



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, February 14, 2017
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. CONSIDERATION FOR APPROVAL OF MINUTES
 - A. Consideration of the Unapproved minutes for January 10, 2017
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. CU 17-02 Public Hearing for Conditional Use Request by Dan and Mary Pat Templeton to allow for an Accessory Dwelling Unit to be constructed at 405 Gillespie Street on a parcel that is currently zoned R-2 with the property # 102A-00-149.00.
 - B. FP 17-03 Request for Final Plat approval for a two-lot subdivision of a +/- 11.13-acre parcel on the east side of intersection of Stark Road and Clements in a C-1 zone with the parent parcel number 102D-00-016.01.
 - C. PP 17-05 Request for Preliminary Plat approval for a 52-lot subdivision of a 9.77-acre parcel on the south side of Academy Road +/- 0.22 miles west of the South Montgomery Street and Academy Road intersection in an R3-A zone
- VIII. PLANNER'S REPORT
 - A. Announcement of time and location of Code Update input session and meetings
- IX. ADJOURN

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JANUARY 10, 2017**

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 10, 2017 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, Jason Camp, Ward 1, Jim McReynolds, Ward 2, and Ira Loveless, Ward 6. Joining the meeting by phone was Patrick Miller, Ward 5. Absent from the meeting were Tom Walker, Ward 3 and John Moore, Ward 7. Attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Emily Corban, Community Development Director Buddy Sanders, 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.

CONSIDERATION OF THE OFFICIAL AGENDA

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of January 10, 2017 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, JANUARY 10, 2017
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. CONSIDERATION FOR APPROVAL OF MINUTES
 - A. Reconsideration of the Unapproved minutes for December 13, 2016
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. CU 17-01 Request for Conditional Use approval to allow for a Single-Family Dwelling to be constructed at 731 Whitfield Street on a parcel that is currently zoned C-2 with the property # 102C-00-214.00

- B. PP 16-21 Request for Preliminary Plat approval for a two-lot subdivision of a +/- 11.13-acre parcel on the east side of intersection of Stark Road and Clements in a C-1 zone with the parent parcel number 102D-00-016.01.
- C. RZ 17-01 Request to Rezone the southern portion of one lot located on the eastern side of North Montgomery from C-1, R-5, and R-E to R-5 with the property # 117E-00-018.00.
- D. RZ 17-03 Request to Rezone the northern portion of one lot located on the eastern side of North Montgomery from C-1 to R-E with the property # 117E-00-018.00.
- E. FP 17-01 Request for Final Plat approval for a two-lot subdivision of a +/-7.73-acre parcel on the east side of North Montgomery and the south side of Presley Drive in an C-1, R-5 and R-E zone with the parent parcel number 0117E-00-018.00.
- F. RZ 17-02 Request to Rezone one lot located at 114 North Montgomery Street from C-2 to T-5 with the property # 117M-00-157.00

VIII. PLANNER'S REPORT

IX. ADJOURN

Chairman Brooks proposed moving item E FP 17-01 before item C. After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Loveless the motion to approve the official agenda as amended, of the Planning and Zoning Commission for January 10, 2017 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
December 13, 2016**

After discussion and upon the motion of Commissioner Moore, duly seconded by Commissioner Camp, the motion to approve the Minutes as amended of the December 13, 2016 Planning and Zoning Commission received unanimous approval.

CITIZEN COMMENTS

The Chair opened up the meeting for Citizen Comments. Seeing there were none, the Commission moved to New Business.

Commissioner McReynolds joined the meeting.

NEW BUSINESS

A. CONSIDERATION OF CU 17-01 REQUEST FOR CONDITIONAL USE APPROVAL TO ALLOW FOR A SINGLE-FAMILY DWELLING TO BE CONSTRUCTED AT 731 WHITFIELD STREET ON A PARCEL THAT IS CURRENTLY ZONED C-2 WITH THE PROPERTY # 102C-00-214.00

Assistant City Planner, Emily Corban, presented the request CU 17-01, a request by Roger Price on behalf of Xavier Yeates for a Conditional Use to allow for a Single-Family Dwelling at 731 Whitfield Street to be constructed on a parcel that is currently zoned C-2 with the property # 102C-00-214.00. In order to construct a house in a C-2 zone, a Conditional Use is required. The five criteria for conditional use are as follows:

- **Land use compatibility-** The proposed use is compatible with adjacent property. The 2016 Comprehensive plan has the areas list as a commercial type use of Suburban Center
- **Sufficient site size and adequate site specification to accommodate the proposed use-** The site is adequately size to accommodate the proposed us
- **Proper use of mitigative techniques-** none proposed
- **Hazardous waste-** No hazardous waste or materials would be generated, used or stored at the site
- **Compliance with applicable laws and ordinances-** Building permits will be required.

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

Roger Price, the applicant, came forward to speak in favor of the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner McReynolds, the motion to approve CU 17-01 was unanimously approved.

B. CONSIDERATION OF PP 16-21 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A TWO-LOT SUBDIVISION OF A +/- 11.13-ACRE PARCEL ON THE EAST SIDE OF INTERSECTION OF STARK ROAD AND CLEMENTS IN A C-1 ZONE WITH THE PARENT PARCEL NUMBER 102D-00-016.01.

Assistant City Planner, Emily Corban, presented the request PP 16-21, by Mike Brent on behalf of Richard Hewlett for Preliminary Plat approval for a two-lot subdivision of a +/- 11.13 acre parcel on the east side of intersection of Stark Road and Clements in a

C-1 zone with the parent parcel number 102D-00-016.01. The Subdivision consists of 2 lots on +/- 11.13 acres in a C-1 Business zone. The proposed plat has a total of two lots. Proposed Lot 1 has an acreage of 1.51 and Lot 2 has an acreage of 9.62. The owner would like to subdivide to allow for future sale as commercial property. Staff requested five conditions.

Commissioner Jason Camp submitted for the record a copy of restrictive covenants that apply to the subject property.

The applicant, Mike Brent, came forward to speak for the request.

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner McReynolds, the motion to approve PP 16-21 was unanimously approved with the following conditions:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.
2. The City of Starkville's standard Performance guarantee agreement must be executed by the applicant/owner and authorization for the mayor to execute on behalf of the city
3. A letter from the Applicant to the City Engineer indicating their intent to mitigate the stormwater requirements on a lot-by-lot basis and that the owner will communicate to all future lot owners that the mitigation of excess stormwater will be their responsibility and will be required regardless of lot size.
4. 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.
5. 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.

C. CONSIDERATION OF FP 17-01 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A TWO-LOT SUBDIVISION OF A +/-7.73-ACRE PARCEL ON THE EAST SIDE OF NORTH MONTGOMERY AND THE SOUTH SIDE OF PRESLEY DRIVE IN AN C-1, R-5 AND R-E ZONE WITH THE PARENT PARCEL NUMBER 0117E-00-018.00

City Planner Daniel Havelin presented FP 17-01, a request by Saunders Ramsey on behalf of Lightbearers Ministry for Final Plat approval for a two-lot subdivision of a +/- 7.73-acre parcel on the west side of North Montgomery and the south side of Presley

Drive in an C-1, R-5 and RE zone with the parent parcel number 0117E-00-018.00. The subdivision has a gross acreage of +/-7.73 acres with a total of two parcels. Proposed parcel 1 is +/- 6.53 acres and proposed parcel 2 is +/-1.20 acres. Staff requested five conditions.

The Applicant, Saunders Ramsey came forward to speak in favor of the request.

After discussion, and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Camp, the motion to approve FP 17-01 was unanimously approved with the following conditions:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.
2. The City of Starkville's standard Performance guarantee agreement must be executed by the applicant/owner and authorization for the mayor to execute on behalf of the city
3. A letter from the Applicant to the City Engineer agreeing to mitigate all future stormwater requirements for both lots on proposed Lot 1. The calculation for the requirements of Lot 1 shall be based on an assumed 15% impervious cover for the entirety of Lot 2. The applicant will be required to provide the engineering calculations and construction plans for the facility as a part of the Site Plan approval process.
4. 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.
5. 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.

D. CONSIDERATION OF RZ 17-01 REQUEST TO REZONE THE SOUTHERN PORTION OF ONE LOT LOCATED ON THE EASTERN SIDE OF NORTH MONTGOMERY FROM C-1, R-5, AND R-E TO R-5 WITH THE PROPERTY # 117E-00-018.00

City Planner Daniel Havelin presented RZ 17-01, a request by Saunders Ramsey on behalf of Lightbearers Ministry to rezone the southern portion of one lot located on the eastern side of North Montgomery from C-1, R-5, and R-E to R-5 with the property # 117E-00-018.00. 39 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 December 22, 2016 and a sign was posted on the property concurrent with publication of the notice. A rezoning can only take place is one of the following conditions prevail:

Error: There is a Manifest Error in the ordinance and a Public Need to correct the error. There is a Change in Condition. The subject property is split-zoned C-1, R-5, and R-E. The split zoning first appeared on the 82-91 City of Starkville Zoning Map. The zoning does not follow past or current property line.

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

Saunders Ramsey, came forward to speak in favor of the request. He presented 3 self-imposed conditions the applicant wishes to impose on the property.

John Brocato came forward to speak in favor of the request. He submitted items for the record from residents of the adjacent Presley Place subdivision.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner McReynolds, the motion to approve RZ 17-01 based on error on the map was unanimously approved with self-imposed conditions:

1. 45 foot undisturbed, naturally occurring buffer along the east side of the property adjacent to parcels zoned R-E
2. Maximum building height to be limited to 3 stories
3. Maximum unit count per building to be limited to 8 units

E. CONSIDERATION OF RZ 17-03 REQUEST TO THE NORTHERN PORTION OF ONE LOT LOCATED ON THE EASTERN SIDE OF NORTH MONTGOMERY FROM C-1 TO R-E WITH THE PROPERTY # 117E-00-018.00.

City Planner Daniel Havelin presented RZ 17-03, a by Saunders Ramsey on behalf of Robert Wright to rezone the northern portion of one lot located on the eastern side of North Montgomery from C-1 to R-E with the property # 117E-00-018.00. 39 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 17, 2016 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 against this request. A rezoning can only take place if one of the following conditions prevail:

Error: There is a Manifest Error in the ordinance and a Public Need to correct the error. There is a Change in Condition. There has been 4 rezonings within approximately ½ mile of the subject property since 2011

- October of 2011 The Cottages at Creekside was rezoned to a PUD for residential use
- October of 2014 4 lots of the Plantation Homes subdivision were rezoned to C-2 commercial
- July of 2015 the property at the northwest corner of the intersection of Garrard and Old West Road was rezoned to B-1 Buffer for residential use
- February of 2016 the property East of Cottages at Creekside was rezoned to R-3a for residential use

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

Saunders Ramsey came forward to speak in favor of the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

After discussion, and upon the motion of Commissioner Camp duly seconded by Commissioner McReynolds the motion to approve RZ 17-03 due to change in condition of the neighborhood and public need was unanimously approved.

F. CONSIDERATION OF RZ 17-02 REQUEST TO REZONE ONE LOT LOCATED AT 114 NORTH MONTGOMERY STREET FROM C-2 TO T-5 WITH THE PROPERTY # 117M-00-157.00

City Planner Daniel Havelin presented RZ 17-02, a request by Harless and Company to rezone one lot located at 114 North Montgomery Street from C-2 to T-5 with the property # 117M-00-157.00. 12 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 December 22, 2016 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 against this request. A rezoning can only take place if one of the following conditions prevail:

Error: There is a Manifest Error in the ordinance and a Public Need to correct the error. There is a Change in Condition.

- On January 12, 2012, the Board of Aldermen adopted Form Based Code for MS Highway 182, Main Street, University Drive, Lampkin Street, and Russell Street. As a result, 84 parcels were rezoned to either T District or Civic District. The subject parcel is adjacent to a T5 District parcel to the north and is currently planned to be developed with the parcel to the north as one project.
- On March 15, 2016, one parcel on Hartness Street was rezoned from R-3 to T-5
- On August 8, 2016, one parcel at 116 North Montgomery was rezoned from C-2 to T-5.

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

Saunders Ramsey came forward to speak in favor of the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

After discussion, and upon the motion of Commissioner Camp duly seconded by Commissioner McReynolds the motion to approve RZ 17-02 due to change in condition of the neighborhood and public need was unanimously approved.

6. 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 14, 2017, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner _____, duly seconded by Commissioner _____, the motion to adjourn until the 5:30 p.m. on February 14, 2017, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner

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)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)

CC: Applicant: Dan and Mary Pat Templeton

SUBJECT: CU 17-02 Conditional Use Request by Dan and Mary Pat Templeton to allow for an Accessory Dwelling Unit to be constructed at 405 Gillespie Street on a parcel that is currently zoned R-2 with the property # 102A-00-149.00.

DATE: February 14, 2017

The purpose of this report is to provide information regarding the Conditional Use Request by Dan and Mary Pat Templeton to allow for an Accessory Dwelling Unit to be constructed at 405 Gillespie Street on a parcel that is currently zoned R-2 with the property # 102A-00-149.00. Please see attachments 1-5.

BACKGROUND INFORMATION

The applicant is requesting a Conditional Use to construct an Accessory Dwelling on a vacant parcel on Gillespie Street where the Applicant is planning to construct their primary residence. The property is zoned R-2 Single Family/Duplex and in order to construct a "Accessory Dwelling Unit", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart.

Scale and intensity of use.

The size of the proposed structure is a one bedroom one-bathroom guest house with +/-727 sq. ft.

On- or off-site improvement needs.

The existing public sidewalk will have to be brought into compliance

On-site amenities proposed to enhance the site.

No amenities are being proposed by the applicant for the site.

Site issues.

There are no known site issues regarding the intended use of the site.

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	R5	Residential- Multi-Family
West	R2	Residential

NOTIFICATION

23 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 January 16, 2017 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received three phone calls against, one emails against, one email requesting a condition and one in person office visits against.

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 proposed use as an accessory dwelling in an R-2 could be considered compatible. Other R-2 properties in the area have accessory dwellings.

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 waste or materials would be generated, used or stored at the site

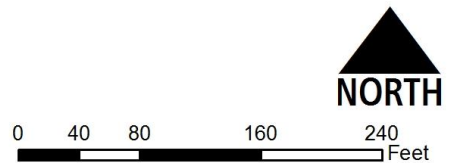
Compliance with applicable laws and ordinances.

Building Permits will be required.

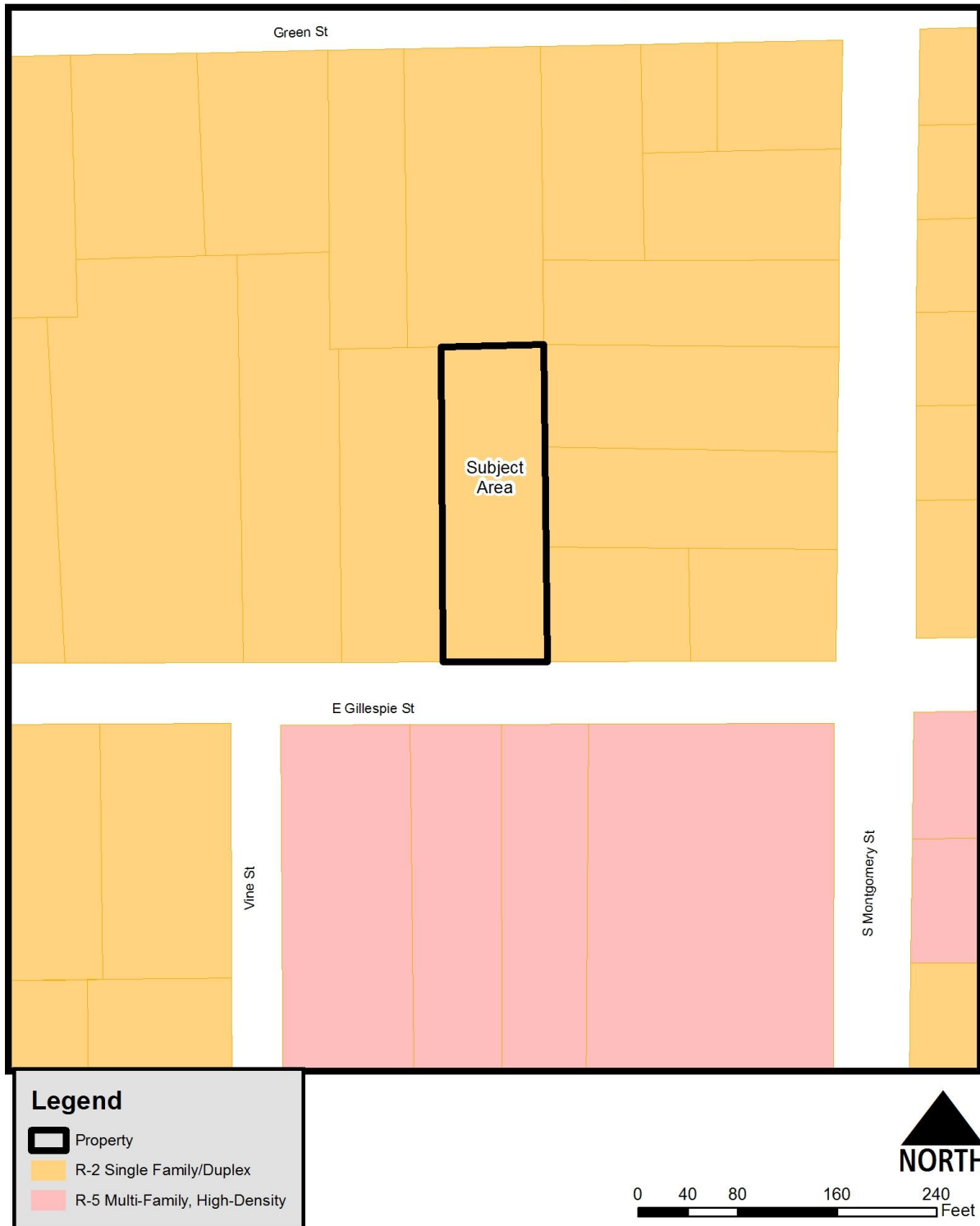
Recommended Condition:

1. To blend into the existing character of the neighborhood, the proposed main house shall match the front setback of the neighboring houses and have the front door of the house located on Gillespie Street.

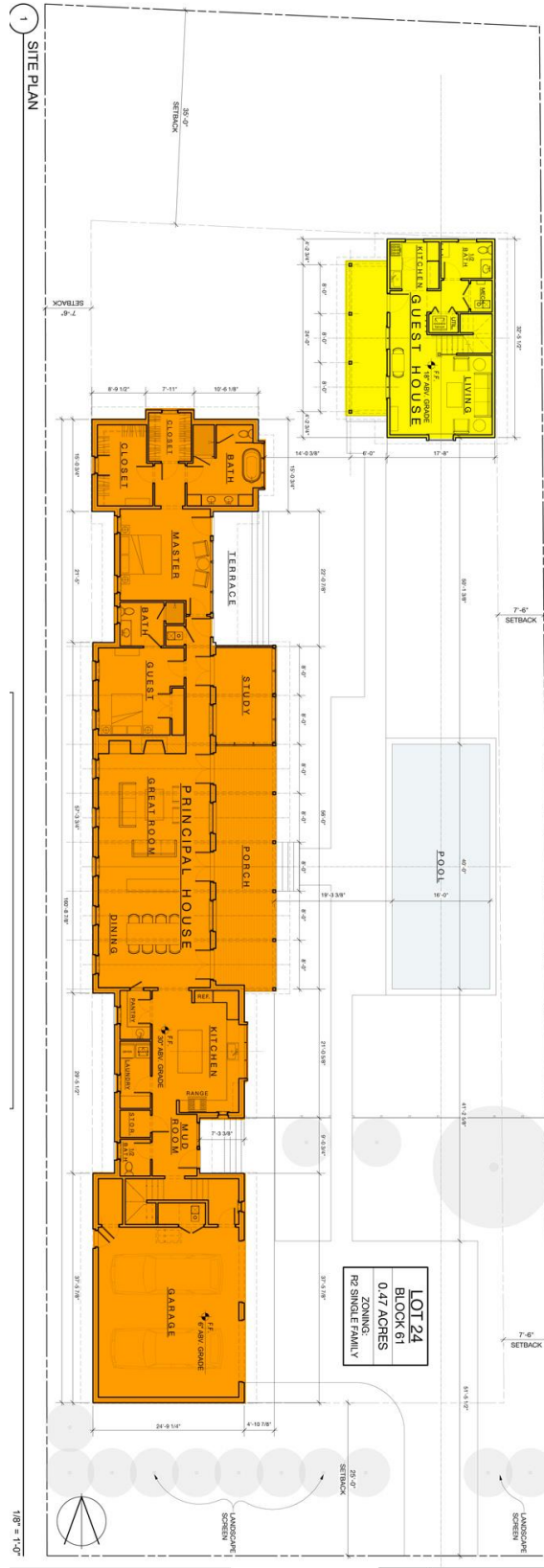
Attachment 1
CU 17-02 Aerial



Attachment 2 CU 17-02 Zoning



Attachment 3- Proposed Site Plan



Attachment 4- Letter Against

Daniel Havelin

From: Robert McMillen <robert.mcmillen@gmail.com>
Sent: Tuesday, January 17, 2017 9:33 AM
To: d.havelin@cityofstarkville.org
Subject: Conditional use consideration of 403 Gillespie property

Mr. Havelin, I am writing regarding the proposed conditional use of 403 Gillespie. The owner has shown a complete disregard for Starkville codes and to the curb appeal of our central neighborhood over the past year. Despite several requests, Mr Templeton has refused to take down his ugly and out-of-code chainlink fence. I'm requesting that this city protect our central neighborhoods and deny the request of some guy from Atlanta to irrevocably change the nature of the north side of Gillespie, which is home to some very nice houses in this central neighborhood.

Regards,

Robert McMillen

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<http://www.google.com/profiles/robert.mcmillen>

Attachment 5- Letter Requesting Condition

Daniel Havelin

From: Alice Carol Caldwell <alicecarol66@gmail.com>
Sent: Friday, February 10, 2017 12:24 AM
To: Daniel Havelin
Subject: Please add to the packet for the Planning and Zoning Committee 405 E. Gillespie Street proposal for Accessory Dwelling

Please add this to the packet for the Planning and Zoning Committee.

I wish the Templetons well in the construction of their primary dwelling located at 405 E. Gillespie Street. Their e-mail response to my question about the use of the "guest house" is satisfactory. I trust that they will uphold their promise that it is to be used SOLELY for occasional visitors for special events/holidays. The plans show a guest house that could well be used as a permanent dwelling place. Is there a way to make sure in the "request" that it is stipulated that the guest house/accessory dwelling NOT be used as a permanent residence. I am out of the country and cannot be at the hearing.

Alice Carol Caldwell
403 E. Gillespie Street

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)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)

CC: Applicant: Robert A. Smith

SUBJECT: FP 17-03 Request for Final Plat approval for a two-lot subdivision of a +/- 11.13-acre parcel on the east side of intersection of Stark Road and Clements in a C-1 zone with the parent parcel number 102D-00-016.01.

DATE: February 14, 2017

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Mike Brent on behalf of Richard Hewlett for Final approval for a two-lot subdivision on the east side of intersection of Stark Road and Clements. The Subdivision consists of 2 lots on +/- 11.13 acres in a C-1 Business zone. The proposed plat has a total of two lots. Proposed Lot 1 has an acreage of 1.51 and Lot 2 has an acreage of 9.62. The owner would like to subdivide to allow for future sale as commercial property. Please see attachments 1-6.

Sec. K. - C-1 business (local shopping) zoning district regulations.

These [C-1 business (local shopping)] districts are intended to be composed mainly of neighborhood (local) shopping and services facilities that supply the daily household needs of surrounding residential neighborhoods. Often located on one or more arterial streets, these districts are small and are located within convenient walking distance of most of the areas they will serve. To protect surrounding areas certain yard and area standards are required. [The following regulations apply to C-1 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, 35 feet; rear, 20 feet; side, ten feet, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than that required by the residential district.*

5. *Maximum height of building or structures: 35 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 of no longer than twelve 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. 2014-3, 9-16-14)

PLAT PROPOSAL

General Information

The subdivision has a gross acreage of +/-11.13 acres with a total of two parcels. Proposed parcel 1 is 1.51 acres and proposed parcel 2 is 9.62 acres.

Easements and Dedications

Existing and proposed easements and dedications are shown on the plat.

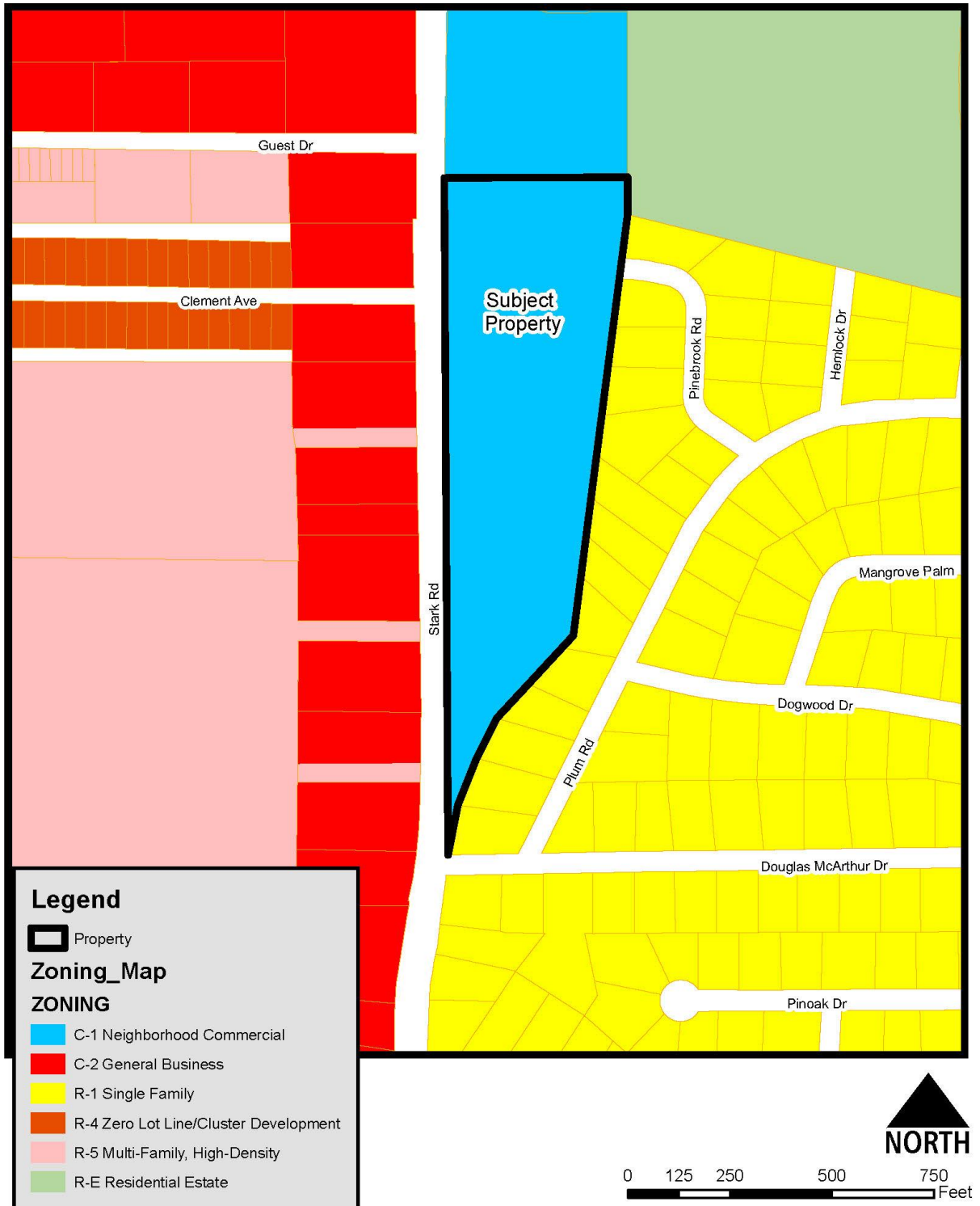
Findings and Comments

All utilities are available for each proposed lot. Sidewalks will be required along all roadway frontages that do not have existing sidewalks.

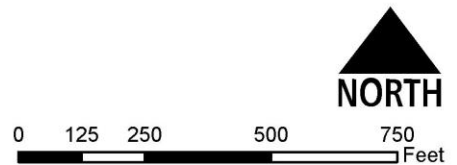
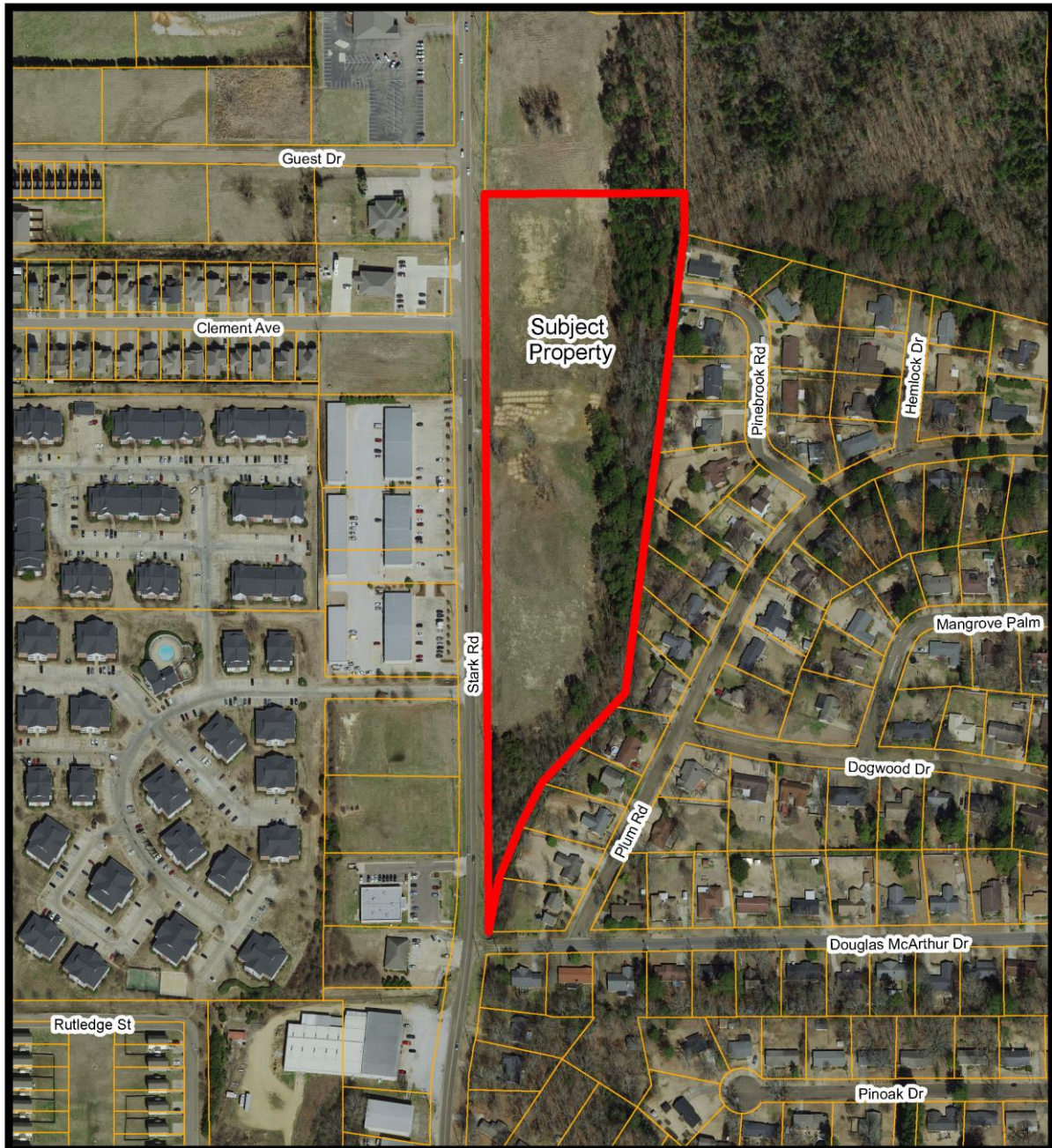
Recommended Conditions:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.
2. The City of Starkville's standard Performance guarantee agreement must be executed by the applicant/owner and authorization for the mayor to execute on behalf of the city
3. 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.
4. 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.
5. Designated "Buffer Zone" shall remain undisturbed in a natural condition with the exceptions of the require landscape buffer material.
6. No above ground utilities within designated "Buffer Zone".
7. All lights shall have light collars to direct light from overhead lamps so the light may not be seen from residential areas.
8. All building signage to be place on West side of the building and all site signage to be place West side of the property.
9. All building facades must be brick and/or stucco
10. No entrances, roads or exits shall be located in any buffer area.
11. No entrance or exits shall be allowed onto Pinebrook Road. The note "No Access to Pinebrook Road" shall appear on Plat to be recorded.
12. No liquor, beer or light wine sales of any kind shall be permitted on any currently proposed lot or future proposed lot.
13. No "eating or drinking establishments" of any kind shall be permitted on any currently proposed lot or future proposed lot.
14. No convenience store or self-serve gas station shall be permitted on any currently proposed lot or future proposed lot.
15. No "Recreation and Entertainment, indoor" or "Recreation and Entertainment, outdoor" shall be permitted on any currently proposed lot or future proposed lot.
16. Developer(s) of all proposed lots shall agree to build an eight-foot-high treated wood fence in addition to required landscape buffers. Fence placement shall not adversely affect existing vegetation.

Attachment 1
FP 17-03 Zoning

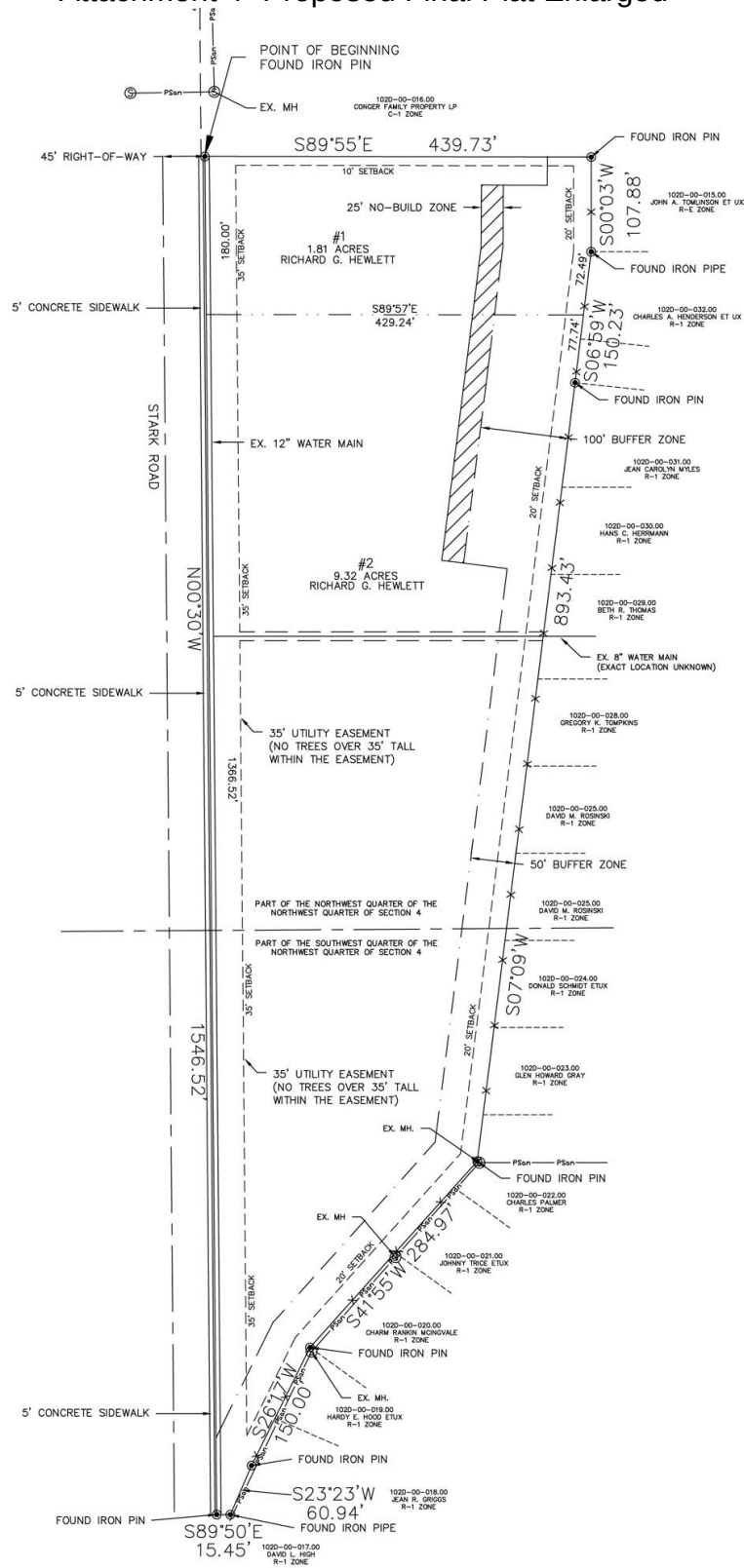


Attachment 2
FP 17-03 Aerial



[illegible]

Attachment 4- Proposed Final Plat Enlarged



Attachment 5- Stormwater Letter

December 12, 2016

Mr. Edward Kemp, City Engineer
City of Starkville
110 West Main Street
Starkville, MS 39759

Re: Stark Road Business Park - Stormwater approach
Parcel #102D-00-016.01

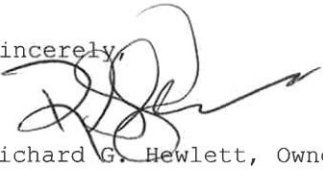
Dear Mr. Kemp,

For this 11.13-acre tract, this is to confirm that our intention is for each lot owner to be responsible for their own stormwater detention facility within their respective lot.

By taking the lot-by-lot approach, we will communicate to all future lot owners that mitigation of excess stormwater will be their responsibility and will be required regardless of lot size.

If I can be of any assistance, please feel free to contact me at 662-418-2100.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard G. Hewlett", with a long horizontal flourish extending to the right.

Richard G. Hewlett, Owner

Attachment 6- Existing Restrictive Covenants

**RESTRICTIVE COVENANTS
FOR
RICHARD HEWLETT
STARK ROAD PROPERTY**

2007 7345
Recorded in the Above
Deed Book & Page
10-04-2007 11:16:58 AM
Monica W. Banks
Okibbeha County, MS

KNOW ALL MEN BY THESE PRESENTS that RICHARD HEWLETT being the Owner of the following described tract of land situated in the City of Starkville, Oktibbeha County, Mississippi, hereby imposes the following Restrictive Covenants on the following described tract of land:

SEE ATTACHED EXHIBIT "A"

1. Developer shall establish a buffer area, to remain natural, which is shown on Exhibit "B" attach hereto and made a part of these Restrictive Covenants.
2. No utilities may be located in the buffer area, unless they are placed underground.
3. All lights shall have light collars to direct light from overhead lamps so the light may not be seen from a distance.
4. All signage must be located on the Stark Road side of all buildings, other than one monument sign to be located on the Highway 182 boundary.
5. The outside facade of all buildings must be constructed of brick and/or stucco to ensure quality construction.
6. No entrances, roads or exits will be located in any buffer areas.
7. No entrance or exits shall be allowed onto Pinebrook Road said non-access to be reflected on the plat to be recorded in the Oktibbeha County Court House.
8. No liquor, beer or light wine sales of any kind shall be permitted on any lot.
9. No fast food establishments or restaurants of any kind shall be permitted on any lot.
10. No convenience store or self serve gas station permitted on any lot.
11. No entertainment establishments of any kind shall be permitted on any lot.
12. Developer agrees to build a eight (8) foot high treated wood fence or plant shrubs or trees for privacy, to be negotiated with individual property owners, as lots are developed. This will be built or planted in the buffer zone, taking into consideration appearance, preservation of trees, and liability issues.
13. These Restrictive covenants are to be filed in the Oktibbeha County Courthouse in the Chancery Clerk's Office, in Section 4, Township 18 North, Range 14 East, Oktibbeha County, Mississippi, and Lot 3, Block 79-B City of Starkville, Mississippi.

2007 7346
Recorded in the Above
Deed Book & Page
10-04-2007 11:16:58 AM

14. ENFORCEMENT:

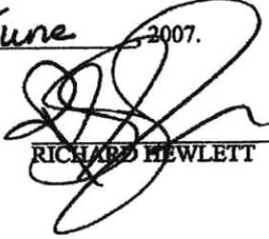
In the event of a violation or breach of any of the restrictive covenants set forth herein, the Developer or any individual lot owner in said subdivision shall jointly and severally have the right to proceed at law or in equity to compel a compliance with the terms, conditions and obligations set forth herein or to prevent the violation or breach of such covenants.

Should enforcement of these restrictive covenants become necessary, the non-defaulting party in addition to all other remedies shall be entitled to recover from the defaulting party all reasonable and necessary costs of litigation including attorney fees and court costs.

15. TERM:

All covenants, restrictions and affirmative obligations set forth in these covenants shall run with the land and shall be binding on all parties and persons claiming under them for a period of thirty (30) years from the date hereof, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then lot owners shall sign an instrument agreeing to change said covenants in whole or in part.

Executed this the 15th day of June, 2007.


RICHARD HEWLETT

MAP OF THE RICHARD HEWLETT PROPERTY
OKTIBBEHA COUNTY, MISSISSIPPI

EXHIBIT

A

Page 2 of 2

P.O.C. &
P.O.B.
CONCRETE
R.O.W.
MARKER

Q OF MS. HWY 182

50' R.O.W.

N89°38'E 464.19'

45' R.O.W.

FOUND IRON PIPE

PART OF THE NW 1/4
OF THE NW 1/4 OF SECTION 4

SET IRON PIN

N00°30'W 2429.28'

THE RICHARD HEWLETT
PROPERTY
±20.26 ACRES

FOUND IRON PIPE

FOUND IRON PIN

Q OF STARK ROAD

PART OF THE SW 1/4
OF THE NW 1/4 OF SECTION 4

Scale: 1" = 200'

CLASS "C" SURVEY

NOTES:
BEARINGS DETERMINED BY SOLAR OBSERVATION
DISTANCES BY E.D.M.
CALCULATIONS BY COMPUTER
SURVEY PERFORMED WITHOUT CURRENT TITLE SEARCH

MICHAEL G. BRENT
MISS. PLS #2738
507-A M.L. KING DRIVE
STARKVILLE, MISSISSIPPI

RODMEN:
R. HAGOOD
J. NUNNERY
B. BARTON

FOUND IRON PIN

FOUND IRON PIN

WEST
15.35'

SET IRON PIN

S23°23'W 60.94'
FOUND IRON PIPE

SET IRON PIN
C:\ACAD\02055\02055 - OVERALL 03/08/2007 RFD

THE RICHARD HEWLETT PROPERTY

BRENT ENGINEERING SERVICE, INC.

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

HIGHWAY 182 - STARK ROAD
STARKVILLE, MISSISSIPPI

DATE: 03/08/2007	DRAWN BY: RFD
CHECKED BY: MGB	DATE: OVERALL
JOB NO: 02055	SHEET 1 OF 1

MAP OF THE RICHARD HEWLETT PROPERTY
OKTIBBEHA COUNTY, MISSISSIPPI

EXHIBIT

B

P.O.C. &
P.O.B.
CONCRETE
R.O.W.
MARKER

Q OF MS. HWY 182

50' R.O.W.

N89°38'E 464.19'

45' R.O.W.

FOUND IRON PIPE

PART OF THE NW 1/4
OF THE NW 1/4 OF SECTION 4

50' BUFFER ZONE

THE RICHARD HEWLETT
PROPERTY
±20.26 ACRES

N00°30'W 2429.28'

75'

75' BUFFER ZONE

25' NO-BUILD
ZONE

50'

FOUND IRON PIPE

120' Rad.

FOUND IRON PIN

100' BUFFER ZONE

Q OF STARK ROAD

PART OF THE SW 1/4
OF THE NW 1/4 OF SECTION 4

50' BUFFER ZONE

FOUND
IRON PIN

FOUND IRON PIN

WEST
15.35'

S23°23'W 60.94'

FOUND IRON PIPE

C:\ACAD\02055\02055 - OVERALL 03/08/2007 RFD

Scale: 1" = 80'

THE RICHARD HEWLETT PROPERTY

BRENT ENGINEERING SERVICE, INC.

507-A ILL. ROAD DRIVE
STARKVILLE, MS 39759
PHONE (662) 334-0713

HIGHWAY 182 - STARK ROAD
STARKVILLE, MISSISSIPPI

DESIGNED BY: LACB	DATE: 5/29/07
CHECKED BY: LACB	SCALE: OVERALL-ENLARGED
APP. NO.: 02-005	SHEET 1 OF 1

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)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
CC: Applicant: Jerry McBride
SUBJECT: PP 17-05 Request for Preliminary Plat approval for a 53-lot subdivision of a 9.77-acre parcel on the south side of Academy Road +/- 0.22 miles west of the South Montgomery Street and Academy Road intersection in an R3-A zone
DATE: February 14, 2017

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Jerry McBride for Preliminary approval for a 53-lot subdivision on the south side of Academy Road +/-0.22 miles west of the intersection of Academy Road and South Montgomery Street. The Subdivision consists of 52 lots on +/- 9.77 acres in a R3-A zone. Please see attachments 1-3.

Sec. R. - R-3A single-family, medium-density zoning regulations.

- A. Intent. These districts are intended to be composed of single-family dwellings. Appropriate neighborhood supporting facilities are provided for and the district's open residential character is protected by requiring minimum yard and area standards. R-3A zoning districts shall be more restrictive than the R-3 (multi-family) district but less restrictive than the R-1 (single-family) district.*
- B. Required lot area and width, yards, building areas and height for single-family dwellings:*
- Front setback: 25 feet*
 - Side setback: 5 feet*
 - Rear setback: 20 feet*
 - Minimum lot area: 5,000 square feet*
 - Minimum width at building line: 50 feet*
 - Maximum building height: 45 feet*
- C. Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.*
- D. Permitted and conditional uses shall be as follows:*
- 1. The following uses are permitted by right in the R-3A zoning district:*

- a. Single-family dwelling.*
 - b. Garden.*
 - c. Home occupation.*
 - 2. The following uses are allowed by conditional use in the R-3A 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.*
 - E. Comprehensive plan. The R-3A zoning district shall be considered a medium density residential land use classification allowing a maximum gross density of eight dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.*
- (Ord. No. 2008-9, § II, 11-4-08)*

Below is information pertaining to the proposed rezoning: C-2 General Business District

PLAT PROPOSAL

General Information

The subdivision has a gross acreage of +/-9.77 acres with a total of 52 parcels. The gross density is 5.42 units per acre.

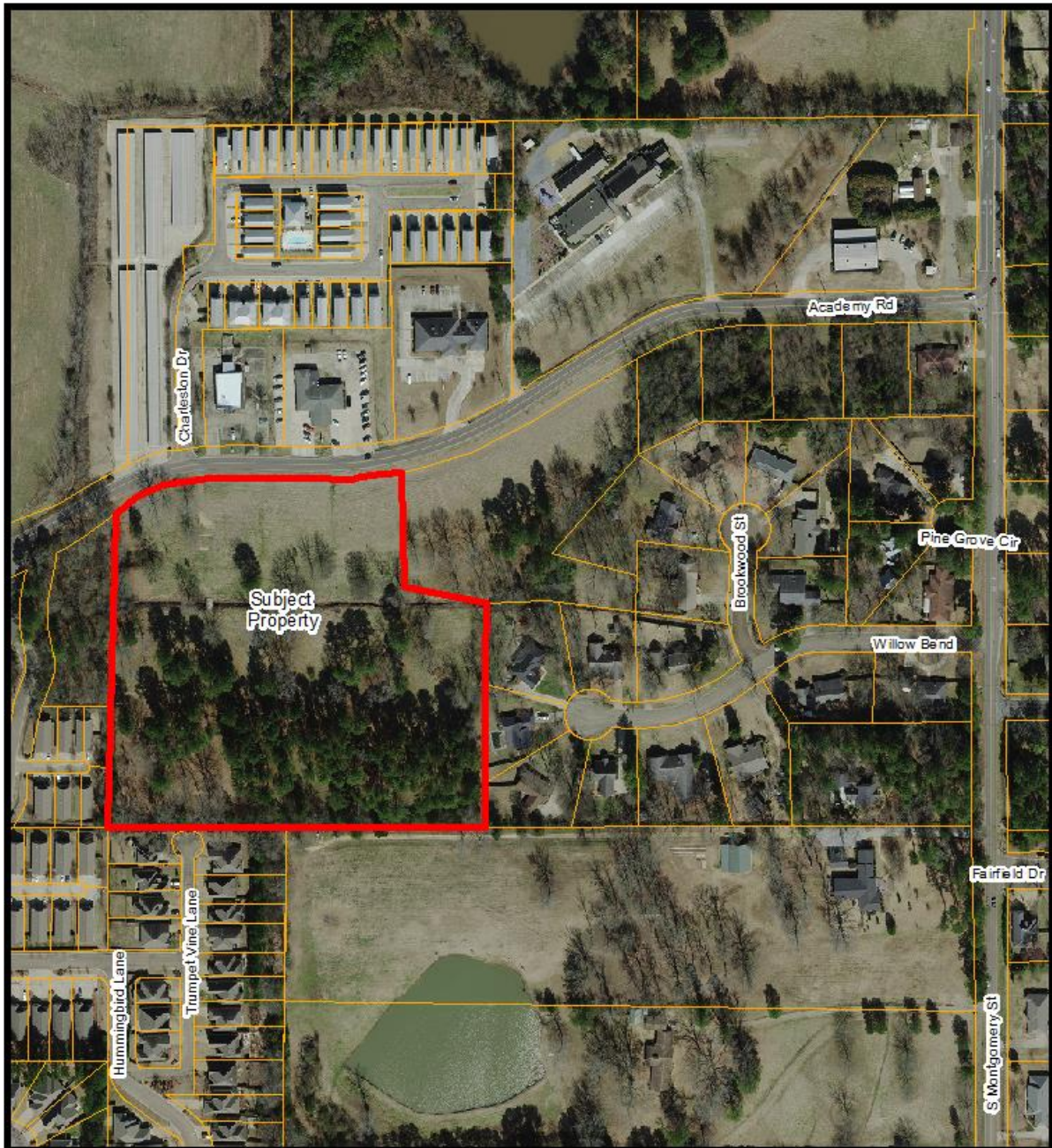
Easements and Dedications

Existing and proposed easements and dedications are shown on the plat.

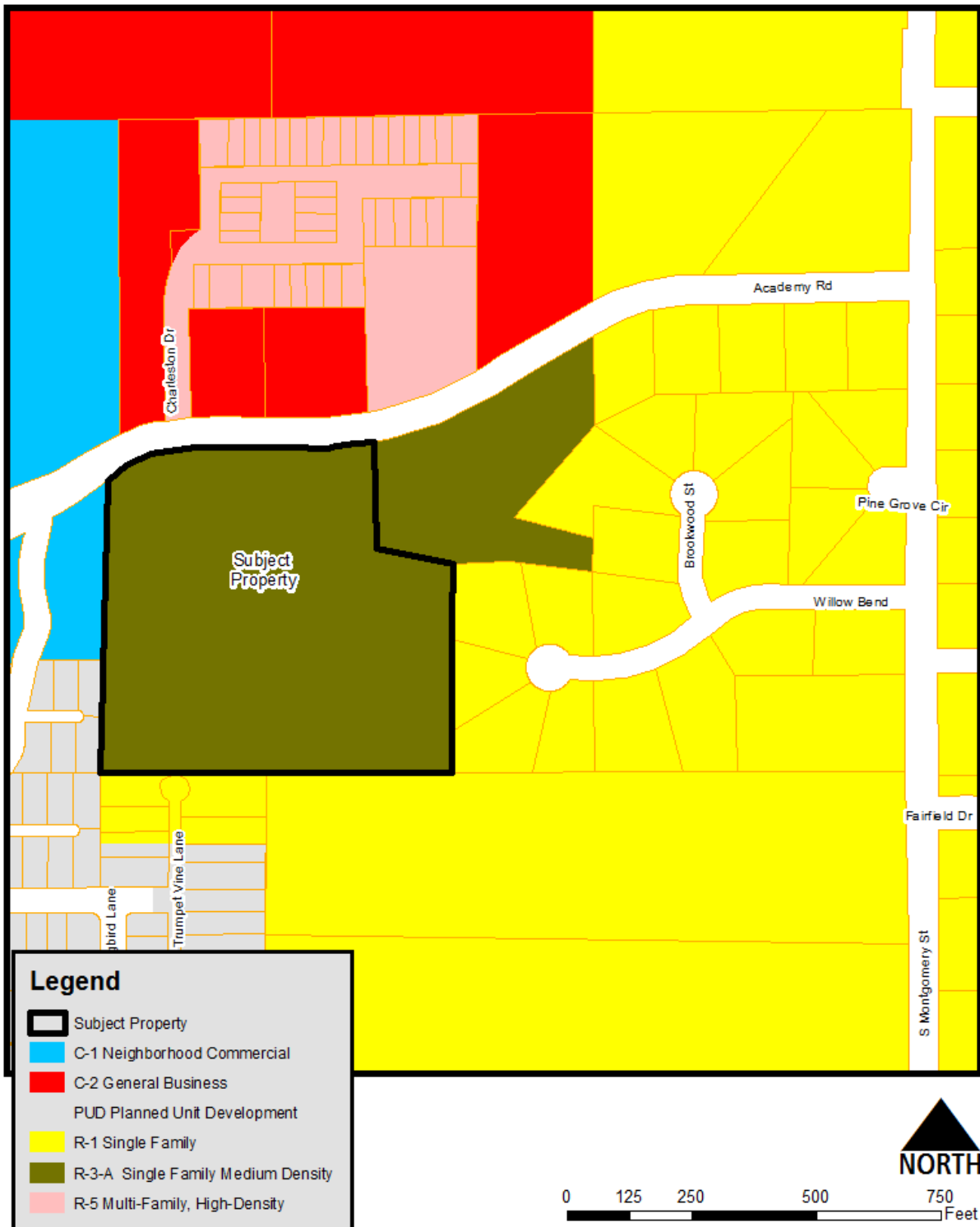
Findings and Comments

Sidewalks will be required along all existing and proposed roadway frontages that do not have existing sidewalks.

Attachment 1
PP 17-05 - Aerial



Attachment 2
PP 17-05 - Zoning



Attachment 4- Enlarged Proposed Preliminary Plat

