



OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, DECEMBER 8, 2015
CITY HALL - COURT ROOM,
110 West Main 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. CITIZEN COMMENTS
- VI. NEW BUSINESS
 - A. CU 15-14 Request for Conditional Use to allow an "Accessory Dwelling Unit" on a proposed parcel located in an R-2 zone at 506 South Jackson Street property numbers of 102A-00-168.00 and 102A-00-169.00CU 15-13
 - B. EX 15-08 Use by Exception request for two nonconforming signs at Red Roof Inn located at 410 Dr MLK Jr Drive East in a T-5 zoned parcel with the parcel number 117M-00-138.00
 - C. PP 15-18 Request for Preliminary Plat approval for subdividing and replatting four parcels into three located on Hwy 12 West on the west side of the Stark Road intersection with the parcel numbers 103I-00-001.02, 103I-00-003.00, 103I-00-003.01, and 103I-00-004.00
 - D. RZ 15-07 Rezoning request by Ramsey Partners to rezone part of a parcel from A-1 to R-4A located on South Montgomery Street north of The Claiborne at Adelaide with the parcel number 105-15-007.01.
- VII. PLANNER REPORT
- VIII. ADJOURN

THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission
FROM: Daniel Havelin, City Planner (662-323-2525)
CC: Applicant: Michael Frayser Owner: First Baptist Church of Starkville
SUBJECT: CU 15-14 Request for Conditional Use to allow an "Accessory Dwelling Unit" on a proposed parcel located in an R-2 zone at 506 South Jackson Street property numbers of 102A-00-168.00 and 102A-00-169.00.
DATE: December 8, 2015

The purpose of this report is to provide information regarding the request by Michael Frayser on behalf of Patrick Linley to allow for an Accessory Dwelling unit on a proposed parcel located at 506 South Jackson Street in an R-2 zone. Please see attachments 1-8

BACKGROUND INFORMATION

This request is part of a two part process that the applicant is seeking to allow for an addition to an existing house located at 506 South Jackson Street. The property that fronts South Jackson Street is the current residence of Patrick Linley and the property to west is Mr. Linley's rental property. The property was subdivided at some point in the past creating one parcel to the west that is not accessible by an existing right of way. The property line that was created by separating the parcels, is directly on top of Mr. Linley's house. This line has created a setback violation and prevents Mr. Linley from adding on to the rear of his residence. To correct this problem and allow for an addition, Mr. Linley is seeking to aggregate the two lots back into one lot. At that point, a Conditional Use would be required for the existing separate dwelling unit to remain. Both parcels are zoned R-2 Residential. According to the Permitted and Conditional Use Chart, "Accessory dwelling unit" require a Conditional Use permit in an R-2 zone. The parcels being considered have property numbers of 102A-00-168.00 and 102A-00-169.00.

Scale and intensity of use.

The use would not change as part of this request

On- or off-site improvement needs.

No improvements needed as part of this request

On-site amenities proposed to enhance the site.

No amenities proposed as part of this request

Site issues.

No know site issues would be created by this request

The table below provides the zoning and land uses adjacent to the subject property:

Direction	Zoning	Current Use
North	R2	Residential
East	R2	Residential
South	R2	Residential
West	R2	Residential

25 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on November 20, 2015 and a placard was posted on the property. As of this date, the Planning Office has received no phone calls

ANALYSIS

Appendix A, Article VI, Section I of the City's Code of Ordinances provides five specific criteria for conditional use review and approval:

Land use compatibility.

The adjacent properties are residential. Some properties currently have accessory dwelling units

Sufficient site size and adequate site specifications to accommodate the proposed use.

The site is adequately sized to accommodate the proposed use.

Proper use of mitigative techniques.

None proposed

Hazardous waste.

No hazardous wastes or materials would be generated, used or stored at the site.

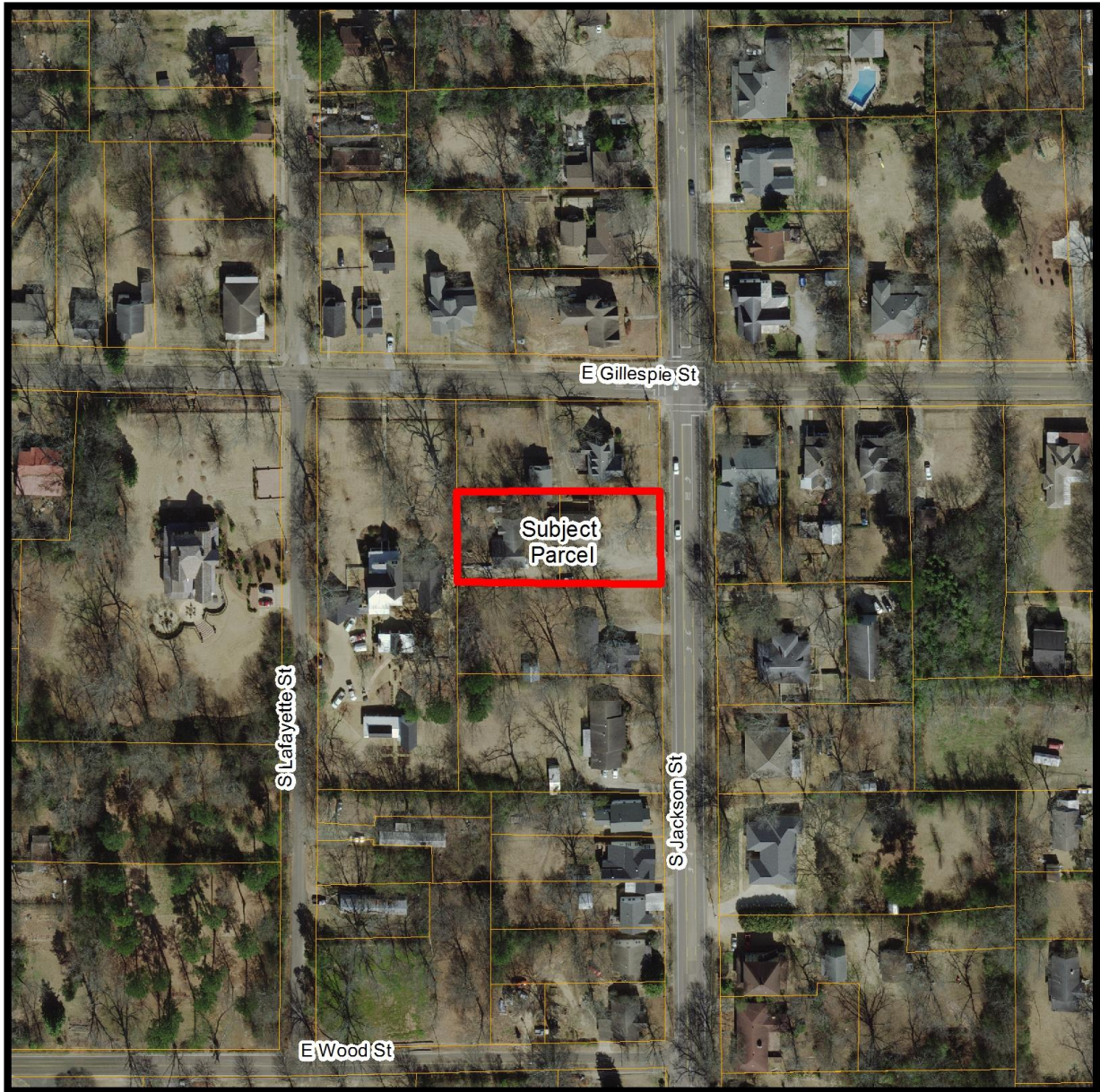
Compliance with applicable laws and ordinances.

Once the lots are aggregated together, there will be no known violations of the zoning ordinance.

REQUESTED CONDITIONS

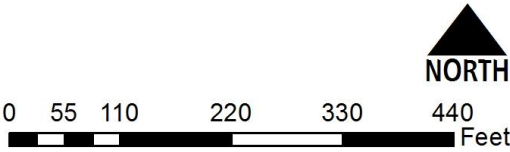
1. The newly created combined parcel will be limited to 2 dwelling units.

Attachment 1
CU 15-14 Aerial

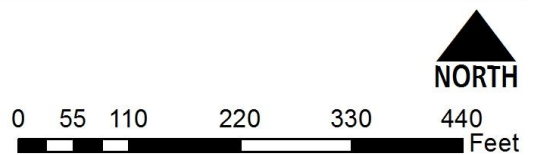
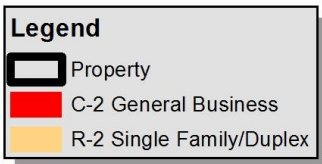
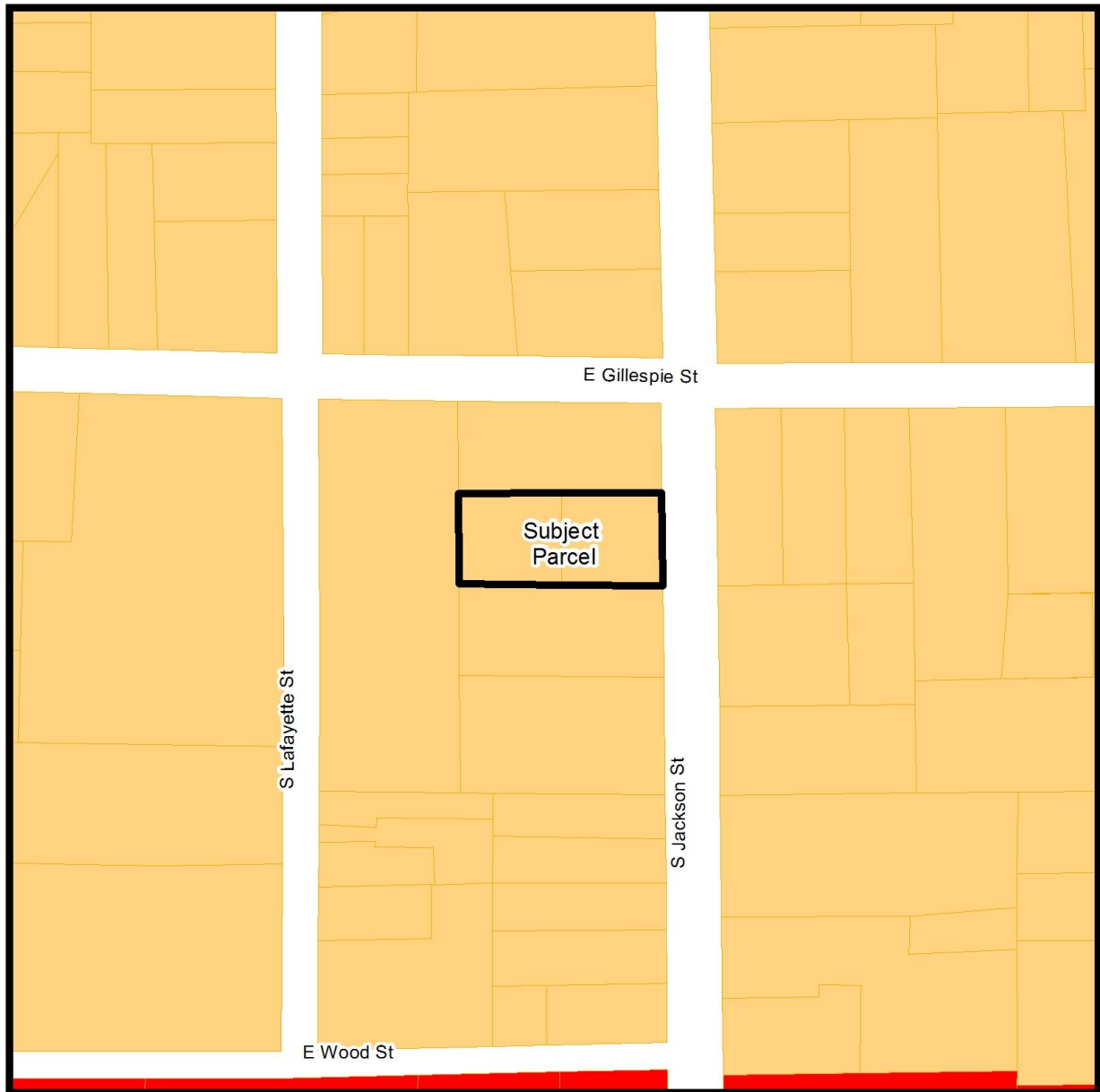


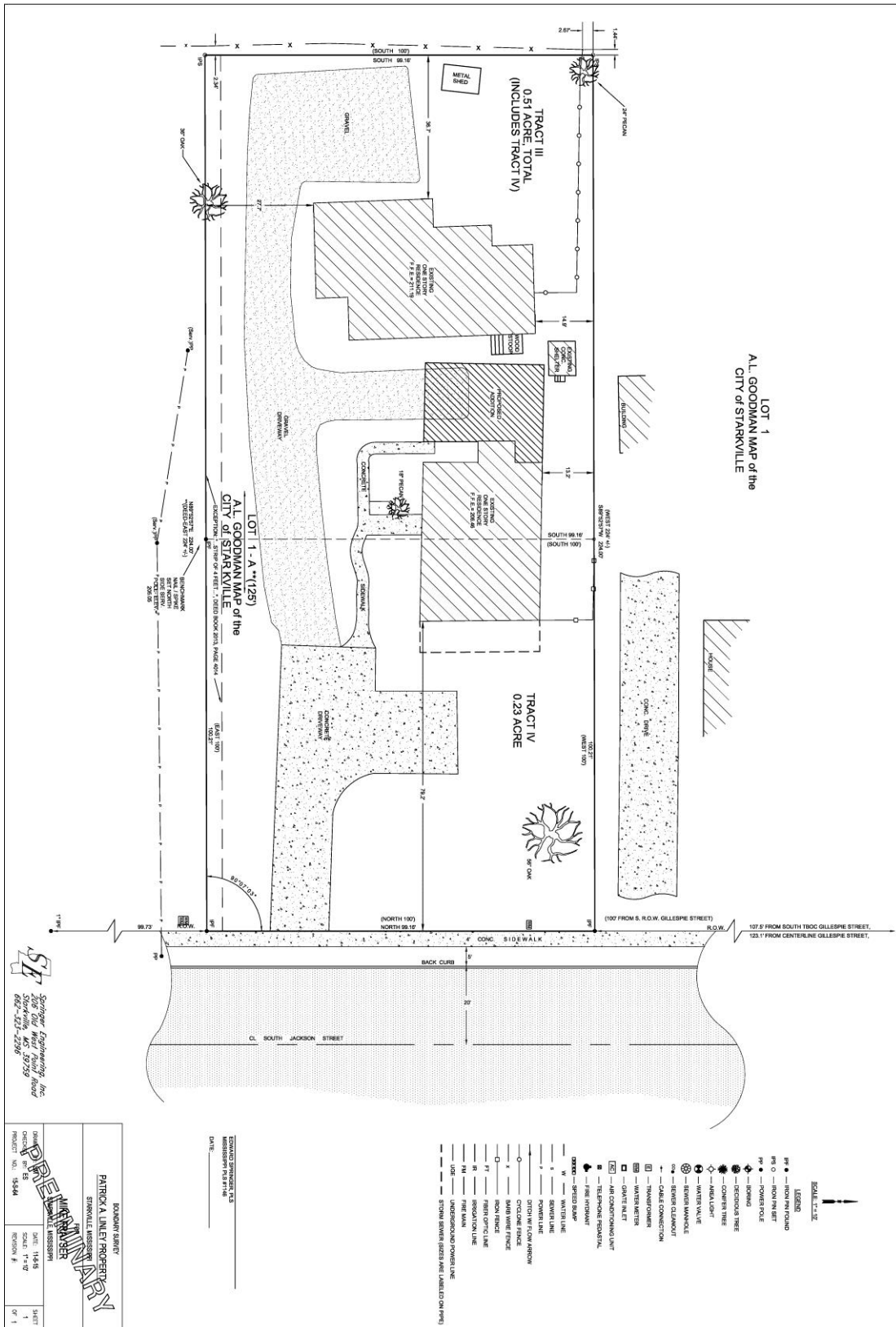
Legend

 Property



Attachment 2
CU 15-14 Zoning





Attachment 4



Attachment 5



Attachment 6



View of property to the north

Attachment 7



View of Pat Linley's residence

Attachment 8



View of rental property

THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission
FROM: Daniel Havelin, City Planner (662-323-2525)
CC: Applicant/Owner: Raj Patel
SUBJECT: EX 15-08 Use by Exception request for two nonconforming signs at Red Roof Inn located at 410 Dr MLK Jr Drive East in a T-5 zoned parcel with the parcel number 117M-00-138.00
DATE: December 8, 2015

The purpose of this report is to provide information regarding the request by Raj Patel owner of Red Roof Inn for a Use by Exception to allow two nonconforming signs at 410 Dr MLK Jr Drive East in a T5 District. Please see attachments 1-6.

BACKGROUND INFORMATION

The applicant is requesting a Use by Exception to allow two nonconforming signs to remain in front of his business. The applicant hired a contractor to obtain permitting and place the signs on his property. Without the knowledge of the owner, the contractor placed the signs without getting a permit. The scope of the contract with the contractor was to place two new signs and replace the face of an existing sign. The existing sign is nonconforming pole sign, but a face plate change is allowed if the sign is currently in use. The two new signs are a monument type directional sign and an internally illuminated wall sign. Both of these types are not allowed in a T5 District. Once the applicant was notified of the issue, he immediately submitted a sign application and a Use by Exception request with the City. The application for the face plate change was approved.

APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts

1.5 EXCEPTION AND VARIANCE

- (a) There are two types of permitted deviations from the requirements of this Section:*
 - i. Exception*
 - a. Requests for Exception shall only be permitted as specifically indicated in this Section.*
 - b. To apply for an Exception, the applicant shall provide the following:*
 - i. The specific Exception(s) requested including citation from this Section and why the Exception is being sought.*
 - ii. Maps, text, drawings and/or statistical data related to the requested Exception(s).*

- c. *No Exception shall be approved unless the Planning and Zoning Commission finds the approval would:*
 - i. *Be consistent with § 1.2 Intent and 1.3 Transect Districts of this Section,*
 - ii. *and be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan.*
- d. *Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.*
- e. *If the Planning and Zoning Commission denies any requested Exception, the applicant may appeal the decision to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall review the application de novo.*
- ii. *Dimensional Variance*
 - a. *A Dimensional Variance shall be processed pursuant to Chapter 2 - Administration, Article VI - Board of Adjustments & Appeals, Section 2 - 176 Variances and the Board of Adjustments & Appeals of the City of Starkville's Code of Ordinances.*
- (b) *Exceptions shall be advertised and noticed in the same fashion as conditional uses in the City's Code of Ordinances in accordance with Appendix A, Article VI, Section 1.*

APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts

1.2 INTENT

- (a) *Regulations on buildings equitably balance the rights of individual property owners and the interests of the community as a whole.*
- (b) *Infrastructure, landscape and buildings shape the public realm, the spatial definition of which can be understood as a continuum from weak to strong.*
- (c) *Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.*
- (d) *Distinct physical environments provide a choice in living arrangement for citizens with differing physical, social, and emotional needs.*
- (e) *Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings so that residents may choose to work, recreate, and shop within walking distance to their home.*

1.3 TRANSECT DISTRICTS

- (a) *The following Transect Districts are established under the provisions of this Section and are illustrated on Table 1:*
 - i) *T1 District - Reserved for Future*
 - ii) *T2 District - Reserved for Future*
 - iii) *T3 District - Reserved for Future*
 - iv) *T4 District*
 - v) *T5 District*

- vi) *T6 District*
- vii) *Civic District*
- (b) *The T1 District consists of land approximating a wilderness condition, including land unsuitable for development due to topography, hydrology, or vegetation.*
- (c) *The T2 District consists of sparsely settled lands in open or cultivated states with little spatial definition, if any.*
- (d) *The T3 District consists of lightly settled lands and is primarily residential in character, where deep setbacks and limited Lot coverage creates only a minimal level of spatial definition of outdoor spaces.*
- (e) *The T4 District consists of moderately settled lands, is primarily residential in character, but permits an appropriate level of Mixed Use. Moderate setbacks and Lot coverage by buildings creates an increased sense of spatial definition.*
- (f) *The T5 District consists of heavily settled lands and is primarily Mixed-Use in character. Shallow setbacks, high Lot coverage, and multi-level buildings creates strong spatial definition of outdoor spaces.*
- (g) *The T6 District consists of the most intensely settled lands and is mixed-use in character. Multi-storied buildings positioned at the front Lot Line, no Setbacks, and maximum Lot coverage by buildings creates the strongest definition of outdoor space of all Districts.*
- (h) *The Civic District consists of open spaces and public buildings dedicated to arts, culture, education, recreation, local government, and/or municipal parking Uses that serve as necessary components of any community.*

APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts

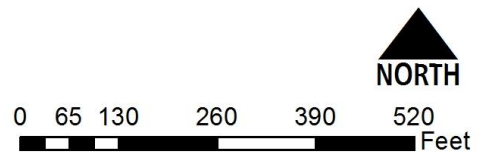
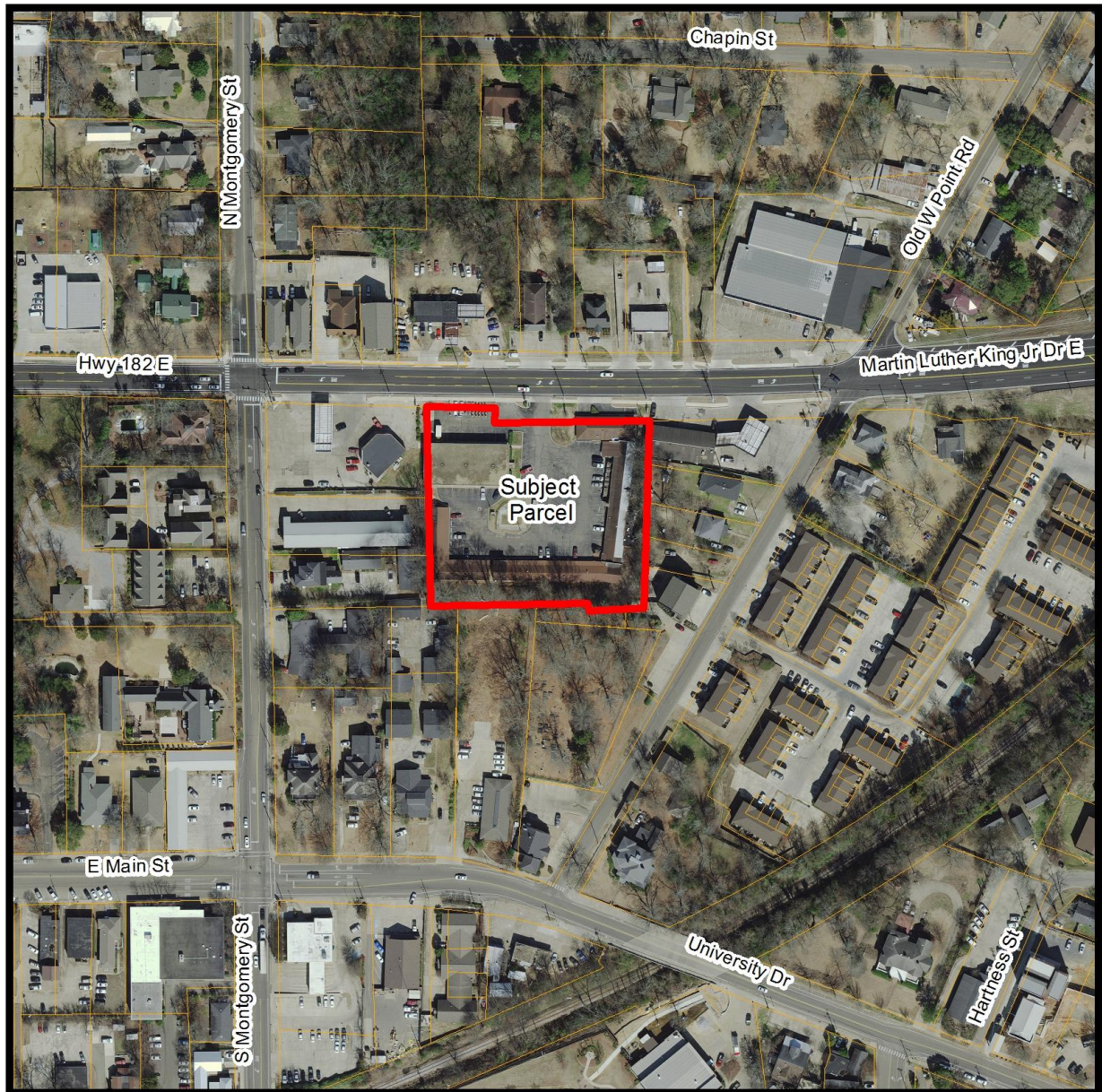
2.8 SIGNAGE

- (a) *Signage shall be designed according to Table 8 and specific types permitted as indicated for each Sub-District.*
- (b) *Address Signs shall be made easily visible through the use of colors or materials that contrast with their background and shall be attached to the Facade or Principal Entrance of the unit they identify. Address Signs may be attached to a mailbox by Exception.*
- (c) *Awning Signage shall be limited to no more than seventy percent (70%) of the Valance of the awning or the vertical portion of a dome awning. The height of the Valance shall not exceed twelve (12) inches. Awning Signs shall contain only the business name, logo, and/or street address.*
- (d) *One (1) Band Sign limited to 90% of the width of the building Facade shall be permitted for each building with a Commercial Use. Information shall consist only of the name and/or logo of the business.*
- (e) *Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story.*

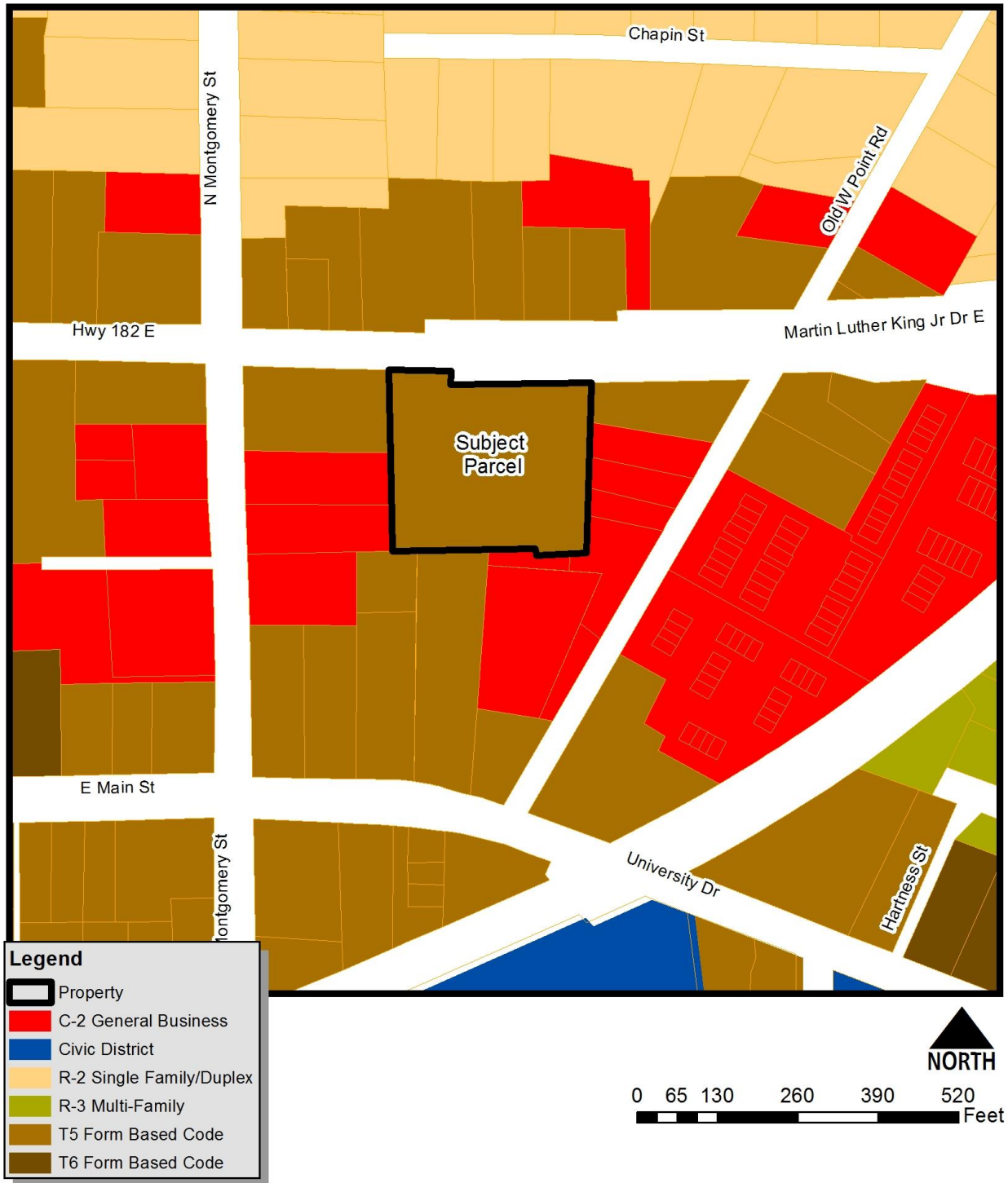
- (f) One (1) Blade Sign shall be permitted for each business if the Facade is no more than five (5) feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to four (4) feet, shall clear the Sidewalk by at least eight (8) feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or logo of the business.*
- (g) Marquees shall be located only above the Principal Entrance of a building, shall provide a minimum clearance of ten (10) feet, and may Encroach the Public Frontage to within two (2) feet of the Curb. Message Boards shall be permitted as part of Marquees.*
- (h) One (1) Nameplate per address limited to three (3) square feet and consisting of either a panel or individual letters applied to a building wall, may be attached to a building wall within ten (10) feet of a Principal Entrance.*
- (i) Outdoor Display Cases shall not exceed six (6) square feet and may be internally illuminated.*
- (j) One (1) freestanding, double-sided, temporary Sidewalk Sign may be placed within the Parking Strip of the Public Frontage for each business. Sidewalk Signs shall be removed at the close of business each day.*
- (k) Window signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays. Window signs may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages.*

60 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on November 23rd and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls about this request.

Attachment 1
EX 15-08 Aerial



Attachment 2
EX 15-08 Zoning



Attachment 3



Existing pole sign- permit approved

Attachment 4

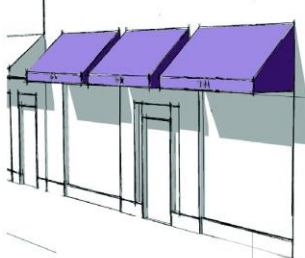


Nonconforming monument sign

Attachment 5



Attachment 6

TABLE 8. SIGN STANDARDS																				
	T4	T5	T6	SPECIFICATIONS																
Address Sign		■	■	■ <table><tr><td>Quantity</td><td>1 per address</td></tr><tr><td>Area</td><td>2 sf max</td></tr><tr><td>Width</td><td>24 in max</td></tr><tr><td>Height</td><td>12 in max</td></tr><tr><td>Depth / Projection</td><td>3 in max</td></tr><tr><td>Clearance</td><td>4.5 ft min</td></tr><tr><td>Apex</td><td>N/A</td></tr><tr><td>Letter Height</td><td>6 in max</td></tr></table>	Quantity	1 per address	Area	2 sf max	Width	24 in max	Height	12 in max	Depth / Projection	3 in max	Clearance	4.5 ft min	Apex	N/A	Letter Height	6 in max
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Awning and Sign		■	■	■ <table><tr><td>Quantity</td><td>1 per window</td></tr><tr><td>Area</td><td>N/A</td></tr><tr><td>Width</td><td>width of Awning</td></tr><tr><td>Height</td><td>N/A</td></tr><tr><td>Depth / Projection</td><td>4 ft min</td></tr><tr><td>Clearance</td><td>8 ft max</td></tr><tr><td>Apex</td><td>N/A</td></tr><tr><td>Letter Height</td><td>5 in min, 10 in max</td></tr></table>	Quantity	1 per window	Area	N/A	Width	width of Awning	Height	N/A	Depth / Projection	4 ft min	Clearance	8 ft max	Apex	N/A	Letter Height	5 in min, 10 in max
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Apex	N/A																			
Letter Height	5 in min, 10 in max																			
Band Sign		■	■	■ <table><tr><td>Quantity</td><td>1, 2 for corner building</td></tr><tr><td>Area</td><td>1.5 sq ft per linear ft of Facade</td></tr><tr><td>Width</td><td>90% of width of Facade max</td></tr><tr><td>Height</td><td>3 ft max</td></tr><tr><td>Depth / Projection</td><td>7 in max</td></tr><tr><td>Clearance</td><td>7 ft max</td></tr><tr><td>Apex</td><td>N/A</td></tr><tr><td>Letter Height</td><td>18 in max</td></tr></table>	Quantity	1, 2 for corner building	Area	1.5 sq ft per linear ft of Facade	Width	90% of width of Facade max	Height	3 ft max	Depth / Projection	7 in max	Clearance	7 ft max	Apex	N/A	Letter Height	18 in max
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Apex	N/A																			
Letter Height	18 in max																			
Blade Sign		■	■	■ <table><tr><td>Quantity</td><td>1 per Facade, 2 max</td></tr><tr><td>Area</td><td>T3: 4 sq ft; T4 & T5: 6 sq ft</td></tr><tr><td>Width</td><td>4 ft max</td></tr><tr><td>Height</td><td>4 ft max</td></tr><tr><td>Depth / Projection</td><td>4 ft max</td></tr><tr><td>Clearance</td><td>8 ft min</td></tr><tr><td>Apex</td><td>N/A</td></tr><tr><td>Letter Height</td><td>8 in max</td></tr></table>	Quantity	1 per Facade, 2 max	Area	T3: 4 sq ft; T4 & T5: 6 sq ft	Width	4 ft max	Height	4 ft max	Depth / Projection	4 ft max	Clearance	8 ft min	Apex	N/A	Letter Height	8 in max
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Clearance	N/A																			
Apex	N/A																			
Letter Height	3 ft min																			

- By Right
- By Exception

TABLE 8. SIGN STANDARDS (continued)

	T4	T5	T6	SPECIFICATIONS
Nameplate Sign 	■	■	■	Quantity 1 Area 3 sf max Width 18 in max Height 2 ft max Depth / Projection 3 in max Clearance 4 ft max Apex 7 ft max Letter Height N/A
Outdoor Display Case 	■	■	■	Quantity 1 Area 6 sf max Width 3.5 ft max Height 3.5 ft max Depth / Projection 5 in max Clearance 4 ft max Apex N/A Letter Height N/A
Sidewalk Sign 	■	■	■	Quantity 1 per business Area 8 sf max Width 28 in max Height 42 in max Depth / Projection N/A Clearance N/A Apex 42 in max Letter Height N/A
Window Sign 	■	■	■	Quantity 1 per window Area 25% of glass max Width varies Height varies Depth / Projection N/A Clearance 4 ft Apex N/A Letter Height 8 in max

- By Right
- By Exception

THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission
FROM: Daniel Havelin, City Planner (662-323-2525)
CC: Applicant: Jason Pepper Owner: Multisite Properties, LLC
SUBJECT: PP 15-18 Request for Preliminary Plat approval for subdividing and replatting four parcels into three located on Hwy 12 West on the west side of the Stark Road intersection with the parcel numbers 103I-00-001.02, 103I-00-003.00, 103I-00-003.01, and 103I-00-004.00
DATE: December 8, 2015

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of Multisite Properties, LLC for approval of a Preliminary Plat for subdividing and replatting four parcels into three. The parcels are located on the north side of Hwy 12 West between Stark Road and Crossgate Street. This subdivision is part of a development plan to provide access to parcels 103I-00-003.01 and 103I-00-001.02. Currently only two parcels have frontage along HWY 12, 103I-00-003.00 and 103I-00-004.00. Parcel 103I-00-003.01, the Sweet Pepper's Deli Site, only contains the building. Parcel 103I-00-003.00, AT&T wireless store, has frontage, but blocks access to the rest of parcel 103I-00-003.00 and all of parcel 103I-00-001.02. As part of this subdivision, parcel 103I-00-004.00 (Sweet Peppers parking lot) will be added to parcel 103I-00-003.01 (Sweet Peppers). The existing private drive that is part of parcel 103I-00-004.00, will be added to parcel 103I-00-003.01 to create Lot 3. The AT&T store (building and parking) will be removed from parcel 103I-00-003.00 and parcel 103I-00-004.00 to create Lot 2. The remaining portions of parcel 103I-00-003.00 (property behind AT&T) and the portion of parcel 103I-00-004.00 with the entrance drive, will then be added to parcel 103I-00-001.02 to create Lot 3. All parcels are currently zoned C-2 General Business. Please see attachments 1-8.

Below is information pertaining to C-2 General Business Zoning District

Sec. L. - C-2 business (general business) zoning district regulations.

These [C-2 general business] districts are intended to be composed of the wide range of commercial goods and services to support community needs. Under special conditions some light industrial and distribution uses are also permitted. Usually located along arterial streets or near the intersection of two or more arterials, these districts are usually large and within convenient driving distance of the entire community. The district

regulations provide for certain minimum yard and area standards to be met to assure adequate open space and compatibility with surrounding districts. [The following regulations apply in the C-2 districts:]

- 1. See chart for uses permitted.*
- 2. See chart for uses which may be permitted as an exception.*
- 3. Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.*
- 4. Minimum yard size: Front, 20 feet; rear, 20 feet; side, a total of 20 feet, but one side shall be sufficient in width to provide vehicular access to the rear. On any lot [in] which the side lot line adjoins a residential district, the side yard on that side shall not be less than required by the residential district.*
- 5. Maximum height of building or structures: 45 feet.*
- 6. Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
- 7. Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
- 8. All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.*
 - a) The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade.*
 - b) The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.*
 - c) The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.*
- 9. All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period on no longer than 12 months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

(Ord. No. 2014-4, 9-16-14)

PLAT PROPOSAL

General Information

The proposed parcels have a combined acreage is +/-9.79 acre. The individual acreages of the proposed parcels will be; Lot 1 8.40 acres, Lot 2 0.85 acres, and Lot 3 1.39 acres. The parcels are located within a C-2 General Business district.

Easements and Dedications

Easements for utilities are shown on the plat. Easement locations may be altered prior to application for Final Plat.

Findings and Comments

All utility connections are currently available.

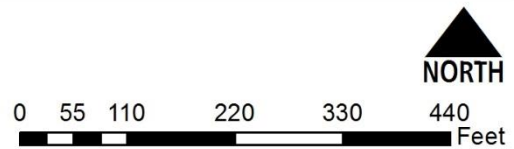
Is this lot a part of a previously platted subdivision? If so, were letters of authorization provided by adversely affect property owners adjacent to the parcel.

This parcel is not a part of a platted subdivision. No authorization needed

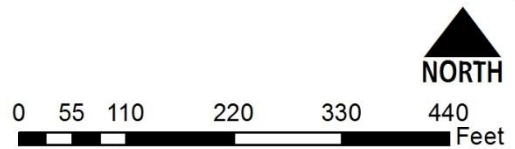
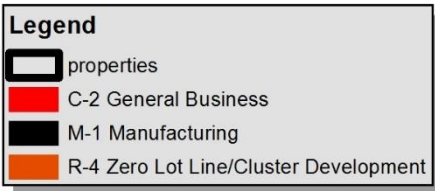
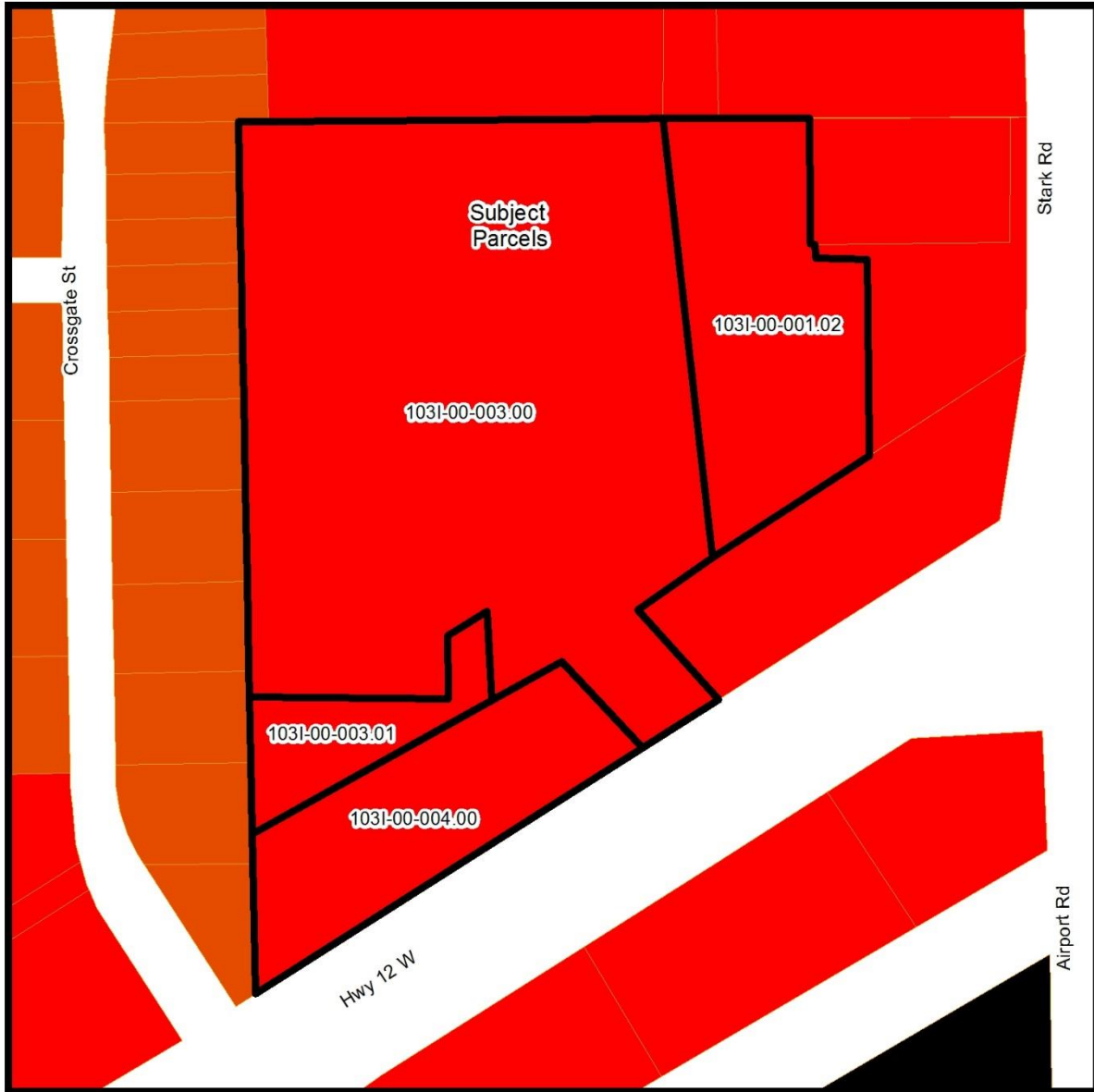
Attachment 1
PP 15-18 Aerial



Legend	
Property_N	
	1031-00-001.02
	1031-00-003.00
	1031-00-003.01
	1031-00-004.00



Attachment 2
PP 15-18 Zoning



PRELIMINARY SUBDIVISION PLAT FOR STARK CROSSING RETAIL CENTER

THREE LOT SUBDIVISION ZONED C-2 (10.64 ACRES)
RELEASE/REVISION: NOVEMBER 23, 2015



SHEET INDEX:
01 OF 04: TITLE
02 OF 04: PRELIMINARY SUBDIVISION PLAT
03 OF 04: SIGNATURE PAGE
04 OF 04: TOPOGRAPHIC SURVEY



Permanent Benchmark: DJ 1745 (Starkville CBL 0)
811 (MS One Call): Ticket 15102915181109

OWNER/DEVELOPER:
MULTISITE PROPERTIES, LLC
CONTACT: MR. DAVID KELLY
3804 ST ELMO AVENUE, SUITE 103
CHATTANOOGA, TENNESSEE 37409
(423) 821-7558
dkellyetal@outlook.com

ENGINEER:
PEPPER ♦ WOOTEN
ENGINEERING SURVEYING PLANNING DESIGN
& ASSOCIATES, LLC

834 HIGHWAY 12 WEST #180
STARKVILLE, MISSISSIPPI 39759
jasonpepper@peppersurveying.com
TEL/FAX: 888-963-9063
ALT TEL: 231-269-8689
jww@wooteneng.com

UTILITY OWNERS:
GAS: CHESAPEAKE ENERGY
402 UNIVERSITY DR
STARKVILLE, MS 39759
(662)-322-2741
WATER & SEWER:
CITY OF STARKVILLE CURRY
STREET STARKVILLE, MS 39759
(662)-525-5505
ELECTRICITY:
STARKVILLE ELECTRIC DEPT.
GENERAL DELIVERY - MAIN ST. STARKVILLE,
MS 39759 (662)-322-3133
CABLE:
MAXXSOUTH
1111 MS 7250 STARKVILLE, MS 39759
(662)-267-5261
TELEPHONE: AT&T
1-866-600-6000



PRELIMINARY TOPOGRAPHIC SURVEY

STARKVILLE, MISSISSIPPI

Mississippi 811
Know what's below.
Call before you dig.
811 or 800.223.4677

BEARING BASIS: GPS GRID (GNSS SOLUTION)
SWORN CREW MEMBER(S): JASON PEPPER
JODY PEPPER
SCALE: 1" = 50'

Pepper Survey AND Mapping



GENERAL SITE CONDITIONS

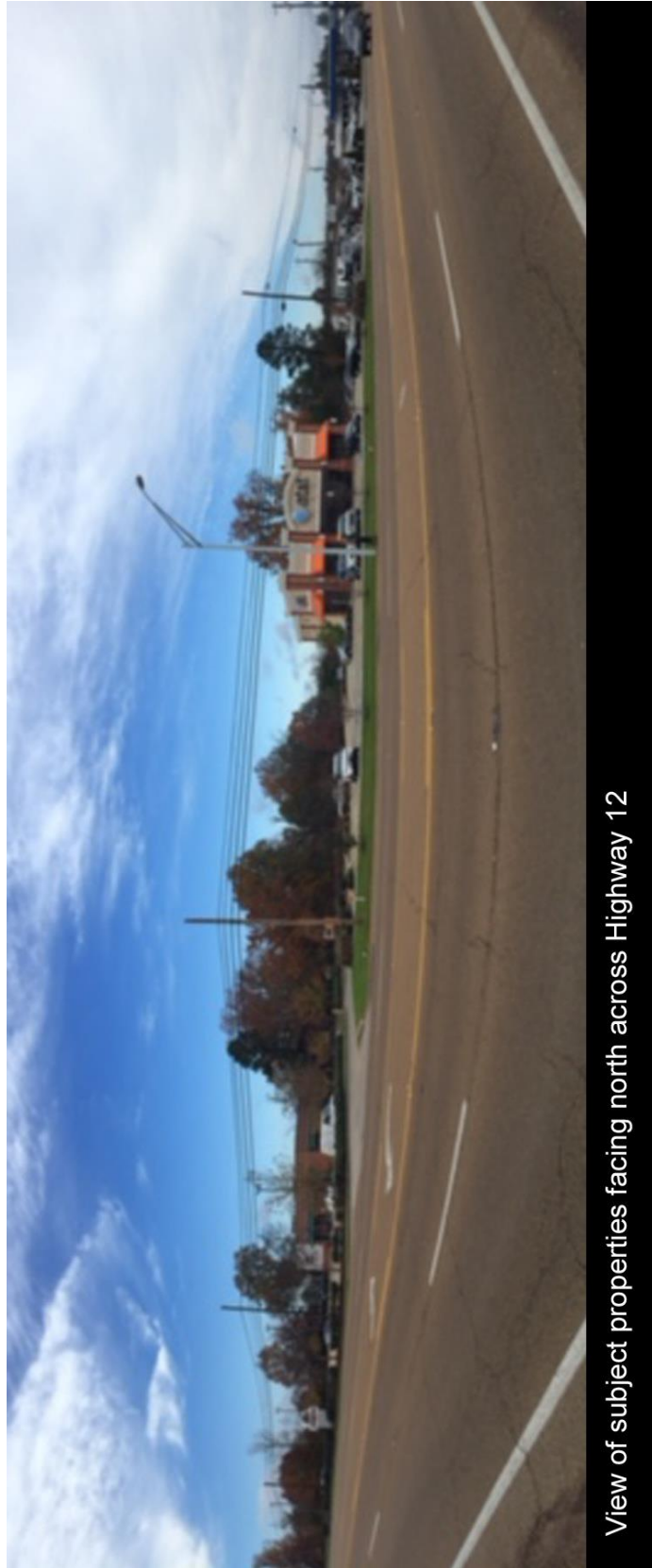


MULTISITE PROPERTIES

CLIENT



Attachment 4



Attachment 5



Attachment 6



Attachment 7



View of proposed Lot 2

HISTORIC
STARKVILLE
MISSISSIPPI'S COLLEGE TOWN
THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission
FROM: Daniel Havelin, City Planner (662-323-2525 ext. 3136)
CC: Applicant/Owner: Ramsey Partners, LP
SUBJECT: RZ 15-07 Rezoning request by Ramsey Partners to rezone part of a parcel from A-1 to R-4A located on South Montgomery Street north of The Claiborne at Adelaide with the parcel number 105-15-007.01.
DATE: December 8, 2015

The purpose of this report is to provide information regarding the request by Ramsey Partners, LP to rezone part of their property from A-1 to R-4A. The applicant is seeking to Rezone a +/-6.45 acre area of a larger parcel. The rest of the parcel would remain A-1. The parcel is located on the west side South Montgomery near the intersection of Turnberry Lane and South Montgomery. Please see attachments 1-6.

BACKGROUND INFORMATION

The earliest zoning map that the subject property appears is 2000 Zoning Map. That map illustrates the subject property as being zoned A-1. .

The property has been family owned for generations. The area directly to the south was rezoned in 2014 and developed as The Claiborne at Adelaide which is currently nearing completion. The applicant has plans to develop Phase 1 of Adelaide neighborhood in the near future on the subject area. The type of development the applicant is intending to do is unknown to the City staff at this time.

Zoning Change Subject Properties

Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
105-15-007.01	N/A	N/A	A-1	A-1

Zoning Change Adjacent Properties

Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	N/A	N/A	A-1	A-1
East	N/A	N/A	R-1/A-1/R-4	R-1/A-1/R-4
South	N/A	N/A	A-1	B-1
West	N/A	N/A	A-1	A-1

Zoning and land uses adjacent to the subject property		
Direction	Zoning	Current Use
North	A-1	Vacant
East	R-1/A-1/R-4	Vacant/ Residential
South	B-1	Retirement Community
West	A-1	Vacant

NOTIFICATION

69 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News November 13th 2015 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone call against this request.

REZONING REQUEST

The subject rezoning requests are from A-1 Agricultural to R-4A Single Family High Density. Differences between zones are:

Current Zoning District

Sec. A. - Agricultural district.

Purpose of this district. The purposes of these [A-1 agricultural] districts are to conserve land for agricultural use, to prevent the premature development of land, and to prevent urban and agricultural land use conflicts. It is the intent of this ordinance to prevent disorderly scattering of residences on small lots and prevent the establishment of other urban land uses that would require unreasonable expenditures for public improvements and services. [The following regulations shall apply to A-1 agricultural districts:]

1. Land uses permitted:
 - (a) Single-family detached dwellings. Only one principal dwelling per lot may be erected in A-1 districts.
 - (b) Accessory buildings and structures associated with the use of the land for residential purposes.
 - (c) Breeding, raising, and feeding of grazing livestock (i.e., horses, cattle, sheep, goats, mules, etc.), provided that each such animal herein defined as grazing livestock shall be kept on a tract or lot of one acre of land or greater. Barns, pens, corrals, and other buildings or enclosures for the keeping of grazing livestock are permitted accessory uses, provided that such buildings or enclosures, excluding open pastures, are located no closer than 150 feet from adjoining property lines or existing/proposed street right-of-way line.
 - (d) Breeding, raising and feeding of swine, provided that pens for the keeping of swine are located no closer than 150 feet from any adjoining property line or existing/proposed street right-of-way line.

- (e) Breeding, raising and feeding of chickens, ducks, turkeys, geese, or other fowl, provided that if more than two such fowl are kept on any lot, they shall be kept at least 150 feet from any adjoining property line or existing/proposed street right-of-way line.
 - (f) Forestry and horticultural uses. The sale of vegetables, fruits and other plants shall only be allowed if permitted as a special exception.
 - (g) Public or private recreational or open space facilities, excluding country clubs and the like which shall be regulated as public/quasipublic facilities or utilities subject to the provisions of this ordinance.
 - (h) Home occupations in compliance with this ordinance.
 - (i) Public streets and highways.
2. Special exception uses:
- (a) Public or quasipublic facilities and utilities in compliance with this ordinance.
 - (b) Child care facilities.
 - (c) Stables and riding academies, provided that there shall be at least one acre of land for each horse normally kept on the premises. In no case shall a stable or riding academy be located on a lot with an area of less than five acres.
 - (d) Plant nurseries and other horticultural uses where vegetables, fruit and other plants are grown on the premises or brought to the premises and maintained there for the purpose of retail sales from said premises. Such other additional products shall be permitted to be sold from the premises as are customarily incidental to the operation of a plant nursery.
 - (e) Commercial catfish production.
 - (f) Extraction of minerals, including sand and gravel, provided that when open-pit operations are conducted, a reclamation plan must be approved by the mayor and board of aldermen.
 - (g) Veterinary hospitals and kennels.
 - (h) Animal cemeteries (small domestic animals such as cats and dogs).
3. Dimensional requirements:
- (a) Maximum building height: There shall be no height limitations for barns and agricultural storage buildings provided they do not contain space intended for human occupancy. No habitable floor of any other building shall exceed a height of 35 feet above the finished ground elevation measured at the front line of the building.
 - (b) Minimum lot area: One acre.
 - (c) Minimum yards:
 - 1. Front yard: 60 feet from the existing or proposed right-of-way line.
 - 2. Side yard: 20 feet.
 - 3. Rear yard: 50 feet.
4. Off-street parking requirements: See article VIII for off-street parking and loading requirements for residential and other uses allowed in A-1 districts.

Proposed Zoning District
Sec. S. - R-4A single-family, high-density.

- A. Intent. The intent of this zoning district is to permit single-family residential development and associated uses in a high quality setting, according to a unified plan. The uses and standards in this district are intended to promote flexibility and innovation in site design, enhance the environmental quality and attractiveness of the community, and to assure the compatibility of the proposed development with adjacent land uses. The R-4A zoning district shall be highly suitable for compact, infill development or redevelopment of existing parcels of land to prevent sprawl and to encourage sustainable development within the city. R-4A zoning districts shall be more restrictive than the R-4 (zero lot line/cluster development) district but less restrictive than R-1 (single family) district.
- B. Conditions to be met by single-family, high-density (R-4A) developments.
1. District regulations. Every R-4A development erected and maintained under the provisions of this article shall comply with all regulations established in this section.
 2. Site plan and improvements. A site plan for an R-4A development shall show and there shall be provided the following:
 - a. Drainage. Adequate facilities for the drainage of surface water, including storm sewers, gutters, paving, and proper design of finished grades.
 - b. Circulation and parking. Adequate facilities for the safe and convenient circulation of pedestrian and vehicular traffic, including walks, driveways, off-street parking area(s), and landscaped separation spaces between pedestrian and vehicular ways.
 - c. Open space. A minimum of 20 percent of the gross land area within an R-4A district shall be designated as open space for the use and enjoyment of its owners, occupants and their guests. Open space area includes both private and common areas within the R-4A development project site. Required open space may be used for active recreational activities such as walking, jogging, swimming pools, golf, tennis and other court games; or passive recreational uses such as sitting, scenic viewing or picnics. Open space areas shall be attractively landscaped and may contain water features, benches, gazebos, gardens, planting strips, trails, tennis courts, or other recreational or landscaping amenities. Streets, driveways and parking areas shall not be considered part of this open space.
 - d. Responsibility for common open space. Nothing in this section shall be construed as a responsibility of the city, either for maintenance or liability of the following which shall include, but not be limited to, any private open areas, parks, recreational facilities, and a "hold harmless" clause shall be incorporated in the covenants running with the land to this effect.
 - e. Utilities to be located underground. Any R-4A development shall specify that all utilities shall be constructed underground.
 - f. Size of area. Although there is not a minimum size, the area proposed for development shall be large enough to permit and accommodate an R-4A development. Building setbacks are to be determined by the development proposal upon approval. An R-4A approval shall not be granted if, in the opinion

of the planning and zoning commission, the proposed development would have a direct negative or adverse impact on the surrounding area.

C. Requirements for site plans of proposed R-4A developments.

1. Application. An application for approval of an R-4A proposal shall be filed with the city planner and shall contain the following information: address, and interest of any others represented by the applicant; the concurrence of the owner(s) of the entire land are included in the proposal and all encumbrances of such land; evidence that the applicant and/or owners intend to develop the land along with a written narrative expressing the character of the proposed development.
2. Site plans. An application for an R-4A development is to be accompanied by a site plan which must include both maps and a written narrative. Adjacent properties impacted by the development are to be identified. The following data may be required with the preliminary submission:
 - a. Existing topography of the site.
 - b. Drainage within the project and adjacent area, if impacted.
 - c. Existing and proposed land uses and existing zoning.
 - d. Existing property lines.
 - e. Circulation system including walks, curb-cuts, ingress and egress drives, driveways.
 - f. Parking areas.
 - g. Areas proposed to be dedicated or reserved for parks, playgrounds and common areas.
 - h. Approximate location of all buildings, structures, and other improvements, including walkways.
 - i. Graphic presentation representative of the proposed structures and improvements.
 - j. A tentative development schedule including timing and scope of any proposed phasing.
 - k. Any proposed restrictive covenants or homeowner association agreements governing the maintenance and continued protection of the proposed development.

D. Review and approval process of proposed R-4A developments.

1. Review process. Upon receipt of an application for approval of a site plan for an R-4A development, properly and completely made out, the city planner shall distribute copies to the development review committee for review and recommendations. Recommendations from the development review committee shall be forwarded to the planning and zoning commission for a public hearing. The planning and zoning commission shall hold a public hearing and interested parties notified in the same manner as for other rezoning hearings. Following the public hearing, the planning and zoning commission shall transmit its recommendation of approval or disapproval to the mayor and board of aldermen, including any conditions of approval, which may include a performance bond.

2. Final approval. Final approval of a proposed R-4A development shall rest with the mayor and board of aldermen. The recommendations of the planning and zoning commission and the development review committee shall be considered and any conditions of approval may be amended, revised or stricken as determined. The approved site plan shall be binding and shall control the issuance of permits and/or certificates.
 3. Revisions or amendments to an R-4A development site plan. Revisions or amendments to approved R-4A site plans which result in a reduction of the number of approved dwelling units/density, as well as an increase in open space, shall be allowed, upon review and approval by the city planner. Any proposed increase in dwelling units/density, or a decrease in open space, shall require a submittal of the revised site plan to the city planner in the same manner as prescribed for a new application.
 4. Appeal. Any person aggrieved by a decision of the planning and zoning commission in approving or disapproving an application for an R-4A development proposal under this article may within ten days from the date of such decision, file a written request to the mayor and board of aldermen and there upon the mayor and board of aldermen shall proceed to review the proposal in the same manner prescribed for other rezoning applications.
- E. Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.
- F. Permitted and conditional uses shall be as follows:
1. The following uses are permitted by right in the R-4A zoning district:
 - a. Single-family dwelling.
 - b. Garden.
 - c. Home occupation.
 2. The following uses are allowed by conditional use in the R-4A zoning district:
 - a. Church or place of worship.
 - b. Golf course, not including commercial driving ranges; need not be enclosed within structure.
 - c. Public utilities.
 - d. Recreational facilities.
- G. Comprehensive Plan. The R-4A zoning district shall be considered a high density residential land use classification allowing a maximum gross density of 15 dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.

(Ord. No. 2008-9, § II, 11-4-08)

STATE REZONING CRITERIA

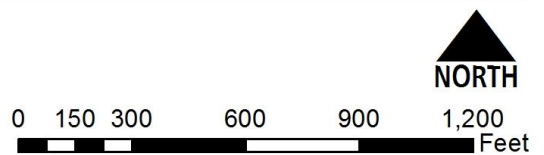
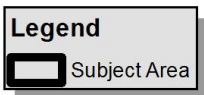
Per Title 17, Chapter 1, of the Mississippi Code of 1972, as amended, and Appendix A, Article IV, Section A, of the City of Starkville Code of Ordinances, the Official Zoning Map may be amended only when one or more of the following conditions prevail:

1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.
 - There have been 2 rezonings along or near South Montgomery since 2013
 1. Riddle Run on Academy Road near the intersection of South Montgomery in 2015 from R-1 to R-3.
 2. The Claiborne at Adelaide directly south of the subject property was rezoned from A-1 to B-1 in 2014

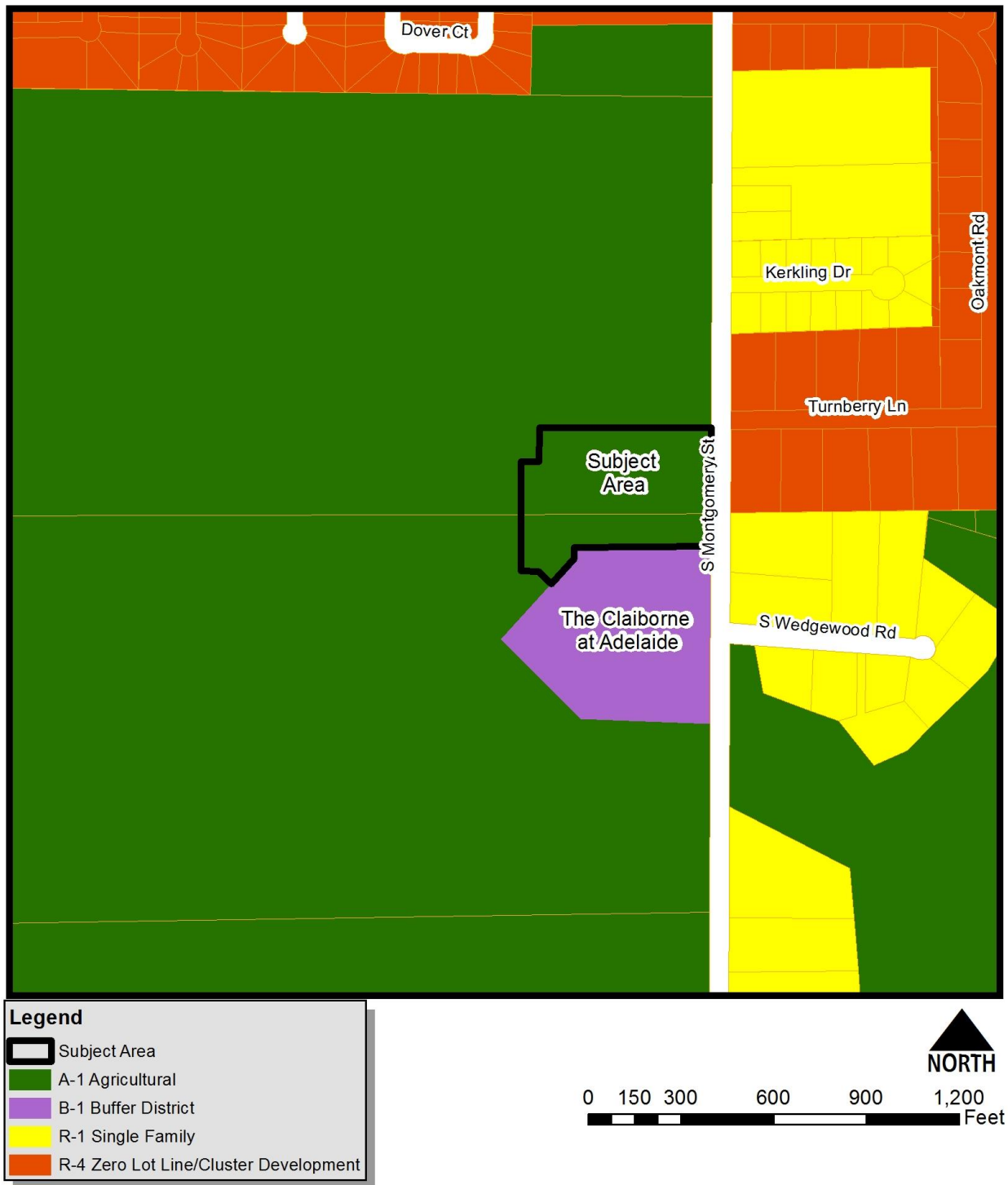
REQUESTED CONDITIONS

1. The portion of the parcel requesting the rezoning shall be subdivide and recorded within in 6 months of approval of this request for rezoning.

Attachment 1
RZ 15-07 Aerial



Attachment 2
RZ 15-07 Zoning



Attachment 3

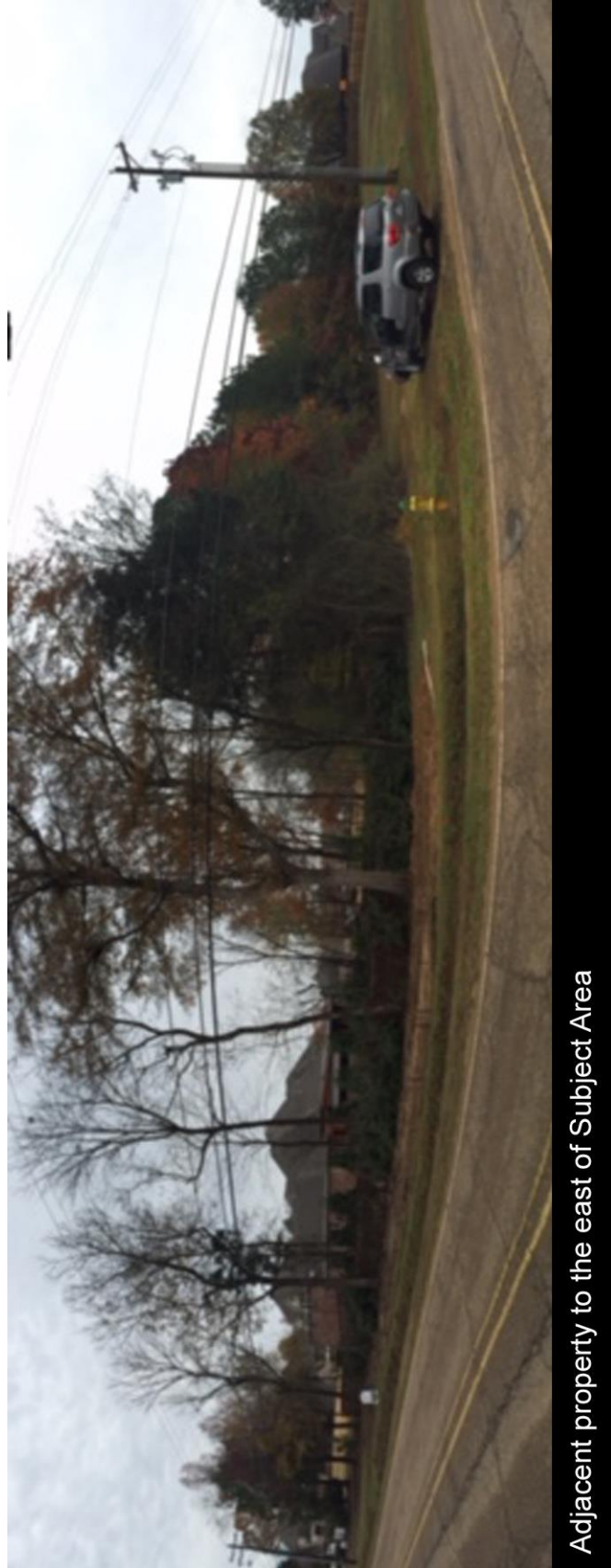


Attachment 4



View of subject area looking west from South Montgomery

Attachment 5



Adjacent property to the east of Subject Area

[illegible]

LEGAL DESCRIPTION OF AIRLAGE PHASE I

THE FOLLOWING DESCRIPTION IS BASED ON THE MISSISSIPPI STATE PLANE COORDINATE SYSTEM, EAST ZONE NAD 83, GRID VALUES, US FEET, USING SCALE FACTOR OF 0.99999055 AND A CONVERGENCE ANGLE OF (+) 0.00 DEGREES 00 MINUTES 43.54 SECONDS DEVELOPED AT THE APPROXIMATE CENTER OF THE FOLLOWING DESCRIBED PARCEL:

[illegible]

SOUTH MONTGOMERY ROAD

001236,73

10

10

10

10

1



10

10

2

10

10

10

P.O.
FOUND MAIL AT THE SOUTHEAST CORNER
SEC. 27, T. 1 N., R. 14 E.,
OKTIBBEHA COUNTY, MISSISSIPPI
N. 1419784.76
E. 007234.75

FRONT TRACK	6 FT.
REAR TRACK	5 FT.
REAR WHEEL	7 FT.



NEEL-SCHAFFER
Solutions you can build upon