

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
City of Starkville, Mississippi January 12, 2016**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met in their regularly scheduled meeting on January 12, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Tom Walker, Ward 3, Commissioners Jason Camp, Ward 1, Ward 5 Jim McReynolds, Ward 2, Ira Loveless, Ward 6, and John Moore, Ward 7. Absent was Patrick Miller, Ward 5. Attending the Commissioners were Community Development Director Buddy Sanders, City Planner Daniel Havelin, City Attorney Chris Latimer, and Recording Secretary Bill Green.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

1. A MOTION TO APPROVE THE OFFICIAL AGENDA AS PRESENTED

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of December 8, 2015 as presented.

- 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. **FP 16-01** Request Final Plat approval for subdividing and replatting four parcels into three located on wy 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
 - B. **PP 16-02** Request for Preliminary Plat approval for platting the final 45 lots of Phase 8 of Huntington Park Subdivision with the parcel number 105 -15-003.04.
 - C. **RZ 16-01** Request for Rezoning by Dan Camp Real Estate to rezone five parcels located along University Drive from T-6 to T-5 with the parcel numbers 117M-00-194.00, 117M-00-193.00, 101D-00-116.00, 101D-00-143.00, and 101 D-00-005.00.
- VII. PLANNER REPORT
- VIII. ADJOURN

After discussion and upon the motion of Commissioner Moore, duly seconded by Commissioner Loveless, the motion to approve the Official Agenda of the Planning and Zoning Commission for January 12, 2016, as presented, received unanimous approval by the members present and voting.

CITIZEN COMMENTS

None

2. A MOTION TO APPROVE FP 16-01 REQUEST FOR FINAL 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

There came for consideration, the matter of the approval of the motion to approve FP 16-01 Request for Final Plat approval 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.

After discussion, and upon the motion of Commissioner Walker, duly seconded by Commissioner McReynolds, the motion to approve FP 16-01 Request for Final 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 with the condition that a bond for any infrastructure be in place prior to consideration by the Board of Aldermen, was unanimously approved by the members present and voting.

3. A MOTION TO APPROVE PP 16-02 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR PLATTING THE FINAL 45 LOTS OF PHASE 8 OF HUNTINGTON PARK SUBDIVISION WITH THE PARCEL NUMBER 105 -15-003.04.

There came for consideration, the matter of the approval of the motion to approve PP 16-02 Request for Preliminary Plat approval for platting the final 45 lots of Phase 8 of Huntington Park Subdivision with the parcel number 105 -15-003.04.

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Moore, the motion to approve PP 16-02 Request for Preliminary Plat approval for platting the final 45 lots of Phase 8 of Huntington Park Subdivision with the parcel number 105 -15-003.04, was unanimously approved by the members present and voting.

The Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Mr. Robert and Mr. Bon Camp, representatives of the Camp Family Real Estate Company, addressed the Commissioners et al and gave a video presentation relative to their requested rezoning.

Attorney John Moore stated that he represented Mr. Russel Gains, Harry Bell and his mother. Mr. Moore, spoke in opposition to all of the proposed rezoning of all the properties on behalf of his clients.

The City Attorney clarified for the record that the Supreme Court Opinions regardless of the City's Ordinance, always talk about a "mistake" the zoning ordinance, that the Supreme Court opinions do not go all the way to the "manifest error", and that his (the City Attorney's) opinion was, that the legal standard was "mistake and not "manifest error".

Mr. Dan Camp, the proposed rezoning property owner addressed the Commissioners et al, in support of his rezoning request. Mr. Camp stated that he and his family's real estate company have always had the best interest with the planning of all of their properties and that through their development, the properties adjacent to his developments have appreciated in value.

Mr. Robert Camp, a representative of the Camp Family Real Estate Company, requested that the rezoning requests for properties located at 513, 515, 517, be removed from the agenda for consideration for rezoning. Leaving the remaining properties requested for rezoning, 513 University Drive-Parcel Number 117M-00-194.00 and 515-517 University Drive- Parcel Number 117M-00-193.00.

Calling for and hearing no additional comments, the Commission Chair closed the Public hearing portion of the meeting.

4. A MOTION TO APPROVE RZ 16-01, A REQUEST FOR REZONING BY DAN CAMP REAL ESTATE OF THE PROPERTIES LOCATED AT 513 UNIVERSITY DRIVE-PARCEL NUMBER 117M-00-194.00 AND 515-517 UNIVERSITY DRIVE-PARCEL NUMBER 117M-00-193.00.

There came for consideration, the matter of the approval of the motion to approve RZ 16-01, a request for rezoning from T-6 to T-5, (due to a mistake in the original zoning), of the properties located at 513 University Drive-Parcel Number 117M-00-194.00 and 515-517 University Drive- Parcel Number 117M-00-193.00.

After discussion, and upon the motion of Commissioner Walker, duly seconded by Commissioner Loveless, the motion to approve RZ 16-01, a request for rezoning from T-6 to T-5, (due to a mistake in the original zoning), of the properties located at 513 University Drive-Parcel Number 117M-00-194.00 and 515-517 University Drive- Parcel Number 117M-00-193.00, was unanimously approved by the members present and voting.

Attachment 3



513 University Drive-Parcel Number 117M-00-194.00

Attachment 4



515-517 University Drive- Parcel Number 117M-00-193.00

5. A MOTION TO ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on February 9, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Walker, duly seconded by Commissioner Moore, the motion to adjourn until 5:30 p.m. on February 9, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.

A handwritten signature in black ink, appearing to read 'Mike Brooks', written over a horizontal line.

Mike Brooks, Commission Chair

A handwritten signature in blue ink, appearing to read 'Daniel Havelin', written over a horizontal line.

Daniel Havelin, City Planner