

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI AUGUST 08, 2017**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met at their regularly scheduled meeting on August 08, 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, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Absent from the meeting was Tom Walker, Ward 3. Attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Emily Corban, Community Development Director Buddy Sanders, and City Attorney Chris Latimer.

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 August 8, 2017 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, AUGUST 08, 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 July 11, 2017
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. PP 17-09 Request for Preliminary Plat approval for subdividing a 40.46-acre parcel into 85 lots for the final phase of Country Club Estates in an R-4 zone with the parcel number 106-14-013.00

B. RZ 17-06 Request to rezone two parcels in the Green Oaks Subdivision from R-1 to C-2 with the property numbers 102F-00-048.00 and 102F-00-047.00

C. EX 17-01 Request for an Exception for a nonconforming sign on property zoned T-5 with the parcel numbers 102A-00-004.01 and 102A-00-004.10

VIII. PLANNER'S REPORT

IX. ADJOURN

Chairman Mike Brooks offered the proposed change of moving item C. PP 17-09 to item A. That proposed change was motioned by Commissioner McReynolds and Seconded by Commissioner Dumas. The Commission voted unanimously to move item C. to item A. After discussion and upon the motion of Commissioner Dumas duly seconded by Commissioner Verdell, the motion to approve the official agenda of the Planning and Zoning Commission as amended for August 8, 2017 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
July 11, 2017**

After discussion and upon the motion of Commissioner Dumas duly seconded by Commissioner Camp the motion to approve the Minutes as amended of the July 11, 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 PP 17-09 REQUEST FOR PRELIMINARY PLAT
APPROVAL FOR SUBDIVIDING A 40.46-ACRE PARCEL INTO 85 LOTS FOR
THE FINAL PHASE OF COUNTRY CLUB ESTATES IN AN R-4 ZONE WITH THE
PARCEL NUMBER 106-14-013.00**

City Planner Daniel Havelin presented the request by Frank Jones Construction, LLC for Preliminary Plat approval for subdividing a +/-40.46 acre parcel into 85 lots. The proposed subdivision is named "Country Club Estates Final Phase". The proposed subdivision is located in an R-4 zone. This proposed phase of the subdivision is located on the east side of Royal Troon Road. A preliminary plat was originally approved by the Board of Alderman for Country Club Estates Final Phase on May 20, 2014, June 16, 2015, and September 6, 2016. On August 1, 2017, the Board of Aldermen approved a variance request for front and side setbacks for 24 of the proposed lots (lot 238-261) on the preliminary plat.

John Weaver came forward to speak in favor of the request.

David Scott came forward to express concerns with drainage issues in regards to the request.

Karen Scott came forward to express concerns with drainage issues in regards to the request.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner McReynolds, the motion to approve PP 17-09 was unanimously approved with the following conditions:

1. The preliminary plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The preliminary plat shall meet the minimum requirements for R-4 zone dimensions.
3. Approval of the preliminary plat shall be tentative, pending the submission of the final plat, as specified in Appendix B, Article IV, Section 3 of the City of Starkville's Code of Ordinances.
4. Approval of the preliminary plat shall be valid for one year, per Appendix B, Article III, Section 2(6)(b) of the City of Starkville's Code of Ordinances.
5. Applicant shall prepare and submit infrastructure plans in accordance with Appendix B, Article III, Sections 3 & 4 of the City of Starkville's Code of Ordinances
6. When infrastructure plans have been approved for construction, a pre-construction conference shall be held with appropriate City staff prior to the commencement of any construction activities at the site.
7. All public utilities shall be in place and any non-conforming conditions noted during final inspection shall be corrected prior to placement on the Planning & Zoning Commission agenda.
8. When a final plat is submitted for review by the City's Development Review Committee, all required improvements must be complete and 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 professional engineer, indicating that the improvements were installed under his/her responsible direction and that the improvements conform to the approved construction plans, specifications and the City's ordinances.
9. A final plat review and approval shall be required prior to the recording of the plat at the Office of the Oktibbeha County Chancery Clerk.
10. Covenants restricting the placement of any fence within drainage Easements.
11. Drainage swales/linear basins to be designed to the satisfaction of the City Engineer and approval of the Board of Aldermen.
12. Document outlining ownership and maintenance responsibilities of storm drainage system to the satisfaction of the City Attorney, City Engineer and Community Development Director.
13. The name Augusta Lane must be changed to something that can be accepted by E-911.

B. CONSIDERATION OF RZ 17-06 REQUEST TO REZONE TWO PARCELS IN THE GREEN OAKS SUBDIVISION FROM R-1 TO C-2 WITH THE PROPERTY NUMBERS 102F-00-048.00 AND 102F-00-047.00

Attorney Johnny Moore, representing the applicants, stated the applicants wish to withdraw their rezoning request. Chairman Brooks granted the request but stated that they would still set aside time for a public hearing because it was advertised as such.

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

Peggy Carstens came forward to speak against the request.

Chuck Scarborough came forward to speak against the request.

Marnita Henderson came forward to present a letter against the request on behalf of a citizen who could not attend the meeting.

Pequita Denson came forward to speak against the request.

Douglas McClellan came forward to speak against the request.

Jim Forrester came forward to speak against the request.

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

C. CONSIDERATION OF EX 17-01 REQUEST FOR AN EXCEPTION FOR A NONCONFORMING SIGN ON PROPERTY ZONED T-5 WITH THE PARCEL NUMBERS 102A-00-004.01 AND 102A-00-004.10

City Planner Daniel Havelin presented the request by Kherria Brown on behalf of Patrick Chisholm for an exception from sign type for 210 South Montgomery Street in a T5 District with the property #102A-00-004.10. The applicant is seeking an exception to allow for a pole sign for the Balcony Apartments. Pole signs are not allowed in any zone or district within the City Limits of Starkville. Transect districts do not allow for any type of site signage. The sign was placed on the site without a permit in March of 2017. Code Enforcement was not directed to issue a citation.

Ms. Corban presented the criteria for granting a use by exception as follows:

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

Transect districts

1.5 EXCEPTION AND VARIANCE

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.

37 property owners were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News on July 18, 2017 and a placard was placed concurrent with publication of the notice. As of this date, we have received 3 phone calls against this request and 1 email against the request.

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

Kherria Brown, representing the applicant, came forward to speak in favor of the request.

Ray Slaughter 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 Dumas, duly seconded by Commissioner Gregory, the motion to deny EX 17-01 was unanimously approved.

VIII. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on September 12, 2017, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner McReynolds duly seconded by Commissioner Gregory, the motion to adjourn until 5:30 p.m. on September 12, 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