vicinity.

A. Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

1. Scale and intensity of use as measured by the following:

a. Square footage for each specific use.

The proposed parking deck will have three levels and a square footage area of around 161,201 square feet.

b. Traffic generation.

The proposed parking deck will provide 450 parking spaces for a hotel and conference center and keep cars from being parked on surface streets to allow safe passage of traffic.

c. Proposed number and type of service vehicles.

None

d. Proposed employment.

N/A

e. Off-street parking needs.

A T-6 zone has no parking requirements making the parking deck a good fit to the hotel and conference center.

2. On- or off-site improvement needs generated by the proposed use, including:

a. On- or off-site facilities required to service the proposed use such as utilities, public facilities, roadway or signalization improvements, or other similar improvements, including proposed accessory structures or facilities; and

All need utilities and access to public streets are available.

b. Other unique facilities/structures proposed as part of site improvements.

The proposed parking deck will serve the parking needs of a hotel that is proposed to be constructed east of the parking deck and a The Cooley Building which is proposed to be converted into a conference center.

3. On-site amenities proposed to enhance the site and planned improvements. Amenities may include mitigative techniques such as open space, setbacks from adjacent properties, screening and bufferyards, and other acceptable techniques to mitigate against adverse impacts to adjacent sites.

The proposed parking deck has been designed to be placed at a low elevation so the view of the parking deck is kept to a minimum; parking deck will also be located behind The Cooley Building which will greatly reduce the view from Russell Street.

Design techniques such as decorative metal screening is planned to be used to make the parking deck look more like a typical building. The landscape plan fully meets City landscape requirements.

4. The planning and zoning commission may be authorized to place a time for an annual or bi-annual follow-up review in specific cases recommended by the city planner where the intended use may require periodic review and evaluation.

Specific or annual review is not recommended. However, review of as built conditions and operation will be reviewed as an possible example of any future proposed parking facilities.

B. Criteria for conditional use review and approval. In addition to site plan procedures and performance criteria, applications for a conditional use shall clearly demonstrate the following:

1. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic generating characteristics, and off-site impacts, are compatible and harmonious with adjacent land use, and will not adversely impact land use activities in the immediate vicinity.

The subject parking deck will be located in a T-6 zone and will serve hotel and conference center uses. A T-6 zone has no parking requirements, so the subject parking deck will minimize street parking and keep streets open for safe traffic flow.

Adjacent zones are T-6, R-5 and C-2 zones, which are zones with higher impact uses.

The landscape plan meets the requirements of Ordinance 2013-04 and will provide a buffer to residential uses to the west.

2. Sufficient site size and adequate site specifications to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, bufferyards, landscaping, open space, off-street parking, efficient internal traffic circulation, and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

   The proposed parking deck has been designed to be place at a low elevation so the view of the parking deck is kept to a minimum; parking deck will also be located behind The Cooley Building which will greatly reduce the view from Russell Street.

   Design techniques such as decorative metal screening is planned to be used to make the parking deck look more like a typical building. The landscape plan fully meets City landscape requirements.

   Proposed parking deck will minimize on street parking and allow for better traffic flow.

3. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan has been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design shall appropriately address offsite impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.

   The Cooley Building is on the National Register of Historic places and requires regulatory input from the Department of the Interior. Placement of the parking deck, color of façade, and elevation of structure is designed to complement The Cooley Building.

   The landscape plan for the parking deck meets the requirements of Ordinance 2013-04 and will provide a buffer to adjacent residential uses.

4. Hazardous waste. The proposed use shall not generate hazardous waste or required use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the public health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material, and regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan policies and land development regulations, and does not adversely impact wellfields, aquifer recharge areas, water bodies or other natural resources.

   Not Applicable

5. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval.

See answer to question B (3).

STAFF RECOMMENDATION:

A T-6 zoning district allows a conference center and hotel as a use by Right. However, there are no parking requirements in a T-6 zoning district. Given the typical uses and draw of the public to conference centers and hotels by automobile, adequate parking is needed to support the uses allowed by Right and to keep surface streets clear and safe.

The staff recommends approval of the requested Conditional/Use by Exception for a parking deck, with the condition:

1.) Required Variance approval is recommended by the Board of Adjustments and Appeals and approved by the Board of Aldermen.

Attachment 1

The Mill Project
Aerial Image

Case # CU 13-07

Ward # 4

City of Starkville 2013

N
W E
S

Feet

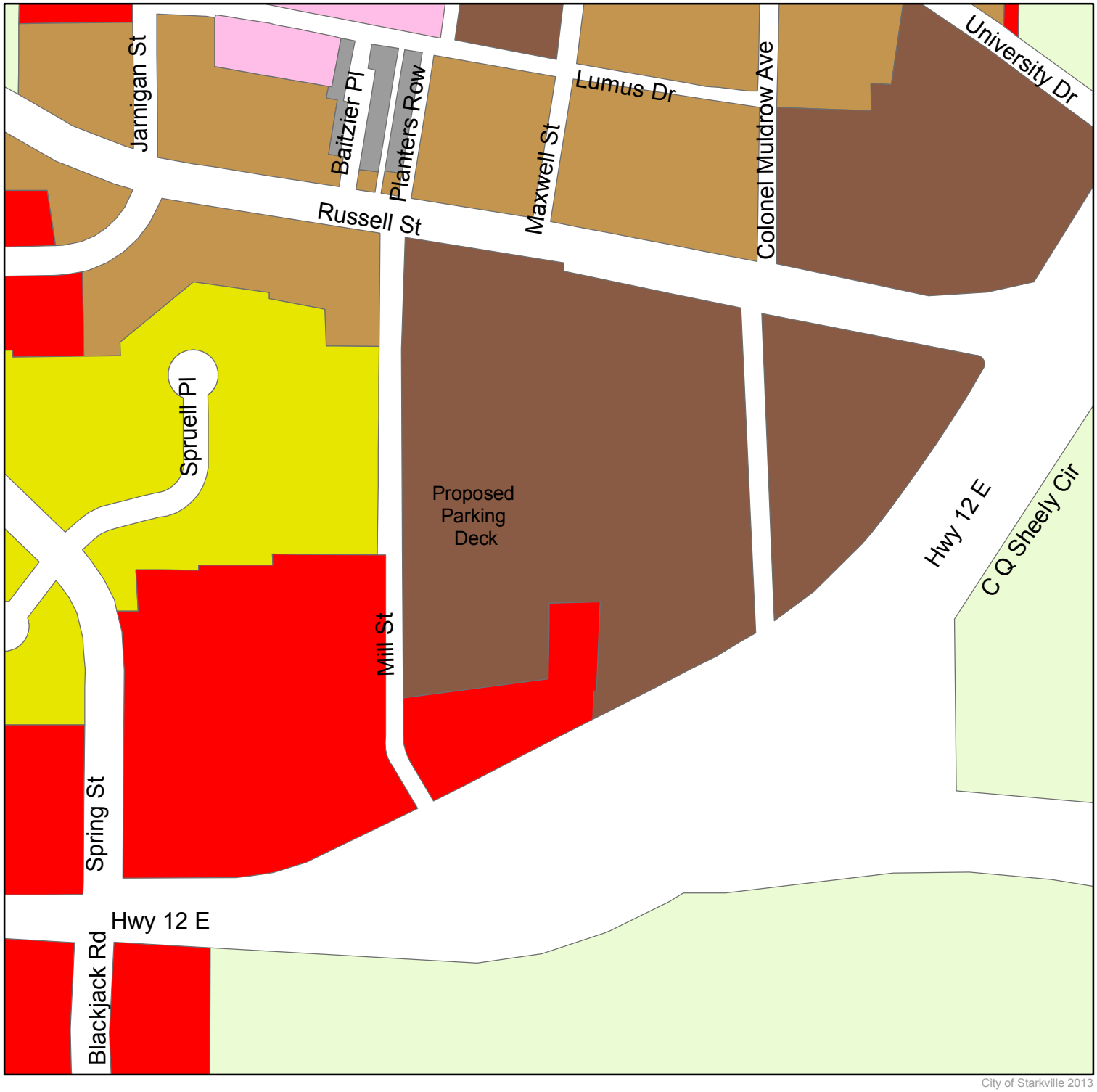
0 155 310 620

Attachment 2

The Mill Project
Property Zoning

Case # CU 13-07

Ward # 4



City of Starkville 2013

Zoning Areas

- MSU
- C-2 General Business
- PUD Planned Unit Development
- R-2 Single Family/Duplex
- R-5 Multi-Family, High-Density
- T5 Form Based Code
- T6 Form Based Code

N
W E
S

Feet

0 155 310 620

Attachment 3

North View

East View

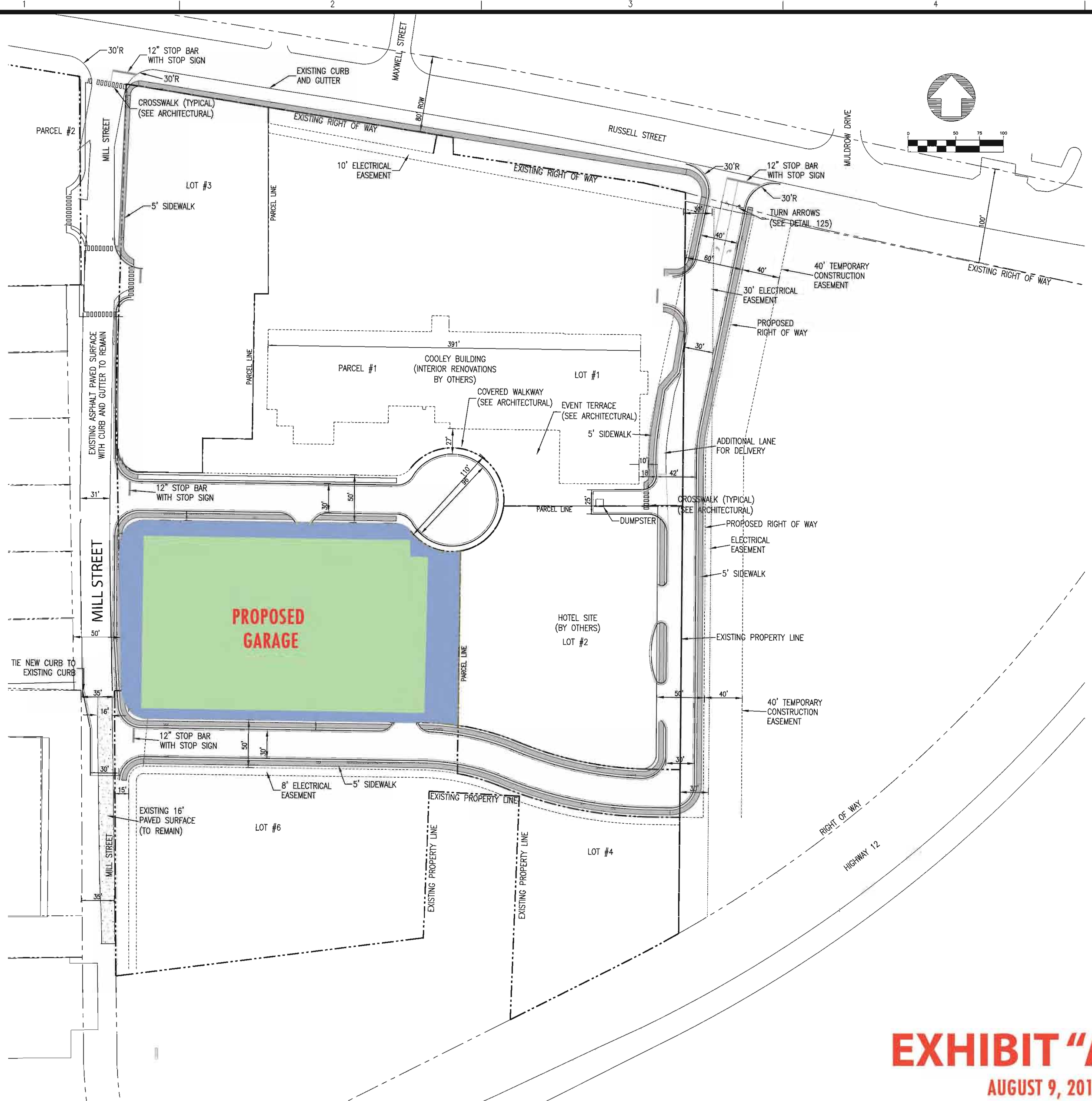
South View

West View

Mill Street View (North)

Mill Street View (South)

Attachment 4



LINE LEGEND

-OHE- -OHE- -OHE-	EXISTING OVERHEAD ELECTRIC LINES
-UGE- -UGE- -UGE-	EXISTING UNDERGROUND ELECTRIC LINES
-GAS- -GAS- -GAS-	EXISTING GAS LINE
-W- -W- -W-	EXISTING WATER LINE
-SS- -SS- -SS-	EXISTING SANITARY SEWER LINE
OHE OHE OHE	EXISTING OVERHEAD TELEPHONE LINE
UGT UGT UGT	EXISTING UNDERGROUND TELEPHONE LINE
-D- -D- -D-	EXISTING DRAINAGE/STORM SEWER LINE
-X-X-X-X-X-	EX FENCE
	PROPERTY LINE
	EASEMENT LINE
380 380	EXISTING GROUND CONTOUR
382 382	FINISHED GROUND CONTOUR
-SS- -SS- -SS-	SANITARY SEWER LINES
-UGE- -UGE- -UGE-	UNDERGROUND ELECTRIC LINES
-G- -G- -G-	GAS LINE
8"W 8"W 8"W	8" WATER LINE
S	SANITARY SEWER SERVICE
W	WATER SERVICE
V	EXISTING WATER VALVE
V	PROPOSED WATER VALVE
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
SS	EXISTING SANITARY SEWER MANHOLE
SS	PROPOSED SANITARY SEWER MANHOLE
T	PROPOSED TRANSFORMER
E	PROPOSED ELECTRICAL PULLBOX
G	PROPOSED GAS METER
	DRAINAGE/STORM SEWER LINE
	SIDEWALK

NOTE: ALL SYMBOLS, ABBREVIATIONS, OR LINESTYLES DO NOT NECESSARILY APPEAR ON DRAWING(S). USE ONLY AS APPLICABLE.

NOTE: BUILDING DIMENSIONS ARE APPROXIMATE. SEE ARCHITECTURAL PLANS FOR EXACT DIMENSIONS.

NOTE:
ALL INFORMATION SHOWN ON THIS PLAT REGARDING THE FLOOD ZONE, EXISTING UTILITIES, AND PROPERTY BOUNDARY LOCATION AND INFORMATION WAS PROVIDED BY CLYDE PRITCHARD.

ALL INFORMATION SHOWN ON THIS PLAT REGARDING EXISTING TOPOGRAPHY WAS PROVIDED BY CLYDE PRITCHARD.

STORMWATER DESIGN MEETING THE CITY'S ORDINANCE WILL OCCUR AT THE INFRASTRUCTURE PLAN REVIEW STAGE.

SITE INFORMATION

ZONING: T6
SETBACKS VARY DEPENDING ON TRANSECT LEVEL
PARKING SPACE REQUIREMENTS VARY DEPENDING ON TRANSECT LEVEL.

TOTAL SITE AREA (SEE LEGAL DESCRIPTION)

GARAGE PARKING– NO LESS THAN 450 SPACES

PROPERTY OWNER: MISSISSIPPI STATE UNIVERSITY
TAX MAP/PARCEL ID # 101D-0-342

FLOOD NOTE:
THIS PARCEL IS LOCATED (BY PLAN VIEW GRAPHIC REPRESENTATION IN FLOOD ZONE X (NOT SHADED) ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 28105C0158E, EFFECTIVE DATE: PRELIMINARY FEBRUARY 27, 2009

EXHIBIT "A"
AUGUST 9, 2013

REVISIONS:

PROJECT #: 24095.00
DATE: 7-26-13
DRAWN BY: SM
DESIGNER: SM
CHECKED BY: SM

Pickering
Pickering Firm, Inc.
Facility Design • Civil Engineering • Surveying • Transportation • Natural / Water Resources
2001 Airport Road, Suite 201
Florence, MS 39222
601.936.3863

THE MILL AT MSU
Starkville, Mississippi

REVIEW COPY DO NOT USE FOR CONSTRUCTION

SEAL:
FOR REVIEW ONLY

SHEET NUMBER:
C2.0

DESCRIPTION:
SITE PLAN

East View on Garrard Road

West View on Garrard Road

THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 101 E. LAMPKIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission

FROM: Buddy Sanders City Planner (662-323-2525 ext. 131)

CC: Nat Whitten, Agent/Applicant For MSU

SUBJECT: FP 13-06: "The Mill at MSU" located at the intersection of Mill and Russell Streets, Ward 4. Six Lot Subdivision and Variance Request

DATE: September 5, 2013

The purpose of this report is to provide you with information regarding the request of Mississippi State University , to review a proposed final plat for The Mill at MSU, 6 lots, total of 10.05 acres.

BACKGROUND INFORMATION

The Preliminary Plat was approved by the Board of Aldermen on June 18, 2013. Subdivision is part of "The Mill at MSU" hotel and conference center project. The overall Final Plat is the same at the Preliminary Plat, with the exception that there is a request by the applicant for Variances along the eastern side of the project to allow for the placement of a road for access.

PLAT PROPOSAL

General Information

The applicant is requesting final plat approval of a 6 lot subdivision totaling 10.05 acres.

Easements and Dedications

Proposed properties have access to City streets. There is a new proposed street that will be located on the eastern and southern portions of the project and private street in the center of the development that will be used for both access and private events.

Findings and Comments

The final plat is a survey prepared by a professional licensed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and meets the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25

Variance Request

The applicant is requesting two Variances:

1. A variable width public street right-of-way from 37 feet to 50 feet. The location of the Cooley Building and the proposed hotel relative to the east property line makes a 50-foot right-of-way width impossible. (Subdivision Ordinance Article VI, Section 1 (6)(a))

2. A roadway width of 26 feet, measured from face of curb to face of curb. The location of the Cooley Building and the proposed hotel relative to the east property line makes a 31 foot roadway width impossible. (Code of Ordinances Section 98-83 (2)(c); Subdivision Ordinance, Article VI, Section 1 (6)(b))

The reason for the applicant's request is because of the narrow area between The Cooley Building and the eastern property line. Adjustments to The Cooley building cannot be made due to the building being a historic structure.

CONCLUSIONS

Staff recommends approval of "The Mill at MSU" final subdivision plat. Staff also recommends approval of the requested Variances. It is recommended the following conditions be issued with recommendation of approval:

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. All Subdivision Variances are granted

3. Erosion control vegetation shall be established on all disturbed areas.

4. Sidewalk construction shall conform to agreed locations and standards.

5. Additional easements may be required based on as-built conditions

6. All bond requirements are met prior to City Department Heads signatures

7. 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.

8. 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.

9. Approval of covenants prior to the recording of the plat.

10. A final plat review and approval shall be required prior to the recording of the plat at the Office of the Oktibbeha County Chancery Clerk.

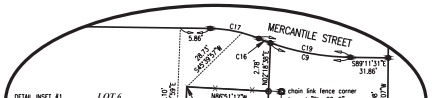
11. The final plat shall be recorded at the Office of the Oktibbeha County Chancery Clerk within thirty (30) days of the approval by the Mayor and Board of Aldermen.

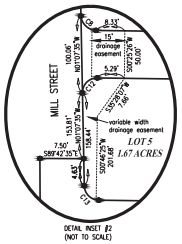
Pickering

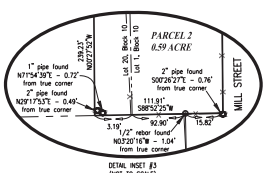
Pickering Firm, Inc.
Facility Design • Civil Engineering • Surveying • Transportation • Natural / Water Resources
2001 Airport Road, Suite 201
Flowood, MS 39232
601.956.3663

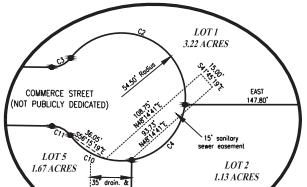
The Mill at MSU

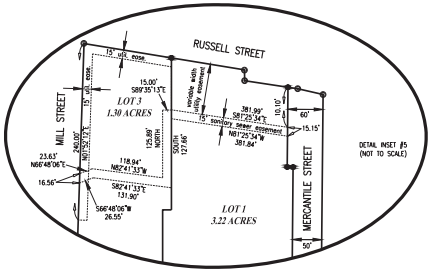
SITUATED IN BLOCK 31 OF THE STARKVILLE LAND COMPANY SUBDIVISION
AND ALSO IN
LOT 1 OF BLOCK 9, LOT 1 OF BLOCK 9A, AND LOTS 1, 1A, 2, AND 20 OF BLOCK 10
OF THE UNIVERSITY URBAN RENEWAL AREA, FIRST REVISION
CITY OF STARKVILLE, OKTIBBEHA COUNTY, MISSISSIPPI



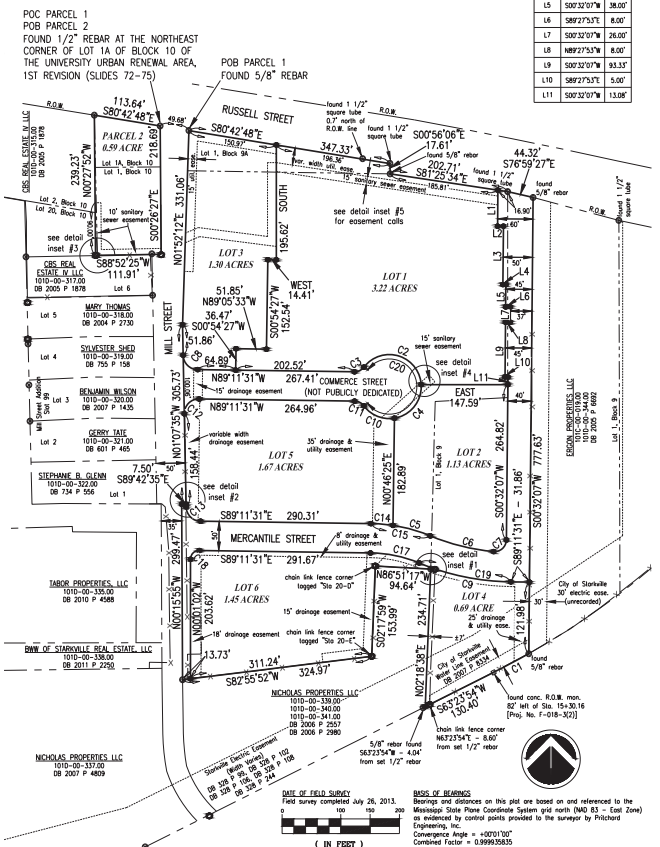








Line Table		
Line #	Direction	Length
L1	S00°32'07"W	61.46'
L2	S89°27'53"E	10.00'
L3	S00°32'07"W	99.47'
L4	S89°27'53"E	5.00'
L5	S00°32'07"W	38.00'
L6	S89°27'53"E	8.00'
L7	S00°32'07"W	26.00'
L8	N89°27'53"W	8.00'
L9	S00°32'07"W	93.33'
L10	S89°27'53"E	5.00'
L11	S00°32'07"W	13.08'



C1 Radius = 1350.40' Arc Length = 68.02' Chord Bearing = S61°57'20"W Chord Length = 68.01' Delta = 002°53'10"

C2 Radius = 54.50' Arc Length = 132.30' Chord Bearing = N73°04'44"W Chord Length = 102.13' Delta = 139°05'09"

C3 Radius = 20.00' Arc Length = 18.65' Chord Bearing = S64°05'35"W Chord Length = 17.98' Delta = 053°25'47"

C4 Radius = 54.50' Arc Length = 80.28' Chord Bearing = N38°39'45"E Chord Length = 73.22' Delta = 084°23'50"

C5 Radius = 275.00' Arc Length = 66.09' Chord Bearing = N74°26'16"W Chord Length = 65.93' Delta = 013°46'09"

C6 Radius = 375.00' Arc Length = 111.62' Chord Bearing = N78°03'49"W Chord Length = 111.21' Delta = 017°03'16"

C7 Radius = 20.00' Arc Length = 33.15' Chord Bearing = S47°58'20"W Chord Length = 29.46' Delta = 094°52'27"

C8 Radius = 25.00' Arc Length = 38.43' Chord Bearing = N45°09'33"W Chord Length = 34.75' Delta = 088°03'56"

C9 Radius = 425.00' Arc Length = 139.14' Chord Bearing = S79°48'47"E Chord Length = 138.52' Delta = 018°45'27"

C10 Radius = 54.50' Arc Length = 59.16' Chord Bearing = S68°02'28"E Chord Length = 56.30' Delta = 062°11'41"

C11 Radius = 20.00' Arc Length = 18.24' Chord Bearing = N63°04'05"W Chord Length = 17.61' Delta = 052°14'53"

C12 Radius = 25.00' Arc Length = 40.11' Chord Bearing = S44°50'27"W Chord Length = 35.95' Delta = 091°56'04"

C13 Radius = 25.00' Arc Length = 38.43' Chord Bearing = S45°09'33"E Chord Length = 34.75' Delta = 088°03'56"

C14 Radius = 275.00' Arc Length = 37.85' Chord Bearing = N85°14'56"W Chord Length = 37.82' Delta = 007°53'10"

C15 Radius = 375.00' Arc Length = 103.94' Chord Bearing = N78°21'51"W Chord Length = 103.32' Delta = 021°39'20"

C16 Radius = 425.00' Arc Length = 21.50' Chord Bearing = N68°58'08"W Chord Length = 21.49' Delta = 002°53'53"

C17 Radius = 225.00' Arc Length = 85.04' Chord Bearing = N78°21'51"W Chord Length = 84.54' Delta = 021°39'20"

C18 Radius = 15.00' Arc Length = 23.78' Chord Bearing = S45°23'44"W Chord Length = 21.37' Delta = 090°49'31"

C19 Radius = 425.00' Arc Length = 160.63' Chord Bearing = S78°21'51"E Chord Length = 159.68' Delta = 021°39'20"

C20 Radius = 54.50' Arc Length = 271.74' Chord Bearing = N00°13'02"E Chord Length = 65.84' Delta = 285°40'40"

CERTIFICATE OF OWNERSHIP

I, the undersigned owner of the real estate shown and described herein, do hereby certify that I have laid off, platted, and subdivided, and do hereby lay off, plat, and subdivide the real estate in accordance with the within plat, and do hereby dedicate the public roads and easements shown hereon to the City of Starkville for public use forever.

_____ _____
Mississippi State University Date
By: Don Buffum
Its: Director of Procurement and Contracts

ACKNOWLEDGMENT

State of Mississippi
County of

Personally appeared before me, the undersigned authority in and for said County and State, on this _____ day of _____, 2013, within my jurisdiction, the within named Don Buffum, who acknowledged that he is Director of Procurement and Contracts of Mississippi State University, and that he executed the above and foregoing instrument, after first having been duly authorized to do so.

_____ _____
Notary Public My Commission Expires

STATEMENT OF SURVEYING ACCURACY

I, Michael Blake Collins, hereby state that this map correctly represents a survey and plan made by me or under my supervision; that all monuments shown hereon actually exist; and their location, size, type, and material are correctly shown; and that all requirements of the Starkville, MS, Subdivision Regulations have been fully complied with.

_____ _____
Michael Blake Collins, PLS Date of Execution
No. 02955, Mississippi

SURVEYING CERTIFICATION

I, Michael Blake Collins, hereby state that this map correctly represents a survey completed by me or under my supervision in July of 2013; and is a true and correct representation of a survey made on the ground; and that all monuments, which were found or placed on the property are correctly described and located.

_____ _____
Michael Blake Collins, PLS Date of Execution
No. 02955, Mississippi

ACKNOWLEDGMENT

State of Mississippi
County of

Personally appeared before me, the undersigned authority in and for said County and State, on this _____ day of _____, 2013, within my jurisdiction, the within named Michael Blake Collins, PLS, who acknowledged that he is the land surveyor of record, executed the above and foregoing instrument, after first having been duly authorized to do so.

_____ _____
Notary Public My Commission Expires

CERTIFICATE OF APPROVAL

Pursuant to the City of Starkville, Mississippi, Subdivision Regulations, this document was given approval by the Starkville City Planning and Zoning Commission at a meeting held on this the _____ day of _____, 2013. All of the conditions on approval having been completed, this document is hereby accepted, and this certificate executed under authority of these regulations.

_____ _____
Fire Department Public Works Director

_____ _____
Electric Department City Engineer

_____
Community Development Director

Pursuant to the Starkville, Mississippi, Subdivision Regulations, this document was given approval by the mayor and board of aldermen at a meeting held on this the _____ day of _____, 2013. All of the conditions of approval having been completed, this document is hereby accepted, and this certificate executed under authority of these regulations, provided, however, this approval shall be invalid, null and void, unless this plat is filed with the chancery clerk within six month hereafter.

_____ _____
Date of Execution Mr. Parker Wiseman
Mayor, City of Starkville, MS

_____
City Clerk

STATEMENT OF COMPARISON

We, Monica Banks, Chancery Clerk, and Michael Blake Collins, Professional Land Surveyor, do hereby state that we have carefully compared the original plat of THE MILL AT MSU made by said Michael Blake Collins with the duplicate thereof for filing in the Public Records of Oktibbeha County, Mississippi, and that this is an exact duplicate of the original survey and plat.

Witness our signatures this the _____ day of _____, 2013.

_____ _____
Monica Banks Michael Blake Collins, PLS

CERTIFICATE OF RECORDING

This document was filed for record _____, 2013 in Slide _____ at _____ AM/PM.

_____
Signature

_____, Clerk
Name

PARCEL 1

A parcel of land containing 11.41 acres, more or less, and being a part of Block 31 of the Starkville Land Company subdivision as platted and recorded in the Oktibbeha County Chancery Clerk's office in Plat Book 1 at Page 15 (Slide 8), and all of Lot 1 of Block 9A, and a portion of Lot 1 of Block 9 of the University Urban Renewal Area, First Revision as platted and recorded in the Oktibbeha County Chancery Clerk's office in Plat Book 4 at Pages 3–9 (Slides 72–75) and being more particularly described as follows:

COMMENCE at a ½" rebar found at the northeast corner of Lot 1A of Block 10 of said University Urban Renewal Area, First Revision, said point being the intersection of the south right of way line of Russell Street and the west right of way line of Mill Street, and thence run S 80°42'48" E a distance of 49.68 feet to the intersection of the south right of way line of Russell Street and the east right of way line of Mill Street and the POINT OF BEGINNING of the herein described parcel.

From said POINT OF BEGINNING, thence run S 80°42'48" E along said south right of way line a distance of 347.33 feet; thence, continuing along said south right of way line, run S 00°56'06" E a distance of 17.61 feet; thence, continuing along said south right of way line, run S 81°25'34" E a distance of 202.71 feet; thence, continuing along said south right of way line, run S 76°59'27" E a distance of 44.32 feet to the west line of the Ergon Properties parcel described in Deed Book 2005 at Page 6692; thence, leaving said south right of way line, run S 00°32'07" W along the west line of said Ergon property a distance of 777.63 feet to a point on the north right of way line of Highway 12; thence, leaving said west line, run southeasterly on and along said north right of way line and along the arc of a curve turning to the right to a found concrete right of way marker on the north right of way line of said highway located 82.00 feet left of Centerline Station 15+30.16 of the Northeast Ramp of Mississippi State Highway 12, Project No. F-018-3(2), said curve having a radius of 1,350.40 feet, an arc length of 68.02 feet, a chord bearing of S 61°57'20" W, a chord length of 68.01 feet, and a central angle of 02°53'10"; thence, continuing along said north right of way line, run S 63°23'54" W along said right of way line a distance of 130.40 feet to the east line of the Nicholas Properties parcel described in Deed Book 2006 at Page 2557; thence, leaving said north right of way line, run N 02°18'38" E along said east line for a distance of 234.71 feet to a 5/8" rebar found at the northeast corner of said Nicholas Properties parcel; thence run N 86°51'17" W along the north line of said Nicholas Properties parcel a distance of 94.64 feet to a chain link fence corner; thence, continuing along said north line, run S 02°17'59" W a distance of 153.99 feet; thence, continuing along said north line, run S 82°55'52" W a distance of 324.97 feet to a point on the east right of way line of Mill Street; thence, leaving said north line, run N 00°15'55" W along said east right of way line for a distance of 299.47 feet; thence, continuing along said east right of way line, run S 89°42'35" E a distance of 7.50 feet; thence, continuing along said east right of way line, run N 01°07'35" W a distance of 305.73 feet; thence, continuing along said east right of way line, run N 01°52'12" E a distance of 331.06 feet back to the POINT OF BEGINNING, and containing 11.41 acres, more or less.

PARCEL 2

A parcel of land containing 0.59 acre, more or less, and containing all of Lots 1 and 1A and a part of Lots 2 and 20 of Block 10 of the University Urban Renewal Area, First Revision as platted and recorded in the Oktibbeha County Chancery Clerk's office in Plat Book 4 at Pages 3–9 (Slides 72–75) and being more particularly described as follows:

BEGIN at a ½" rebar found at the northeast corner of Lot 1A of Block 10 of said University Urban Renewal Area, First Revision, said point being the intersection of the south right of way line of Russell Street and the west right of way line of Mill Street, and thence run S 00°26'27" E along the west right of way line of Mill Street a distance of 218.69 feet to the southeast corner of Lot 1 of said Block 10; thence, leaving said right of way line, run S 88°52'25" W along the south line of said Lot 1 and the extension thereof for a distance of 111.91 feet to a point that is S 88°52'25" W 3.19 feet from the southwest corner of said Lot 1; thence run N 01°27'52" W a distance of 239.23 feet to the south right of way line of Russell Street and the northwest corner of Lot 1A; thence run S 80°42'48" E along said south right of way line a distance of 113.64 feet back to the POINT OF BEGINNING, and containing 0.59 acres, more or less.

SETBACKS PER T6 FORM BASED CODE ZONING CLASSIFICATION

Front Setback (Principal)	0 ft. min. 15 ft. max.
Front Setback (Secondary)	0 ft. min. 15 ft. max.
Side Setback	0 ft. min. 24 ft. max.
Rear Setback	0 ft. min.

NOTE: The existing Cooley Building on Lot 1 was constructed before the adoption of the SmartCode Transect Districts and is exempt from meeting the above setback requirements.