APPROVED

MINUTES OF THE PLANNING & ZONING COMMISSION MEETING OF NOVEMBER 12, 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. The meeting was called to order by Commission Chair Jerry Emison. Present were Commissioners Michael Brooks, Jerry Emison, Dora Herring, James Hicks, and Ira Loveless. Absent were Commissioners Jeremy Murdock, who asked to be excused due to business reasons, and John Moore, who asked to be excused due to health reasons. Attending the Commissioners were City Attorney Chris Latimer, City Planner Buddy Sanders, Director of Finance Taylor Adams, and Recording Secretary Bill Green.

Upon the motion of Commissioner Emison, which was seconded by Commissioner Herring, the Commission unanimously voted to excuse the absence of Commissioners Moore and Murdock.

AN ORDER APPROVING THE WRITTEN AGENDA

The Commission considered the matter of approval of the written agenda dated November 12, 2013. After a brief discussion and upon the motion of Commissioner Loveless, which was seconded by Commissioner Herring, the Commission voted unanimously to approve the written agenda as presented.

CONSIDERATION OF THE MINUTES OF THE MEETINGS OF OCTOBER 8, 2013, AND JULY 24, 2013

The Commission considered the matter of approval of the minutes of the meetings of October 8, 2013, and July 24, 2013. After discussion, Commissioner Emison requested a motion to table the minutes of both meetings for approval at a later date, due to the ambiguity of the materials, as well as incorrect dates, in the minutes of October 8, 2013, and due to some misspellings in the July 24, 2013, minutes. Commissioner Herring made a motion, which was seconded by Commissioner Brooks, and the Commission voted unanimously to table the approval of the minutes from October 8, 2013, and July 24, 2013.

CITIZEN COMMENTS

Chair Emison introduced a presentation by Saunders Ramsey, of Ramsey Partners, concerning a proposed Planned Unit Development (PUD) project. Mr. Ramsey's design team made the

presentation for the purpose of informing the Commission and to obtain the Commission's feedback on the project, to be named Adelaide. Designed with the pedestrian in mind, this Urban Transect emphasizes building placement, multiple routes throughout, creating a zone with on-street parking and street trees to separate vehicles from pedestrian traffic. Another zone has potential for retail and multi-family usage, with a goal of preserving the site's character. Different from a typical traditional neighborhood, this life-cycle neighborhood would provide housing opportunities for all phases of life, from first-home buyers to larger-home buyers to those with retirement- and assisted-living needs. This project consists of 486 acres on South Montgomery Street, south of Huntington Park, west of the country club, and north of Poorhouse Road.

Chair Emison opened the floor for questions from the Commissioners and advised Ramsey Partners to consider the compatibility of the adjacent and surrounding areas and if the 25-year build-out will have the momentum to achieve the desired result. He addressed his concern that the project is too big for the present Starkville growth rate. Another concern was the traffic capacity for South Montgomery. Level of service F, 10 hours a day, would not work for the present roadways, and an origin destination study is needed for the development. Serious, specific commitments to the City are needed before the project moves forward. City Attorney Latimer suggested that statistics and empirical evidence should be presented to show Public Need. Commissioner Hicks cautioned that if a PUD is what is pursued for rezoning, the potential for an 11th-hour change is greater. Commissioner Emison cautioned about the challenge regarding the unlikelihood of the project ending up like the proposed plan and to be prepared for resistance.

After the presentation, two citizens who live in proximity to the planned development spoke: one in support of the development, the other voicing his concern for the added traffic load that would be infused by the development.

Chair Emison asked if any member of the public cared to address the Commission on business other than what was just discussed. No comments were received.

Chair Emison called for a brief recess of the Commission, to reconvene at 6:45 PM, after which he introduced the next order of business.

NEW BUSINESS

A. RZ 13-10B: REQUEST BY THE CITY OF STARKVILLE TO REZONE PARCEL 104-17-011.01 (22.40 ACRES) FROM C-2 GENERAL BUSINESS TO M-1 MANUFACTURING

Chair Emison asked the City Planner to introduce item RZ 13-10B, a Public Hearing requested by the City of Starkville to rezone parcel 104-17-011.01 from C-2 General Business to M-1 Manufacturing. City Planner Buddy Sanders stated that the properties came before the Commission back in August, when the Commission recommended approval of rezoning from C-2 to M-1 of the properties to the north; however, due to advertisement error, not all the properties requested for rezoning (e.g., the ones to the south) were able to receive a recommendation from this Body. As a result, the airport is

backtracking through the process to request that the three properties south of the airport be included in the rezoning request in changing from C-2 zoning to M-1 zoning. Mr. Sanders explained that the rezoning to M-1 would be more appropriate than C-2 since airports generally require manufacturer businesses nearby for airport-related maintenance. City Attorney Chris Latimer advised that any rezoning should be based on the Change in Neighborhood and Public Need criteria, not on Mapping Error, unless a specific date and circumstances can be provided describing the last zone assignment to the area.

Chair Emison called for discussion on the Public Hearing. As there were no comments, Chair Emison closed the Public Hearing and called for comments from the Commission. Commissioner Herring asked for the reasons for the proposed zoning changes, and Mr. Sanders responded that the airport needed to extend its runway, which was shortened because of a shopping center that was built on Highway 12. City Attorney Latimer responded that the legally preferred resolution to the problem would be to extend the runway using C-2 Conditional Use, because if someone litigated, the City would not have a strong legal position since Change in Neighborhood could not be proved. Mr. Taylor Adams mentioned that there is a current lease on a manufacturing business in the area, which Mr. Latimer agreed would stand as evidence of change. After discussion about the manufacturing or expansion currently occurring at the airport, Chair Emison recommended to make a finding that an error exists in the original map, with instructions for Mr. Sanders to find out when the latest zoning map was created. After Mr. Sanders provides a historical timetable, proof of a zoning error in the map would be sufficient basis for rezoning, especially since an R-1 development at the end of a runway is not a desirable land use.

Chair Emison recommended to Table the rezoning request until all the properties are integrated into one holistic request, pending Mr. Sanders's report of his finding on the history of the Mapping Error and the Staff's verification of the non-approval of the August minutes, which state that the Commission had already recommended approval of rezoning of the partial properties already presented.

CONSIDERATION OF OCTOBER 8, 2013, MINUTES

Chair Emison asked for a motion to have the minutes from October 8, 2013, lifted from the table. Upon the motion of Commissioner Herring to lift the minutes from the table, duly seconded by Commissioner Hicks, Chair Emison put the matter to a vote, and upon the unanimous approval of the members present and voting, the Chair declared the minutes lifted from the table. Since the October minutes contain a substantial error, Chair Emison recommended the October minutes are not ready for adoption.

Mr. Adams addressed the issue of what minutes have been or not been approved and requested the Staff keep better records on the status of minutes and be communicative with the results. The Commission took no action on the October 8 minutes pending a comprehensive review by City Staff of the accuracy and completeness of these and other minutes.

PLANNER'S REPORT

STARKVILLE RESIDENTIAL UNIT COUNT

In order for the Commission to make a more accurate assessment of Public Need in rezoning requests, a request was made at the last Planning & Zoning meeting regarding the amount of rental properties currently in Starkville. City Planner Buddy Sanders reported his research based on his findings at the Court House: There are 4,880 single family housing units, and there are 486 duplexes. Structures with three or more units are counted as one building. Therefore, at a cursory glance, no precise information exists on the number of multi-family units. The tax assessor can provide addresses for the majority of the apartment building properties, and the power companies can provide a meter count; however, since the effort to provide the unit count would be labor intensive, Mr. Sanders proposed using an intern to research the information. Discussion ensued regarding the worth of such a labor-intensive project. It was determined that since the onus would be on the applicant to prove Public Need and since the knowledge of the amount of rental property wouldn't necessarily predict an anticipated Public Need, the Commission would wait to receive the information from future applicants, as well as from Mr. Adams, who is currently working on acquiring this information for another City project related to economic development. Chair Emison proposed to accept the information from Mr. Sanders and to await Mr. Adams's more extensive analysis of market conditions.

THAD COCHRAN RESEARCH PARK PROPERTY OWNERSHIP/ZONING

At the last Public Hearing, there was also a request for information on the ownership of the remaining R-1 parcels at the Thad Cochran Research Park. Mr. Sanders reported that the majority is owned by MSU, CDOT, and TVA, with Starkville and Oktibbeha County owning one parcel and Technology Mills and Cellular South owning the other two parcels zoned B-1.

Commissioner Herring stated her recollection of being involved in the initial zoning of the Thad Cochran Research Park. The directive from the Board of Aldermen was to designate the zone as R-1 until the area was developed and could thus be rezoned to a designation more appropriate. The PO (Planned Office) category was developed, and plans were made to rezone all the intentionally mis-zoned R-1 property and to rezone it as PO. In the interim, Staff inaccurately stated that the Commission could not recommend rezoning the property by its own initiative and that the individual property owners would have to request such a change. Therefore the intended rezoning never happened. City Attorney Latimer affirmed Commissioner Herring's recollection and averred that his research found that the Board tasked the Commission with creating a PO district, which the Commission did, and the Board adopted the PO district as a category but never attached it to the property. Commissioner Herring was under the impression that when the Commission developed the category and attached the approved category, the PO would automatically be attached to the property when it was adopted, but it was not.

Commissioner Herring suggested that, now that the Commission has already rezoned several parcels as Buffer, only the remaining R-1 parcel should be rezoned as PO, and the suggestion was affirmed

by City Attorney Latimer, who also suggested to Mr. Sanders to investigate whether both Technology Mills and Cellular South qualify for rezoning as Planned Office.

ADJOURNMENT

Commissioner Emison called for a motion to adjourn. Commissioner Herring made the motion, seconded by Commissioner Hicks, to adjourn the meeting at 7:38 PM. The next regularly scheduled meeting will be Tuesday, December 10, 2013, at 5:30 PM in the City Hall Courtroom.

Jerry Emison, Chair

Buddy Sanders, City Planner