



OFFICIAL AGENDA

PLANNING & ZONING COMMISSION

CITY OF STARKVILLE, MISSISSIPPI

MEETING OF TUESDAY, OCTOBER 8, 2013

CITY HALL - COURT ROOM,

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 SEPTEMBER 10, 2013 MEETING MINUTES
- VI. CITIZEN COMMENTS
- VII. OLD BUSINESS
- VIII. NEW BUSINESS
 - A. RZ 13-12: Request to rezone a 5.77 area located north of the intersection of Mississippi and Research Boulevards in the Thad Cochran Research Park. The area to be rezoned is now classified as R-1 Single Family and applicant is seeking a B-1 Buffer zone.
 - B. CU 13-08: Request for Conditional Use approval for a small loan business at 122 Highway 12 West in a C-2 zone.
- IX. PLANNER REPORT
- X. ADJOURN

The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Mr. Joyner Williams, at (662) 323-2525, ext. 121 at least forty-eight (48) hours in advance for any services requested.

UNAPPROVED

MINUTES OF THE PLANNING & ZONING COMMISSION MEETING SEPTEMBER 10, 2013 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, Michael Brooks, Jeremy Murdock, Ira Loveless and John Moore. The meeting was called to order by Commission Chairman Jerry Emison. Attending the Commissioners were City Attorney Chris Latimer, City Director of Community Development William Snowden, City Planner Buddy Sanders, and Recording Secretary Bill Green.

AN ORDER APPROVING THE WRITTEN AGENDA

The Commission considered the matter of approval of the written agenda dated September 10, 2013. With no discussion, and upon the motion of Commissioner Moore, which was seconded by Commissioner Murdock, the Commission voted unanimously to approve the written agenda as presented.

AN ORDER APPROVING THE MINUTES OF THE AUGUST 13, 2013 MEETING

The Commission considered the matter of approval of the minutes of the August 13, 2013 meeting. Commissioner Emison suggested that the minutes were not ready for consideration, and should be presented at the October 8th Meeting.

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.

A PUBLIC HEARING 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 A PUD ZONING DISTRICT IN WARD 5

Next there came before the Commission item #FP 13-05: a public hearing requested 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 a PUD Zoning district in Ward 5.

Let it be noted that Commissioner Loveless asked to recuse himself from the discussion of this matter.

Chairman Emison asked the City Planner to introduce the item. City Planner Buddy Sanders stated that the Board of Aldermen had approved the preliminary plat of 23 lots on April 10th, 2012. It was zoned PUD to allow a higher density of lots, and that Cottages will be built on each lot. Since the approval of the Preliminary Plat, some infrastructure has been put into place.

Staff recommends approval of the Final Plat of the 23 lot subdivision, with conditions being that:

1. Final Plat shall meet minimum standards of the State of Mississippi as required Section 17-1-23, and also Section 17-1-25 of the Mississippi Code of 1972;
2. That all public utilities will be in place;
3. Erosion control and vegetation shall be established on all of the disturbed areas;
4. Sidewalk construction shall confirm to all the agreed upon 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 2 paper copies of the recorded plat to the city along with digital copies.
8. The applicant shall provide as-built drawings of all infrastructure improvements;
9. Approval of covenants by City Staff prior to the recording of the plat;
10. A note on the final plat stating the HOA's responsibilities in all common areas;
11. A final plat review and approval by Board of Aldermen shall be required prior to the recording of the plat at the office of Oktibbeha County Chancery Clerk within 30 days of approval by the Mayor and Board of Aldermen;
12. The applicant is to complete any outstanding improvements in accordance with the subdivision regulations and the approved Infrastructure Plans as required by the City Engineer.
13. The applicant is to provide all required testing and inspection reports as outlined in the Pre-Construction Conference;
14. The applicant is to provide a bond for 100% of the cost of asphalt final layer,
15. The Applicant provide a bond for 150% of the cost of the sidewalks and walking paths.

The Applicant stated that they have already completed the final layer of asphalt overlay.

Mr. Sanders commented that the last 3 conditions were not originally supplied to the applicant, and were supplied by the City Engineer. These 3 conditions were not included in the staff report given to the Commission Members, and that he had just received the conditions 1 day prior to this meeting.

Council stated that the Applicant and Engineer should confer prior the Board of Aldermen's meeting concerning the bonding of the pavement, and the final overlay so that both parties arrive at a mutual agreement; and that the Commission can go ahead and act as the staff recommends.

Commissioner Herring commented that she still has confusion in the lot size computations, which are not computed in the same manner for a PUD as are for other subdivisions.

Commissioner Brooks recommended as a motion the Final Plat 13-05 for approval to the Board of Aldermen, with the revisions made to the Staff Recommendation, and note that conditions 13, 14, and 15 were added to the Staff Report after Commissioners received their packets. In Item 5, inserting "by the Board of Aldermen" between required and based; in Item 9: inserting "by City Staff" after covenants and deleting "by the"; in Item 11, inserting "after approval by the Board of Aldermen", in addition to #13, 14 and 15 being added. The motion was seconded by Commissioner Murdock. Commissioner Herring abstained from voting, with Commissioner Loveless having recused himself, the resulting voting was 4 Commissioners voting Yea.

Commissioner Loveless returned to the meeting room.

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

Next there came before the board the Conditional / Exception Use Request for a parking deck in a T-6 zoning district, in Voting Ward 4.

Commissioner Emison asked to be recused from this and the next discussion due to his being employed by the University and serves on the Master Plan Advisory Committee. Commissioner Emison turned the meeting over the Vice Chair Commissioner Herring.

Director Snowden commented that there are 2 cases that involve “The Mill Development’ and are interrelated. Mr. Snowden will take the conditional use first, the Applicant will then make his presentation. Then the Final Plat and Conditional Use will overlap.

The entire parking deck will encase 161,000 square feet of parking space, 450 parking spaces that will service a hotel, the conference area, and the events that go on in the Cooley Building.

From a traffic generation standpoint, traffic will obviously be generated by activities in the Cooley Center, and the hotel.

As far as on and off-site improvement needs: All utilities and access to public streets are available. There are other unique facilities and structures, as well as the proposed parking deck that will serve the Cooley Building and the proposed hotel.

The view of the parking deck from Russell Street will be kept to a minimum. In terms of the design characteristics of the parking deck: it will have a decorative metal screen to make it look more like a typical building than a parking deck. The landscaping around the parking deck meets the requirements of the city’s Landscaping Ordinance adopted in June.

The Criteria for Conditional Use Review & Approval:

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 activation in the immediate vicinity.

Answer: The parking deck will be located in a T-6 Zone, and will serve the Hotel and Conference uses. A T-6 zone has no parking requirements, so the Parking Deck will minimize on-street parking on Mill Street and the other streets that will be constructed, keeping streets open for safe traffic flow. Adjacent zones are: T-6, C-2, and R-5, 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 used. 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 when design amenities such as screening, buffer yards, 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.

Answer: 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

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, and are not burdened with adverse impacts detrimental to the general public health, safety and welfare.

Answer: 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 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.

Answer: 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.

Staff Recommendation:

A T-6 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 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.

Mr. Mark Castleberry, Developer, presented a brief history of his experience in Starkville, and also a history of the Cooley Building.

Mr. Ron Hartley, with Dell Partner Architects, showed his early design concepts of the Cooley Building, the Hotel, and other features on the property.

Mr. Hartley explained that his drawing of the Parking Deck would complement the Cooley Building and the Hotel, and how to keep the Deck as low profile as possible to keep the Cooley Building as the centerpiece of the entire project.

Commissioner Herring asked the Commissioners had any questions from the applicants.

Commissioner Murdock asked if there would be any issued presented in cars exiting a City/public garage onto a private driveway. Director Snowden explained that as long as the private driveway meets all the requirements from the Fire Department standpoint, he knows of nothing that would prohibit a private parking garage from exiting onto a private street.

Mr. Latimer answered that there is no law that prohibits a public facility using a private street.

Commissioner Murdock expressed that he wanted to decorative screens remain on the Parking Garage on the Mill Street Side no matter what had to be cut to afford any other part of the garage. And he asked that other Board Members support him in the request to keep the decorative screens on the Mill Street side as well. Mr. Murdock voiced that he would even offer to put the issue of keeping the screens on Mill Street side of the Garage as a conditional use.

Mr. Hartley agreed that there is certainly a value to the screens, but did not want a condition placed on the screens that could be a deal breaker in certain builders bidding on this project.

The question arose as to ownership of the Parking Garage. The ultimate answer is that Mississippi State University will lease City of Starkville the land, and the City of Starkville will lease the garage back to MSU. Ultimately, the real property will belong to MSU.

Commissioner Brooks inquired purely as a housekeeping question: Who is the Applicant. Mr. Snowden answered that City of Starkville is the Applicant, acting as the agent for MSU.

Commissioner Murdock made the motion to Recommend Approval of CU 13-07 based on the 3 criteria outlined in the Transect District Code, conditional on the one staff recommendation , and add a second condition that decorative window screens be installed in all window openings on the side of the building facing Mill Street. The measure died for lack of a second. Commissioner Herring called for another motion.

Commissioner Moore asked if the motion could now be seconded. Mr. Murdock agreed to bring the motion back as read before. Commissioner Moore seconded the motion. Director Snowden commented as the Agent for the City, that even though he agrees with the condition of the screening, everything else being equal; it's an alternate and could impact the bidding process: he recommends that condition not be included.

The resulting vote on this issue was Commissioner Loveless voted Nea; Commissioners Hicks, Brooks, Murdock, and Moore voted Yea. The motion passed.

FP 13-06 “THE MILL AT MSU”, LOCATED AT THE INTERSECTION OF MILL AND RUSSELL STREETS, WARD 4. A SIX LOT SUBDIVIVION AND VARIANCE REQUEST

Next there came before the Commission item FP 13-06: a public hearing request by Mr. Nat Whitten, Agent/Applicant for Mississippi State University, to review a proposed final plat for The Mill at MSU, 6 lots, totaling 10.05 acres.

The preliminary Plat was approved by the Board of Aldermen on June 18, 2013. The subdivision is part of "The Mill at MSU" hotel and conference center project. The overall Final Plat is the same as 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.

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

The 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 a private street in the center of the development that will be used for both access and private events.

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

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)©; 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.

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 SSS 17-1-23 and SSS 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 by the Board of Aldermen 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 by city Staff if applicable prior to the recording of the plat.
10. A final plat review and approval shall be required by the Board of Aldermen 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.
12. Mill Street improvements will be extended to the end of Lot 6 before the Certificate of Occupancy is issued.

Commissioner Hicks offered the motion to approve for FP 13-06, with the staff conclusions, and with the changes in #5, #9, #10 and #12 as amended, and forward to the Board of Aldermen. This motion was seconded by Commissioner Murdock. With no opposition, the measure passes unanimously.

PLANNER REPORT

Director Snowden thanked the Commission for a very productive meeting held the previous week. Mr. Snowden also spoke of a development seen in the local newspaper that will be coming before this commission in the October meeting, located in the Technology Park.

ADJOURNMENT

Commissioner Murdock made a motion, seconded by Commissioner James Hicks, to adjourn the meeting at approximately 7:30 pm. The next regularly scheduled meeting will be Tuesday, October 8, 2013 at 5:30 PM in the City Hall Courtroom.

Jerry Emison, Chairman

William L. Snowden
Director of Community Development

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: RZ 13-12: Rezoning request for property located at or near the intersection of Mississippi and Research Boulevards in the Thad Cochran Research Park

DATE: October 4, 2013

AREA:

The subject property is located north of the intersection of Mississippi and Research Boulevards in the Thad Cochran Research Park (Attachment 1). Currently the area is vacant, with office uses on all sides. The applicant has stated that the subject area is the last remaining area for development at the Thad Cochran Research Park. There are elevation differences on the property, with an upward grade beginning at the property line along Research Boulevard; but then, the elevation of the Oktibbeha County Economic Development Authority (OCEDA) property levels off and goes down in elevation towards the western property line, which will create a partial visual barrier between the proposed building and south and east views. (see Attachments 1 and 3)

The majority of the Thad Cochran Research Park is zoned R-1 Single Family. However, there have been two rezonings in the area this year from R-1 Single Family to B-1 Buffer; Three Hundred Traditions property in the northwest area for proposed condominiums and Campus Haven Apartments. Please see Attachment 2.

REZONING REQUEST:

OCEDA is requesting a zoning change from R-1 Single Family to B-1 Buffer District to allow the construction of a proposed data center. To facilitate the construction of the proposed data center, OCEDA plans to subdivide and transfer 5.77 acres to a corporate prospect (see Attachment 4).

Under the City of Starkville permitted and conditional use chart in Article VIII, Section M, a business office is classified as a permitted use.

Differences between R-1 and B-1 zone are:

R-1 Single Family: These [R-1 residential] districts are intended to be composed mainly of single family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met.

B-1 Buffer District: These [B-1 buffer] districts are intended to be composed mainly of compatible mixed commercial and residential uses. Although usually located between residential and commercial areas, these districts may in some instances be freestanding in residential areas. Limited commercial uses are permitted that can in this district be compatible with nearby residential uses. The character of the district is protected by requiring that certain yard and area requirements be met.

STATE REZONING CRITERIA:

1. Change in Land Use Circumstances in the Vicinity of the Subject Property:

Since the creation of the Thad Cochran Research Park, all business uses have been constructed on property zoned R-1 Single Family, Please, see Attachments 1 and 2. The intent and purpose of a research park is to allow facilities that facilitate business and research uses. The proposed data center would match uses associated with a research facility but not uses typically found on property zoned R-1 Single Family.

There have been two properties in the area where a rezoning to B-1 Buffer District has been approved within the past year.

2. Need for B-1 Buffer Zoning:

The zoning changes from R-1 Single Family to B-1 Buffer in the past year and current uses throughout the research park that are similar to the proposed data center allowed in a B-1 Buffer Zoning District gives need for the requested rezoning.

3. Manifest Error in the Zoning Map:

With the proposed use being what would typically be found in a B-1 Buffer District and a research park, the subject rezoning request would correct the Official Zoning Map adopted in 2013.

STAFF RECOMMENDATION:

The staff recommends approval of the requested zoning change from R-1 Single Family to B-1 Buffer with the following condition:

- 1.) The recording of subject requested rezoned area as a separate parcel.

Attachment 1

CITY OF STARKVILLE BOARD OF ADJUSTMENTS AND APPEALS CASE LOCATOR MAP

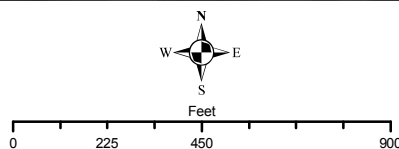
Case # RZ 13-12

Ward # 5

Date of Public Hearing: Tuesday, October 8, 2013



City of Starkville 2013



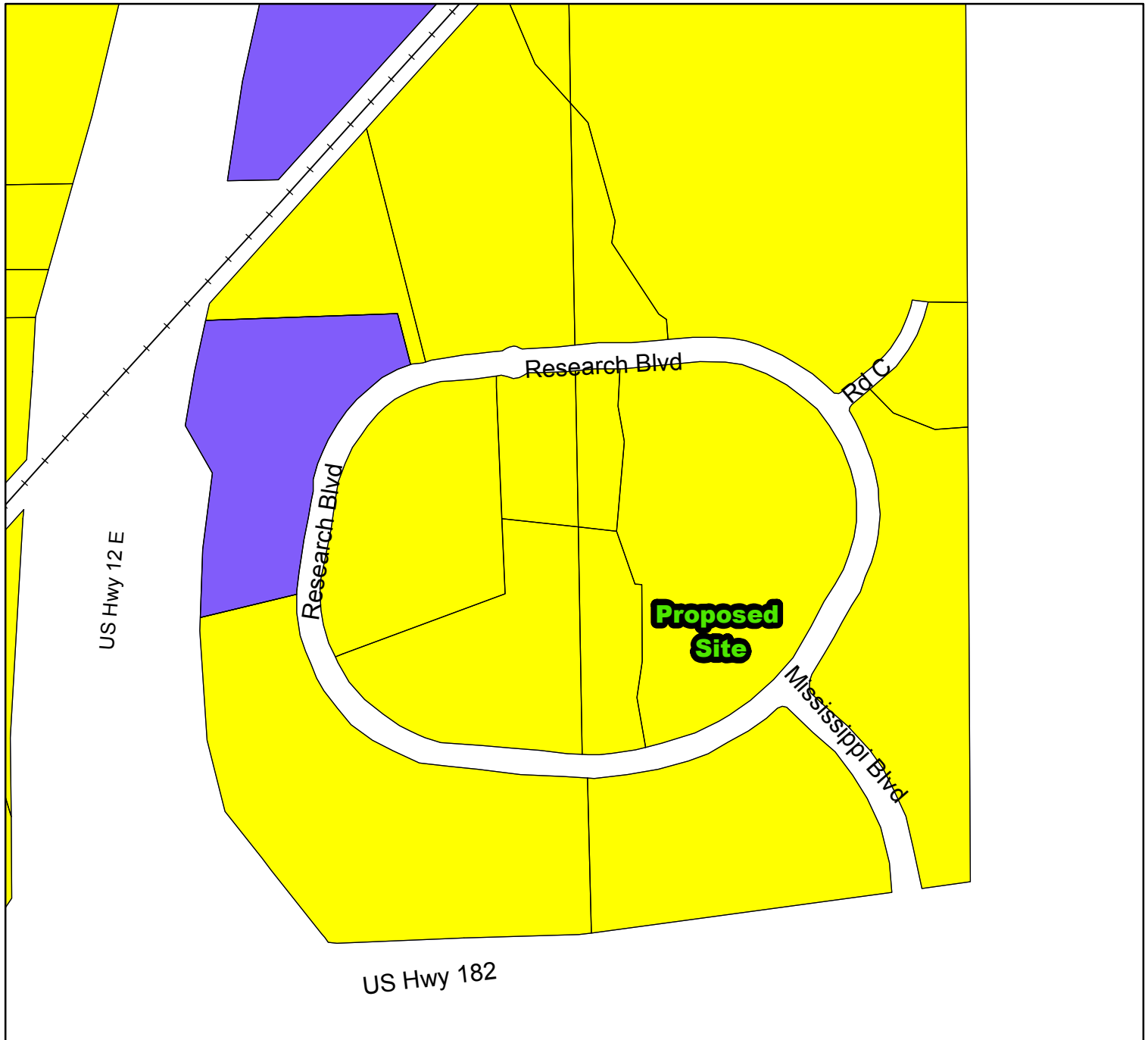
Attachment 2

CITY OF STARKVILLE BOARD OF ADJUSTMENTS AND APPEALS CASE LOCATOR MAP

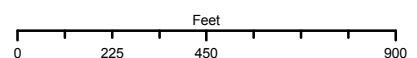
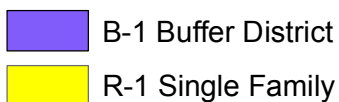
Case # RZ 13-12

Ward # 5

Date of Public Hearing: Tuesday, October 8, 2013



City of Starkville 2013



Attachment 3



North View



East View



South View



West



Research Blvd. (North View)



Research Blvd. (South View)

Attachment 4



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 13-08: First Metropolitan Financial Services; Conditional Use of a Loan Business
DATE: October 4, 2013

AREA:

The proposed First Metropolitan Financial Services is proposing to open a loan business located in the former Quick Loans location in the strip mall west of Piggly Wiggly; more specifically at 122 Highway 12 West. Please, see Attachments 1 and 3. The subject use and shopping center is located in a C-2 zone and all properties surrounding the strip mall are in a C-2 zone.

CONDIONAL/EXCEPTION USE REQUEST:

While the shopping center where First Metropolitan Financial Services is proposing to locate has been in operation for some time and the use is no different than the previous tenant (Quick Loans), a small loan business is classified as a Conditional Use.

Please, see Attachment 4 for a copy of the applicant's State of Mississippi Small Loan Regulatory and Privilege Tax Laws License.

**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 small loan business will be located in an existing 1000 +/- square foot office/retail unit.

b. Traffic generation.

The propose use will be located in an existing shopping center that has proper access to city streets.

c. Proposed number and type of service vehicles.

None

d. Proposed employment.

Professional/Financial

e. Off-street parking needs.

Parking requirements for the office is five spaces and the shopping center has forty- four.

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 required utilities and access are in place.

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

N/A-Existing building

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.

N/A – Existing building

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.

Annual review is not recommended.

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.

There will be no adverse impact on the immediate vicinity due to uses being similar and existing.

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.

Existing shopping center and meets requirements

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.

N/A – Existing shopping center.

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.

Existing shopping center

Please see Attachment 4

STAFF RECOMMENDATION:

The proposed use will be located in an existing shopping center and access to utilities and streets are already in place.

The staff recommends approval of the requested Conditional Use of a small loans business

Attachment 1

CITY OF STARKVILLE PLANNING AND ZONING COMMISSION CASE LOCATOR MAP

Case # CU 13-08

Ward # 7

Date of Public Hearing: Tuesday, October 8, 2013



Utility locations are approximate
and should be verified prior to
beginning any construction.



0 110 220 440
Feet

City of Starkville 2013

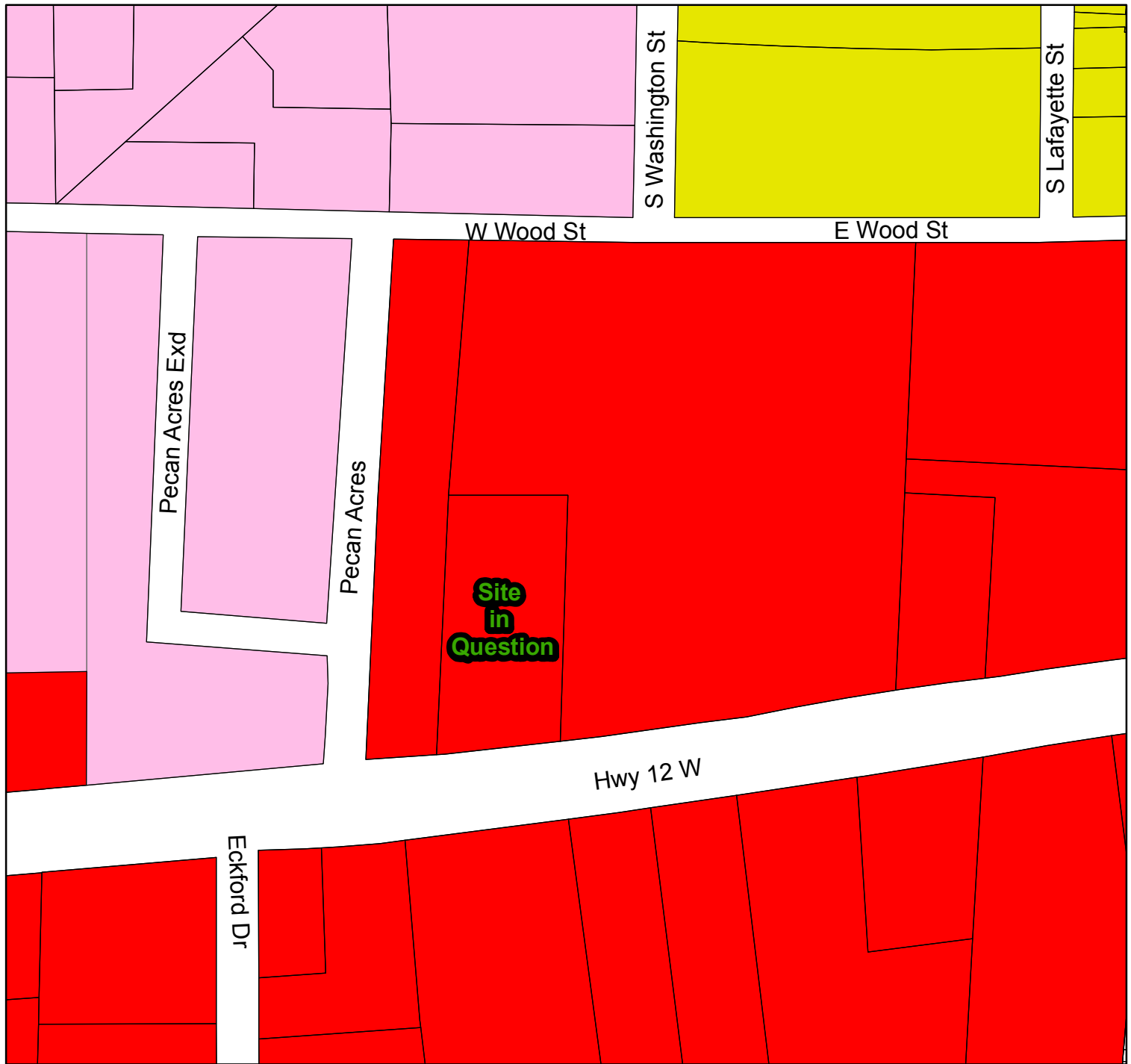
Attachment 2

CITY OF STARKVILLE PLANNING AND ZONING COMMISSION CASE LOCATOR MAP

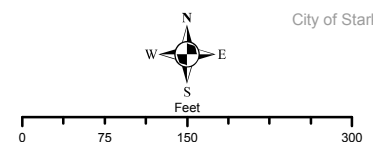
Case # CU 13-08

Ward # 7

Date of Public Hearing: Tuesday, October 8, 2013



 R-5 Multi-Family, High-Density  R-2 Single Family/Duplex  C-2 General Business



Attachment 3

North View



East View



South View



West View



Attachment 4



Department of Banking and Consumer Finance
Small Loan Regulatory and Privilege Tax Laws License

Expiration: 09/01/2014

License Number: SL/002209/2013

This is to Certify That

First Metropolitan Financial Services, Inc.

a Tennessee Corporation has complied with the provisions of §75-67-101, et seq., and 75-67-201, et seq., Mississippi Code of 1972, as amended, entitled "The Small Loan Regulatory Law" and "Small Loan Privilege Tax Law," that are required of applicants before commencing the business of making loans.

NOW, THEREFORE, I, the duly authorized representative of the Department of Banking and Consumer Finance, certify that the aforementioned individual, company or corporation is authorized to engage in the business of making loans to borrowers, directly or indirectly at the below-listed location in accordance with the terms of the aforementioned statutes, for the period stated above, unless sooner surrendered, revoked or suspended as provided in the act aforesaid.

122 Highway 12 West
Starkville, MS 39759

THIS LICENSE IS NOT TRANSFERABLE OR ASSIGNABLE



IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Department of Banking and Consumer Finance at Jackson, Mississippi, this the 30th day of August, 2013.

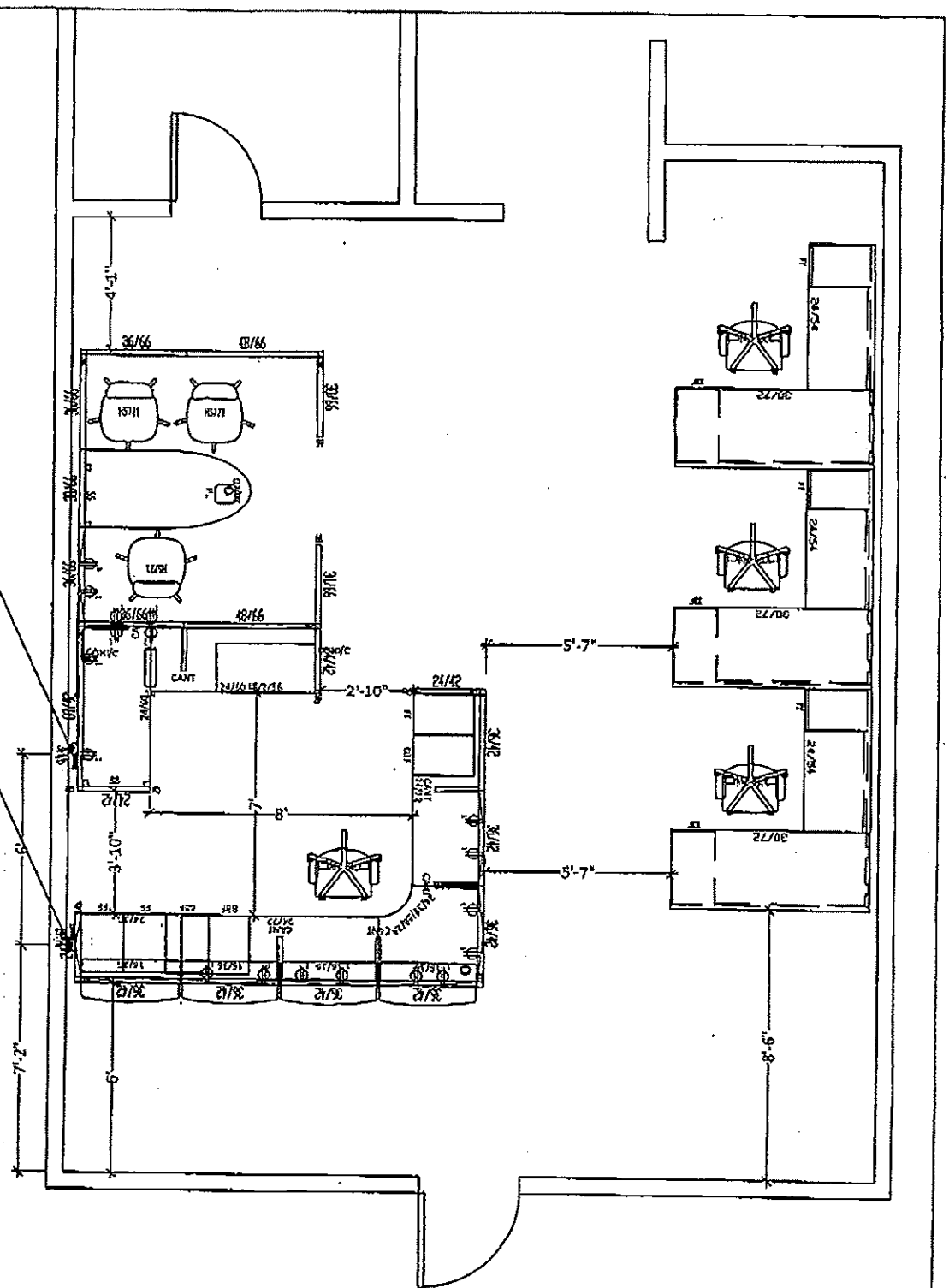
Jerry T. Wilson
Commissioner

THIS LICENSE MUST BE CONSPICUOUSLY POSTED IN THE PUBLIC OFFICE OF THE LICENSEE.

Attachment 5

POWER INFEED
LOCATED AT
EXTERIOR OF
PANEL BASE

POWER INFEED
LOCATED AT
EXTERIOR OF
PANEL BASE



Approval Signature: _____

Date: _____

BAREFIELD
WORKPLACE SOLUTIONS
251 W South Street | Jackson, MS 39203
Phone (601)354.4960 | Fax (601)353.6231

SCALE: NTS
DATE: 08.12.13
DRAWN BY: AS CHECKED BY: BG
REV: 08.15.13

First Metropolitan
Furniture Plan
Starkville, MS

PROJECT #:

13163-41

SHEET:

1 of 1