

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI FEBRUARY 14, 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 February 14, 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, Tom Walker, Ward 3, Patrick Miller, Ward 5, Ira Loveless, Ward 6 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 February 14, 2017 as presented.

**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. Reconsideration of the Unapproved minutes for December 13, 2016
- 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

IX. ADJOURN

After discussion and upon the motion of Commissioner Moore duly seconded by Commissioner Camp the motion to approve the official agenda of the Planning and Zoning Commission for February 14, 2017 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
January 10, 2017**

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Miller, the motion to approve the Minutes as amended of the January 10, 2017 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.

NEW BUSINESS

A. CONSIDERATION OF CU 17-02 REQUEST FOR CONDITIONAL USE APPROVAL 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

Assistant City Planner, Emily Corban, presented the request CU 17-02, a 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. In order to construct an accessory dwelling in a R-2 zone, a Conditional Use is required. The five criteria for conditional use are as follows:

- o **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.
- o **Sufficient site size and adequate site specification to accommodate the proposed use-** The site is adequately sized to accommodate the proposed use
- o **Proper use of mitigative techniques-** None proposed.

- o **Hazardous waste-** No hazardous waste or materials would be generated, used or stored at the site
- o **Compliance with applicable laws and ordinances-** Building permits will be required.

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 sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one phone call inquiring about the request.

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.

City Planner Daniel Havelin submitted for the record an email in support of the request.

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

The applicant, Mary Pat Templeton spoke in favor of the request.

Mrs. Templeton submitted for the record signatures from neighbors in support of the request and a document of examples of Auxiliary buildings in the area.

The applicant's architect, John Jones spoke in favor of the request.

Robert McMillen spoke against the request.

Caroline Hearnberger spoke in favor of the request.

Amy Crigler spoke in favor of the request.

Judy Ridner spoke against the request.

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

Commissioners addressed the applicant on whether they would be willing to self-impose a condition to address the front façade on Gillespie St.

City Attorney Chris Latimer requested a five-minute recess to draft up the self-imposed condition with the applicant's architect.

Upon returning from the recess, Mr. Latimer read the self-imposed condition for the commissioners to hear.

After discussion and upon the motion of Commissioner Walker duly seconded by Commissioner McReynolds the motion to approve CU 17-02 was unanimously approved with the following self-imposed condition:

Any façade facing Gillespie St. should be articulated with features to show depth and character.

B. CONSIDERATION OF 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

City Planner Daniel Havelin presented the request FP 17-03 by Mike Brent on behalf of Richard Hewlett 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. 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 16 conditions.

A representative of the applicant, Eric Kona, came forward to speak for the request. John Tomlinson came forward to speak about the request. Marnita Henderson came forward to speak about the request.

Commissioner Camp added the condition that all conditions shall apply to all lots in the proposed subdivision.

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner Walker, the motion to approve FP 17-03 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. 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 required 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 placed on West side of the building and all site signage to be placed on 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.
17. All conditions shall apply to all lots in the proposed subdivision.

C. CONSIDERATION OF PP 17-05 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A FIFTY-TWO -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

D.

City Planner Daniel Havelin presented PP 17-05, a 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 53 lots on +/- 9.77 acres in a R3-A zone. The subdivision has a gross acreage of +/- 9.77 acres with a total of 53 parcels. The gross density is 5.42 units per acre.

The applicant, Chad Phillips came forward to speak in favor of the request.

There was discussion about buffer requirements for the development.

City Planner Daniel Havelin stated that the subdivision would require a 20-ft. buffer between R-3 and R-1 uses.

After discussion, and upon the motion of Commissioner Walker duly seconded by Commissioner Camp, the motion to approve FP 17-01 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 March 14, 2017, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Miller, duly seconded by Commissioner Walker, the motion to adjourn until the 5:30 p.m. on March 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