



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, JUNE 12, 2018
1ST FLOOR CITY HALL – COURT ROOM
110 WEST MAIN STREET AT 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 OF MAY 8, 2018
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. EX 18-01 REQUEST FOR AN EXCEPTION FROM PARKING LOCATION FOR 114 MILL STREET IN A T-4 DISTRICT WITH THE PARCEL NUMBER 101D-00-322.00
 - B. RZ 18-03 REQUEST TO REZONE FOUR PARCELS LOCATED AT 701, 703, 705, AND 707 NORTH MONTGOMERY STREET FROM C-2 TO R-5 WITH THE PARCEL NUMBER 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, AND 108I-00-002.03
 - C. SECOND PUBLIC HEARING AND DISCUSSION FOR UPDATING THE RESIDENTIAL PARKING REQUIREMENTS OF THE ZONING ORDINANCE
- VIII. PLANNERS REPORT
- IX. ADJOURN

**UNAPPROVED MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI MAY 08, 2018**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met at their regularly scheduled meeting on May 08, 2018 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, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6. Absent from the meeting were Jason Camp, Ward 1, Jim McReynolds, Ward 2, and Tommy Verdell Jr., Ward 7. Attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Emily Corban, and Community Development Director Buddy Sanders.

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 May 08, 2018 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, MAY 08, 2018
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 OF APRIL 10, 2018
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS

A. PP 18-05 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 41.26 PARCEL INTO 61 LOTS. THE PROPERTY IS LOCATED AT THE WEST END OF HUNTINGTON DRIVE IN AN R-4 ZONING DISTRICTS WITH THE PARCEL NUMBER 105-15-003.04

B. PP 18-07 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR RESUBDIVIDING 2 PARCELS AT 307 AND 311 GILLESPIE STREET IN A R-

2 ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.

C. FP 18-04 REQUEST FOR FINAL PLAT APPROVAL FOR RESUBDIVIDING 2 PARCELS AT 307 AND 311 GILLESPIE STREET IN A R-2 ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.

D. RZ 18-02 REQUEST TO REZONE 1 LOT LOCATED ON THE WEST SIDE OF LOUISVILLE STREET +/-100' SOUTH OF THE INTERSECTION OF ACADEMY ROAD FROM R-4 TO C-2 WITH THE PARCEL NUMBER 102J-00-011.01

VIII. PLANNER'S REPORT

VIII. ADJOURN

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to approve the official agenda of the Planning and Zoning Commission for May 8, 2018 received unanimous approval.

CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF APRIL 10, 2018

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Dumas, the motion to approve the Minutes as amended of the March 13, 2018 Planning and Zoning Commission received unanimous approval.

CITIZEN COMMENTS

The Chair opened up the meeting for Citizen Comments. Chris Taylor, President of the local chapter of NAACP came forward to let the Commission know they would be receiving a request for conditional use for mobile homes on Sand Road next month and that he would be helping represent the applicants. Calling for and hearing no other, the Commission moved to New Business.

NEW BUSINESS

A. CONSIDERATION OF PP 18-05 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/- 41.26 PARCEL INTO 61 LOTS. THE PROPERTY IS LOCATED AT THE WEST END OF HUNTINGTON DRIVE IN AN R-4 ZONING DISTRICTS WITH THE PARCEL NUMBER 105-15-003.04

City Planner Daniel Havelin introduced by request by Jackson Construction Inc. for renewal of Preliminary plat approval for subdividing +/- 41.26-acre site into 61 Lots. The parcel is located at the west end of Huntington Drive in an R-4 Zoning district.

The preliminary plat was approved by the Board of Aldermen on March 21, 2017. After 12 months with no construction activity, the approved preliminary plat has expired. The applicant is now seeking reapproval of the preliminary plat to proceed with construction. The Development Review Committee

has received an application for infrastructure plan approval and is currently reviewing that application. The applicant also received a Variance on street width and right of way width from the Board of Aldermen on February 2, 2017.

The subdivision has a gross acreage of +/- 41.26 acres with a total of 61 parcels. The gross density is 2.24 units per acre. Existing and proposed easements and dedications are shown on the plat. 9 Conditions were placed on the original approval.

The applicant, David Jackson, came forward to speak in favor of the request.

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to approve PP 18-05 received unanimous approval 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 zoning 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.

B. CONSIDERATION OF PP 18-07 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR RESUBDIVIDING 2 PARCELS AT 307 AND 311 GILLESPIE STREET IN A R-2 ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.

City Planner Daniel Havelin introduced by request by Carroll Walker for Final Plat approval for re-subdividing 1 parcel into 2 parcels. The proposed subdivision is named "Harrison Carroll Walker, Jr. Property". On March 20, 2018 the Board of Aldermen approved a Final Plat for the property. Since this approval, the plans for the proposed home have changed. To accommodate the changes, additional area needs to be added to Parcel 1. The proposed subdivision is located in an R-2 zone. The dividing property line is being proposed to move to the east +/-10' on the northern property line and +/-20' on the southern property line. The staff report lists 6 requested conditions.

Upon the motion of Commissioner Gregory, duly seconded by Commissioner Walker, the motion to approve PP 18-07 received unanimous approval.

C. CONSIDERATION OF FP 18-04 REQUEST FOR FINAL PLAT APPROVAL FOR RESUBDIVIDING 2 PARCELS AT 307 AND 311 GILLESPIE STREET IN A R-2 ZONE WITH THE PARCEL NUMBER 102A-00-157.00 AND 102A-00-156.00.

Upon the motion of Commissioner Gregory, duly seconded by Commissioner Walker, the motion to approve FP 18-04 received unanimous approval with the following conditions:

1. The final 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 final plat shall meet the minimum requirements for R-2 dimensions.
3. All public utilities must be currently in place and meet city requirements.
4. Erosion control vegetation shall be established on all disturbed areas.
5. The applicant shall provide one paper copies of the recorded plat to the City, along with a digital copy in "AutoCAD" format in standard state plane coordinates.
6. The final plat shall be recorded at the Office of the Oktibbeha County Chancery Clerk within thirty (30) days of the approval by the Mayor and Board of Aldermen.

D. CONSIDERATION OF RZ 18-02 REQUEST TO REZONE 1 LOT LOCATED ON THE WEST SIDE OF LOUISVILLE STREET +/-100' SOUTH OF THE INTERSECTION OF ACADEMY ROAD FROM R-4 TO C-2 WITH THE PARCEL NUMBER 102J-00-011.01

Assistant City Planner Emily Corban introduced the request by John Black to rezone one lot located on the west side of Louisville Street +/-100' south of the intersection of Academy Road from R-4 to C-2. □ The property to the east is C-1 and is a C Store. The property to the south and west are R-5 and are apartments. The property to the north is C-1 and is a church. 11 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 April 17, 2018 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received no phone calls against the request. A rezoning can only take place if one of the following conditions prevail: Error or Change in Condition with Public Need

There was one rezoning in area in the last two years. On January 3, 2017 Fair Project on Academy Road was rezoned from R-3 to C-2. There were two commercial developments that opened or started in the last two years. Dairy Queen opened in 2017 and Break Time C Store started construction in early 2018. Both are located at the intersection of Lynn Lane and Louisville Street. One residential development has started within the last two years. Academy Hill Subdivision consisting of 53 lots started construction in 2017. The proposed rezoning would generally be consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The subject property's place is Suburban Corridor. The proposed rezoning would be consistent and compatible the adjacent land uses in the vicinity. The property is near the intersection of Academy Road and Louisville Street which is commercial in nature. The proposed rezoning would be compatible with the existing commercial property.

The applicant has expressed interested in the property being used for a C Store if the rezoning is approved.

The Commissioner opened up the public hearing.

Christina Lucas, representing the applicant, came forward to speak in favor of the request.

The commission asked if the applicant would have any problem downzoning the request to C-1. She indicated that the applicant would have no issue with that.

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

Upon the motion of Commissioner Walker, duly seconded by Commissioner Dumas, the motion to approve RZ 18-02 to C-1 zoning rather than C-2 due to change and conditions and public need.

VIII. PLANNER'S REPORT

City Planner Daniel Havelin announced to the Commission that staff has been asked to research off-street parking issues in residential areas and indicated when the public hearings would occur.

IX. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on June 12, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Gregory, duly seconded by Commissioner Dumas, the motion to adjourn until 5:30 p.m. on June 12, 2018, in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner

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)
Subject: EX 18-01 Request for an exception from parking location for 114 Mill Street in a T-4 District with the parcel number 101D-00-322.00
Date: June 12, 2018

The purpose of this report is to provide information regarding the request by Mark Castleberry for an exception from parking location for 114 Mill Street in a T-4 District with the property #101D-00-322.00. Please see attachments 1- 6.

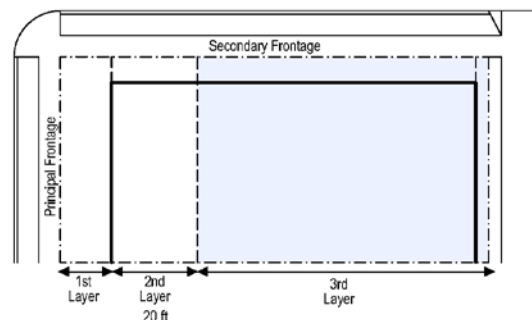
BACKGROUND INFORMATION:

The applicant is seeking an exception to allow for parking in the 1st layer of his home. The Applicant has submitted a statement (see attachment 3) explaining that the subject property is located in a placetype area of “Urban” or “Special District” according to the 2016 Comprehensive Plan. The site is actually located in a “Traditional Neighborhood – Existing” placetype per the 2016 Comprehensive Plan. The Applicant submitted a rezoning request that was approved by the Board of Aldermen on April 5, 2017 that changed the zoning classification of the subject property from R2 to T4. This zoning amendment was consistent with the 2016 Comprehensive Plan. In the Staff Report dated March 14, 2017 the requirements for parking in a T4 District are listed on page 3 under 6.5 Parking (b). The requirement reads “All parking areas and garages shall be located within the third Lot Layer as illustrated on Table 11”.

TABLE 11. T4 PARKING PLACEMENT

PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer.
2. Covered parking shall be provided within the third Layer.
3. Trash containers shall be stored within the third Layer.



In addition to being listed in the staff report and in the ordinance as a requirement, the initial building permit application was denied due to the placement of the garage within the 1st and 2nd layer of the property. The applicant then resubmitted the building permit application with the front room shown as a “studio” with no connectivity to the driveway and parking in the rear of the building (see attachment 4). The garage door and the driveway were shown as

separated by a landscape bed, thus making the room unusable as a garage. The permit application was approved. Once construction started on the building, it became apparent a few months into the construction that the approved building plan was being purposefully deviated from without prior approval by the Community Development Department, the Planning and Zoning Commission and/or the Board of Alderman. This is a violation of the Zoning Ordinance.

NOTIFICATION:

74 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 May 11, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one letter in favor of the application that was submitted by the applicant at the time of application.

CODE SECTION REQUESTING EXCEPTION FROM:

1. Appendix A- Zoning, Article VII. - District Regulations, Sec. T. -Transect Districts

2.6 PARKING

- (a) Parking location standards are be specified on Table 3.*
- (b) Open parking areas shall be masked from view at the Public Frontage by a Building or Streetscreen.*
- (c) The minimum number of parking spaces required for each individual Use is specified on Table 6.*
- (d) The minimum number of parking spaces required for each Use shall be calculated as the sum of the actual parking provided (1) within the Lot, (2) along the parking lane of the Thoroughfare abutting the Lot Frontage, and (3) by purchase or lease from a Municipal Parking facility.*
- (e) For Lots with more than one Use (i.e. Mixed-Use), the total number of parking spaces required may be adjusted downward to the highest total demand calculated for each weekday (night, daytime, and evening periods) and weekend (night, daytime, and evening periods) according to Table 7. The weekday or weekend time period generating the highest demand shall indicate the new minimum parking space requirement for that specific combination of Uses.*
- (f) The parking occupancy calculation may be used to reduce the total number of parking spaces required for any combination of Uses within the same Block by Exception.*

6.5 PARKING

- (a) Driveways shall be no wider than 10 feet in the first Lot Layer.*
- (b) All parking areas and garages shall be located at the third Lot Layer as illustrated on Table 11.*

EXCEPTION REQUEST REQUIREMENTS:

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.*

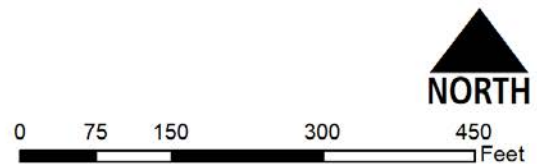
1.3 TRANSECT DISTRICTS

- (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.*

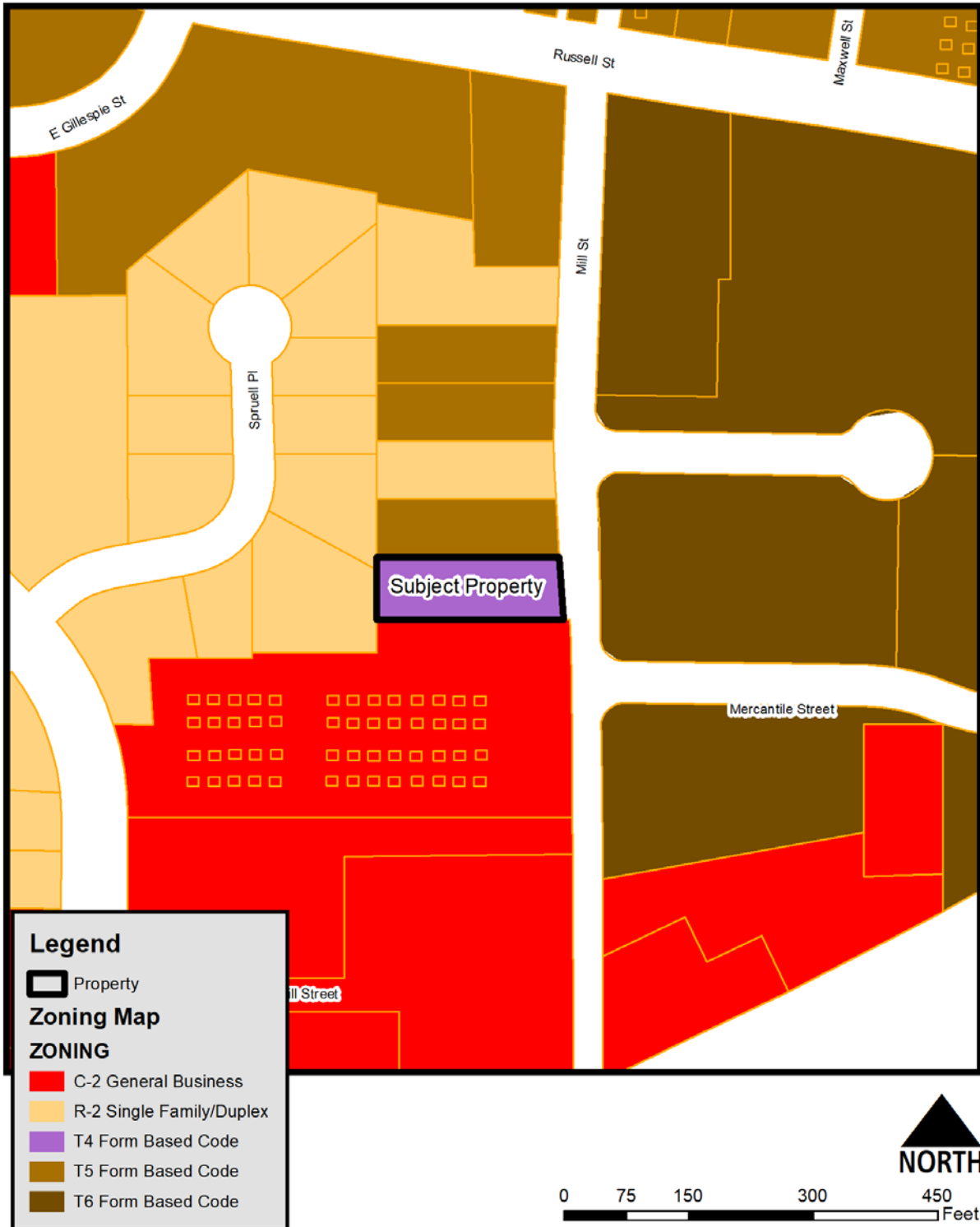
CONSISTENCY WITH COMPREHENSIVE PLAN:

The proposed exception would not be consistent with the goals, objectives and policies of the City of Starkville's Comprehensive Plan. The 2016 Comprehensive Plan list the property's placetype as "Traditional Neighborhood – Existing".

Attachment 1
EX 18-01 Aerial



Attachment 2
EX 18-01 Zoning



Attachment 3- Applicant Statement

The Exceptions are:

A) The entrance to our home can be on the side of our home as shown on the attached drawing.

In T-4 District zoning our front door should front Mill St. Please note on our drawings that we have provided a non-operable door fronting Mill St. to comply with the intent of T-4 District requirements. This non-operable door will have a functioning "porch light" to reinforce the street scape appearance consistent with the intent of the code. We could make this door operable and be in full compliance but we feel a non-operable door will be more secure. This arrangement of the door is consistent with the intent of the 2016 Starkville Comprehensive Plan (SCP). Page 42 (copy attached) of the SCP strongly suggests that this structure falls into either "Urban" or "Special District". In the "Special District" appearance is based on the nature of this district which is clearly a combination of institutional and commercial with a strong emphasis on the historic nature of the entire area. The design of this structure is in keeping with the natural character of a support building to the "Mill". Historic photos indicate a number of support buildings in this area, most larger than our home.

B) Allow parking in the "2nd Layer" of our home as shown on the attached drawings. The 2nd layer is from the front wall of our home to 20' feet back.

In a T-4 District parking is not allowed in the "2nd layer". The space that we wish to have the option to park our cars in is also designed as a living space. It is fully insulated, Heated and Cooled, with Internet and TV; and some added support for exercise equipment. In addition, we are using a very specialized garage door that has 3" of insulation so we can truly use this as living space in addition to parking our cars. Our goal was to make this home as efficient as possible and to reduce/combine additional room functions that are not commonly used. Our intent is to use this living space as an exercise room; entertaining; and Lisa enjoys craft and artistic projects and this space would be available for those activities. Our intent is to keep our cars on the driveway or street when we wish to use this space for these activities in addition to parking our cars. This zoning restriction only allows for parking in the rear which would then either not allow us to enjoy a view of our backyard from our Kitchen/Dinning/Den instead of a view of the Parking Garage if the floorplan were "flipped" or not allow us to have close covered access from our garage to our home. A hardship is created by the 12' drop from the high point of this site to the rear. Additionally, the rear area poses further security concerns. Please note that the garage doors will be obstructed by a wall we are building from Mill St. This arrangement of the door is consistent with the intent of the 2016 Starkville Comprehensive Plan (SCP). Page 42 (copy attached) of the SCP strongly suggests that this structure falls into either "Urban" or "Special District" in which parking is allowed on the side. In the "Special District", parking is based on the nature of this district which is clearly a combination of institutional and commercial with a strong emphasis on the historic nature of the entire area. The design of this structure is in keeping with the natural character as a support building to the "Mill". Historic photos indicate a number of such support buildings in this area, most larger than our home.

C) Adding an out building. We have looked realistically at our storage needs and would like to add an out building for additional storage and shop space.

This is an instance where we determined the floor plan is limited by site dimensions and storage space is inadequate, and that we had needed to add additional storage with shop area. We wish to use a 20' X 9' x

9' former shipping container that we painted to complement our brick color (see photo) We also believe the reuse of a shipping container is in keeping with the context of our home design and SCP district goals. It will not be visible from any public street and the view will be heavily obstructed/blocked from any neighboring properties due to landscaping and fencing.



Castleberry Residence
Starkville, Mississippi
DPA PN: 16107

Construction Documents
8/17/2017
Permit Set, Not for Construction



Team

Owner	Dale Partners Architects, P.A.	Owner Name
Architect	Civil	Civil Name
Landscaper	Landscaper	Landscaper Name
Structural	Structural	Structural Name
Mechanical	Mechanical	Mechanical Name
Electrical	Electrical	Electrical Name
Food Service	Food Service	Food Service Name



Attachment 5- Letter of Support

Reeves, Bill

To: mark@casprop.net
Subject: Castleberry residence exception request

Mr. Mark Castleberry
412 Main St.
Columbus, MS 39701

Dear Mark and/or To Whom It Mat Concern:

This is advise that I do not have any objection to the exception request of Mark Castleberry for 114 Mill Street as outlined below:

- A) The entrance to our home can be on the side of our home as shown on the drawing I reviewed.
- B) Allow parking in the "2nd Layer" of our home as shown on the attached drawing. The 2nd layer is from the front wall of our home to 20' feet back.

I am the beneficial owner of the property located at 106 Mill Street, 112 Mill Street, 621 Spruell Street and 623 Spruell Street. If the property is not in my name, it is held by an entity I own and control.

Any questions should be directed to me at the home address, email address and/or the telephone number below

Sincerely,

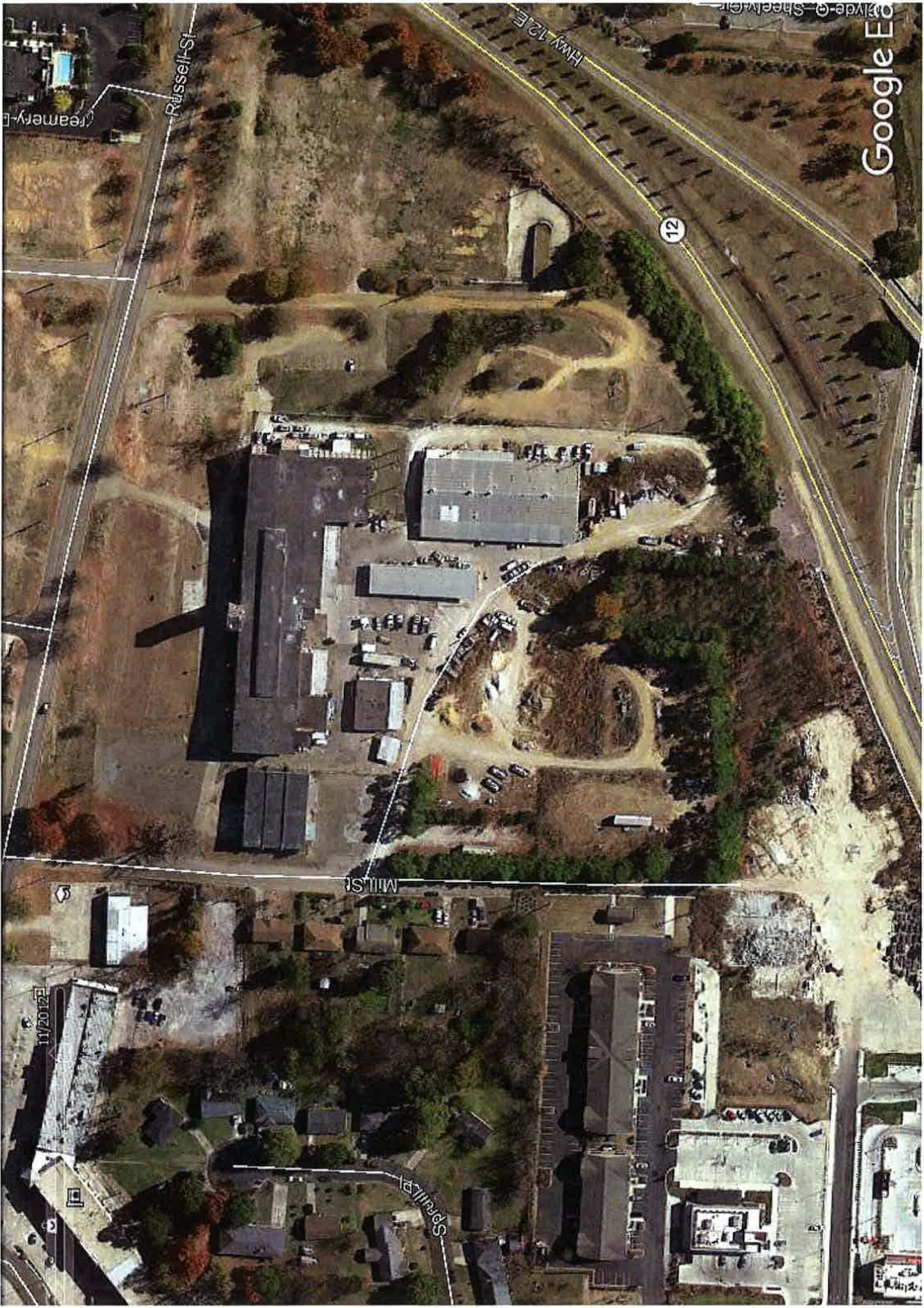


William C. Reeves
1200 Meadowbrook Road
#27
Jackson, MS 39206

breeves@balch.com
601 954-9292

Attachment 6- Aerial submitted by the Applicant









THE CITY OF STARKVILLE
PLANNING DEPARTMENT
PLANNING AND ZONING COMMISSION
 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)
Subject: RZ 18-03 Request to Rezone four parcels located at 701, 703, 705, and 707 North Montgomery Street from C-2 to R-5 with the parcel number 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, and 108I-00-002.03
Date: June 12, 2018

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of James Fowler to rezone four parcels located at 701, 703, 705, and 707 North Montgomery Street from C-2 to R-5 with the parcel number 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, and 108I-00-002.03. Please see attachments 1- 3.

BACKGROUND INFORMATION:

The applicant is seeking to rezone from C-2 to R-5 based on a manifest error in the ordinance and a public need to correct the error.

Zoning Change Subject Property				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
	R-2	R-4	C-2/R-5	C-2/R-5
Zoning Change Adjacent Properties				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
North	R-2	R-4	R-5	R-5
East	R-2	R-3	R-3	R-2
South	R-2	R-3	R-3	R-3
West	R-2	R-2	R-2	R-3
Zoning and land uses adjacent to the subject property				
Direction	Zoning	Current Use		
North	R-5	Multi-family		
East	R-2	Single family		
South	R-3	Vacant/wooded lot		
West	R-3	School		

NOTIFICATION:

17 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 May

28, 2018 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.

REZONING REQUEST:

The subject property rezoning request is from C-2 to R-5. Differences between zones are:

Current 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)

Proposed Zoning District:

Sec. G. - R-5 residential zoning regulations.

These [R-5 residential] districts are intended to be composed mainly of multifamily dwellings, although a wide range of dwelling types is also permitted. Mobile homes, mobile home parks, and mobile home subdivisions are also permitted under certain special conditions. Appropriate supporting facilities to accommodate higher density multifamily districts are permitted and the character of this residential district is protected by requiring certain yard and area standards to be met. [The following regulations apply to R-5 districts:]

- 1. *See chart for permitted uses.*
- 2. *See chart for uses which may be permitted as a special exception.*
- 3. *Required lot area and width, yards, building areas and height for residences:*
 - a) *Minimum lot area, per unit: 1,800 square feet.*
 - b) *Minimum lot width at building line:*
 - Single-family and multifamily dwelling of less than eight units: 50 feet.*
 - Townhouse dwelling: 16 feet.*
 - Multifamily dwelling of eight units or more: 100 feet.*
 - c) *Minimum depth of front yard: 25 feet.*
 - d) *Minimum width of side yard: 5 feet.*
 - e) *Minimum depth of rear yard: 20 feet.*
 - f) *Maximum height of structure: 45 feet.*

Mobile homes on individual lots shall comply with the provisions of article VII, section E. Mobile home parks and mobile home subdivisions shall comply with provisions of article VII, section H.

- 4. *Off-street parking requirements: See article VII of this ordinance for requirements for other uses.*
- 5. *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.*

6. *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. 2007-5, § 1, 4-17-07; Ord. No. 2014-5, 9-16-14)

Permitted and Conditional Uses:

R-5

The following uses are permitted by right in the R-5 zoning district:

1. Accessory dwelling unit
2. Assisted Living Facility
3. Dwelling, live/work
4. Dwelling, single family, detached
5. Dwelling, multi-family
6. Dwelling, 3-4 family
7. Personal Care/Group Home
8. Family Child Care
9. Parks & Recreation, Passive
10. Business Offices

The following uses are allowed by conditional use in the R-5 zoning district:

1. Bed & Breakfast Inn
2. Boarding/Rooming House
3. Dormitory
4. Dwelling, 2-family
5. Fraternity/Sorority House
6. Manufactured Homes
7. Mobile Homes
8. Community Services
9. Education Facilities
10. Government Facilities
11. Institutional and Health Care Facilities
12. Parks & Recreation, Active
13. Places of Worship
14. Public Spaces
15. Utilities

16. Conference/Convention Center
17. Eating & Drinking Establishments
18. General Retail & Services
19. Parking Lots & Garage
20. Personal Services

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:

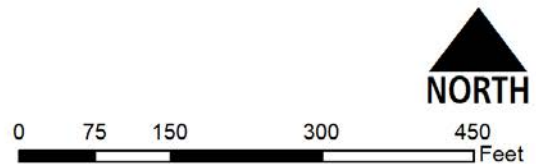
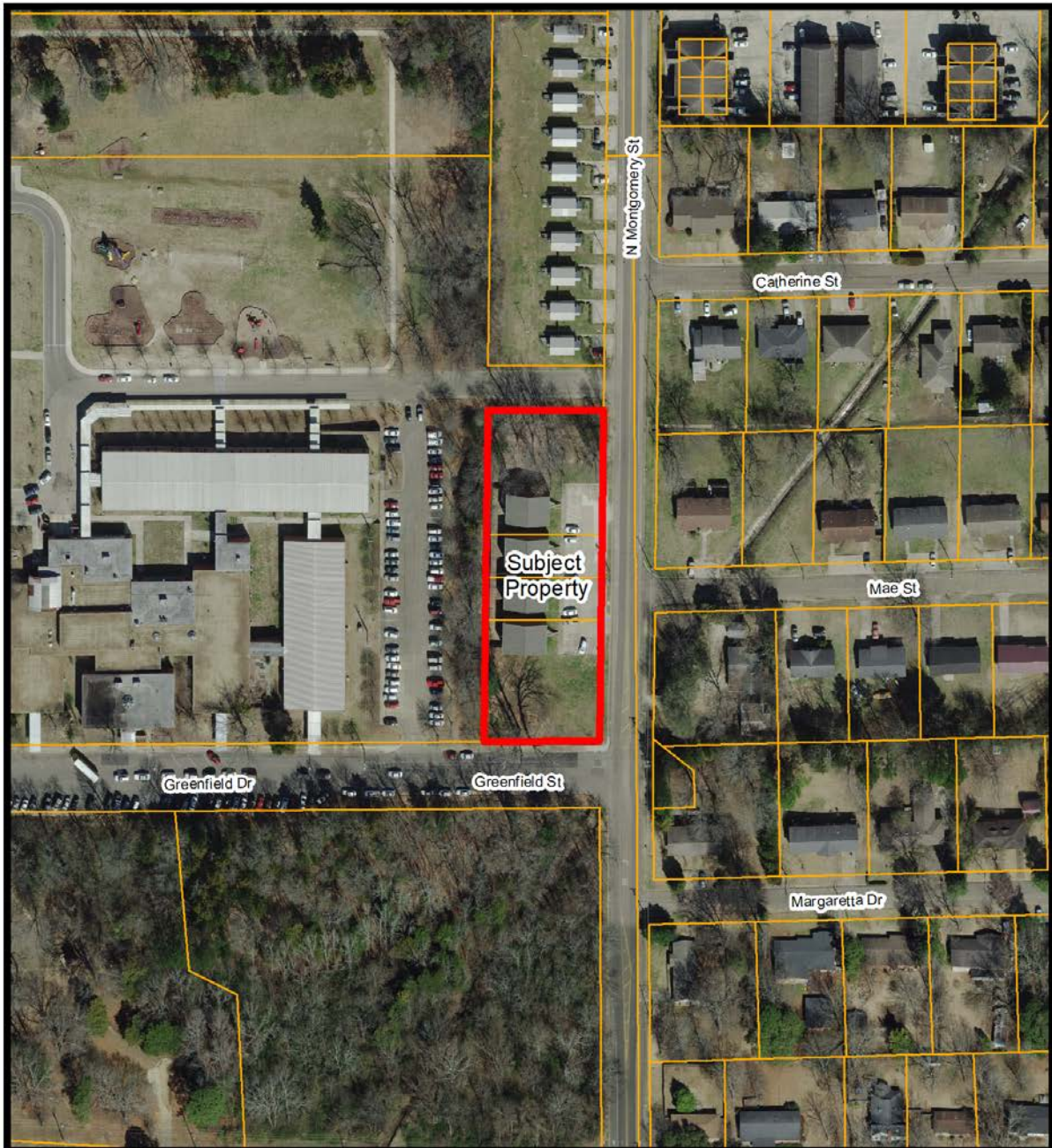
1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:

- ERROR

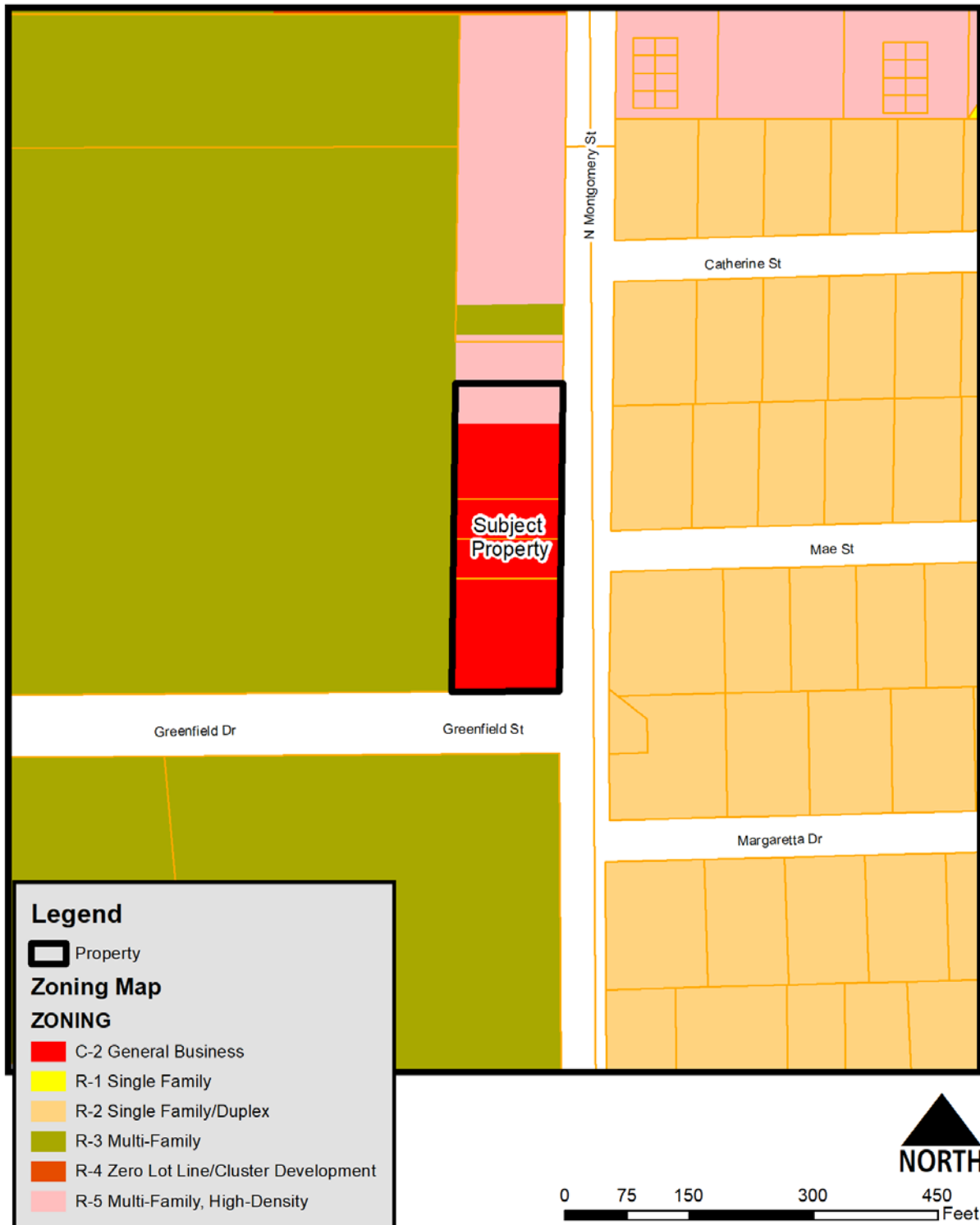
Consistency with Comprehensive Plan: The proposed rezoning would generally be consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The subject properties' placetype is listed as traditional neighborhood- existing.

Land Use Compatibility: The proposed rezoning would be consistent and compatible the adjacent land uses in the vicinity. The property immediately to the north is R-5 zoning and the surrounding property is residential in nature.

Attachment 1
RZ 18-03 Aerial



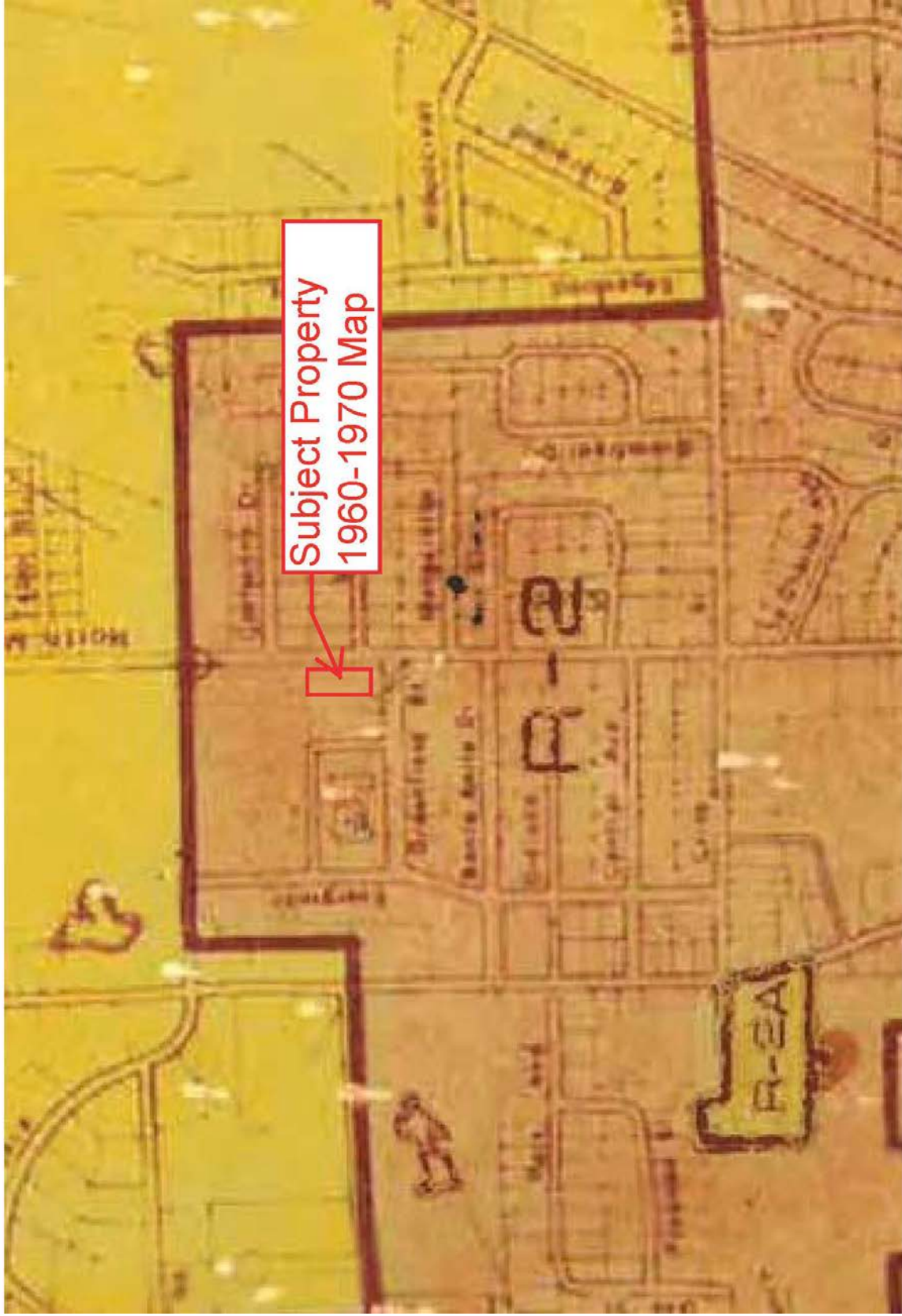
Attachment 2
RZ 18-03 Zoning

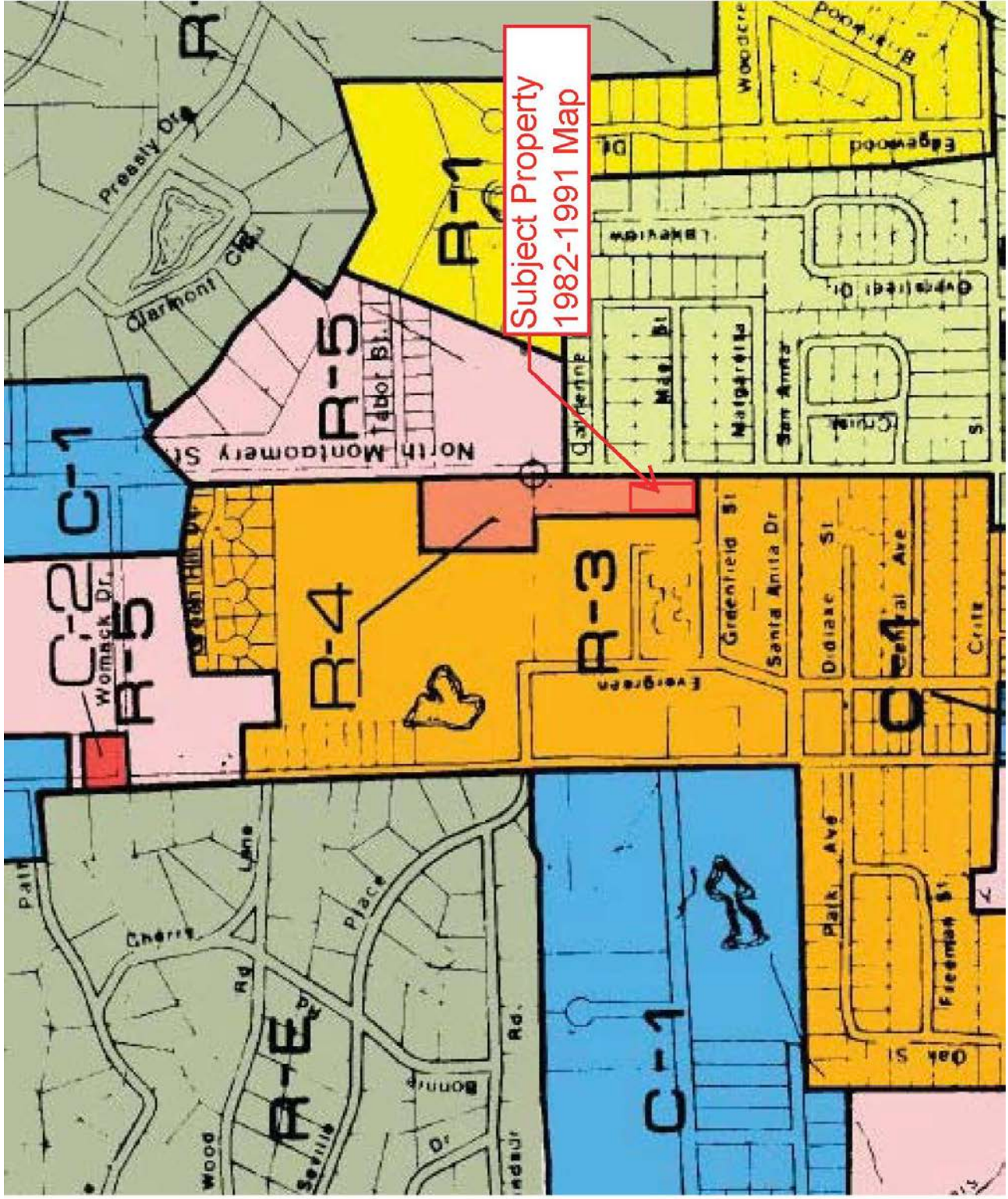


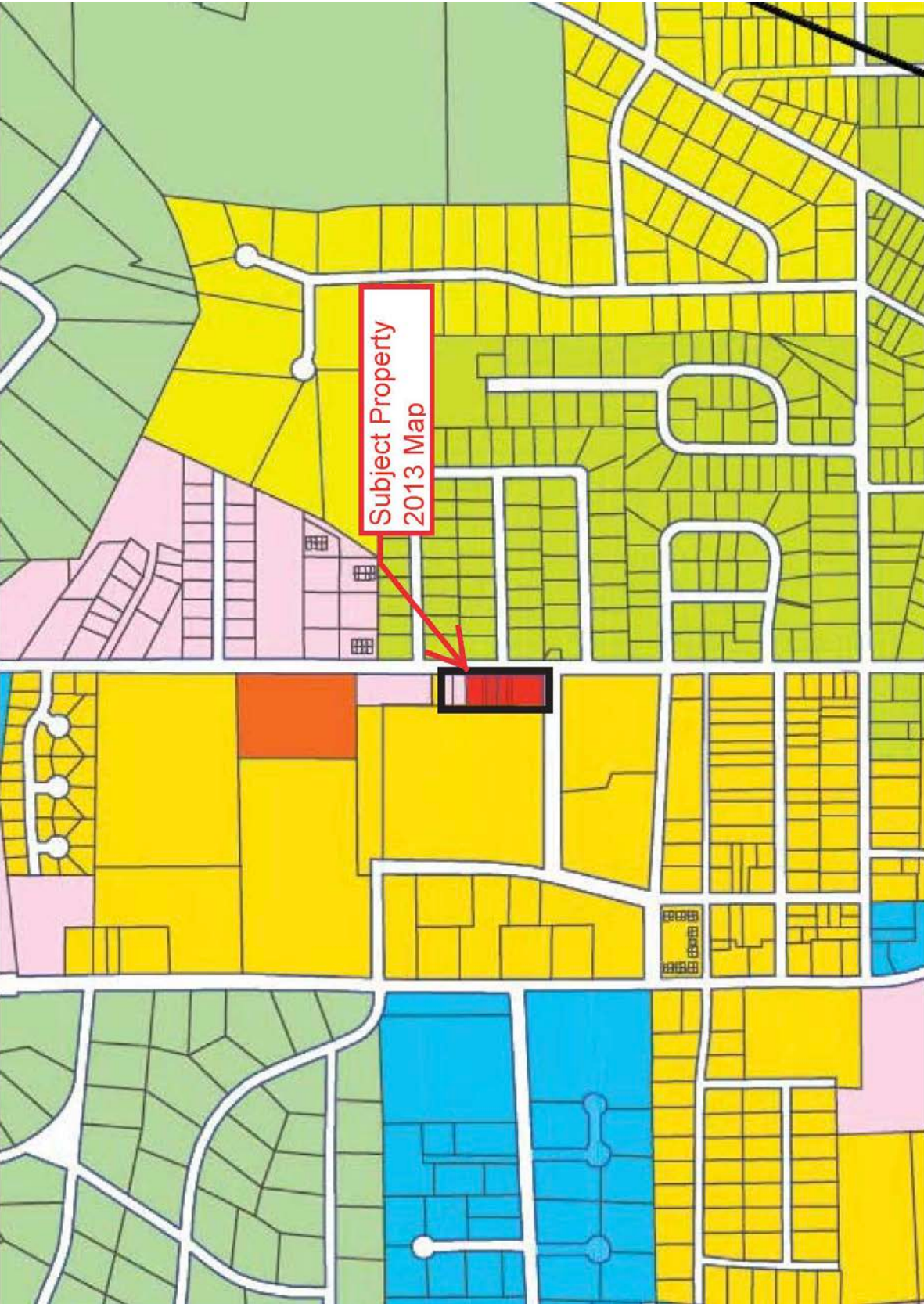
Attachment 3

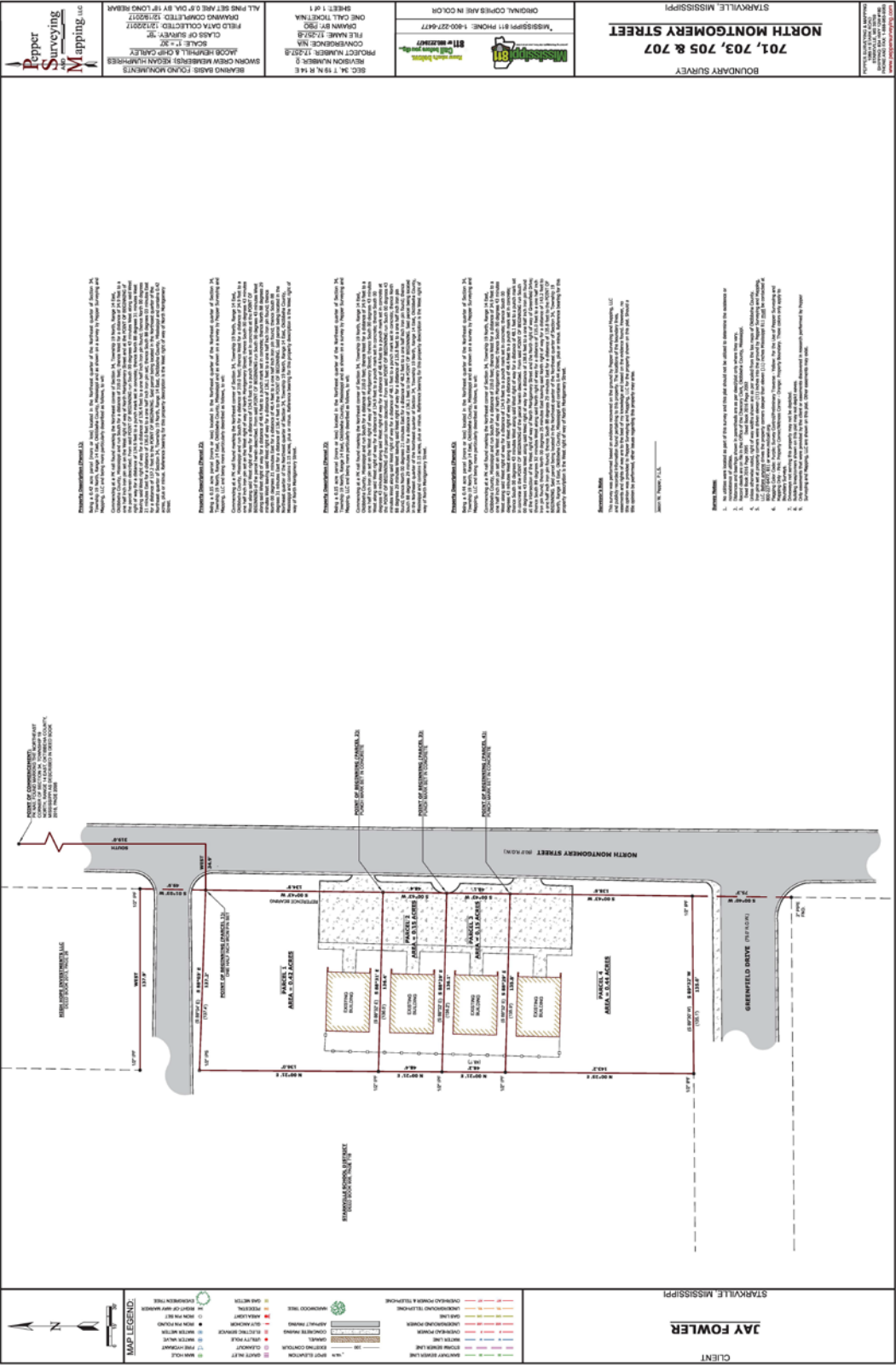
Applicant Statement and Supporting Documents

As shown on the 1960-1970 Zoning Map of the City of Starkville. The property is zoned R-2. Then on the 1982-1991 Zoning Map the property is shown as being zoned R-4. This R-4 zone also created split zones in tax parcels north of the subject property. The 2000 zoning map appears to be the first map that shows the subject property to be split zoned. We believe the error in the tax map occurred at the creation of the 2000 map. The 2013 map continues the split zone, but the zoning has changed to R-5 and C-2. The C-2 zoning depicted on the 2000 map is the first time the property is anything other than a residential zone. The 2013 map also appears to create multiple tax parcels which are incorrectly depicted. The R-5 and C-2 split zone continues on the current zoning map.









PROPOSED RESIDENTIAL PARKING ORDINANCE UPDATE

Current Ordinance- Appendix A- Zoning, Article VIII.- Off-Street Parking

Sec. A. - Automobile parking requirements.

Off-street automobile storage or parking spaces shall be provided in all districts other than the C-3 central business district zone. For each dwelling, multiple dwelling, business or industrial establishment there shall be provided and maintained off-street parking facilities to accommodate the motor vehicles used by the occupants, customers, clientele, and employees of such structures. Such space shall be provided with vehicular access to a street or alley and equal to or greater than in number of area the minimum requirements set forth. Each required parking space shall be not less than nine feet in width and 18 feet long, and in addition, there shall be adequate space for ingress and egress to all spaces.

Sec. B. - Residential, commercial and industrial uses.

1. Parking for residential use shall be provided as follows:

Square footage of residential unit (structure)	Number of parking spaces required
0—449	1½
450—749	2
750—999	2½
1,000 and over	3

The square footage shall be determined by the measurement from outside wall to outside wall of the enclosed living area. When assessing the required number of parking spaces, all fractions shall be rounded upward to the nearest whole number.

2. Parking for commercial and industrial uses shall be provided as specified in this article.

Proposed Ordinance- Appendix A- Zoning, Article VIII.- Off-Street Parking

Sec. A. - Automobile parking requirements.

The following regulations shall apply to all districts other than those zoned Transect District. Regulations relating to parking for the Transect Districts are specified in the Transect District zoning sections of the Code of Ordinances. Off-street parking shall be provided in all non-Transect District zoned property. All off-street parking shall be accessible to a street or alley. Each required parking space shall be not less than nine (9) feet in width and eighteen (18) feet length. There shall be adequate space for ingress and egress to all spaces. Minimum drive aisle width for parking lots shall be determined by the Development Review Committee. Locations for required landscape areas for parking lots are illustrated in Chapter 112.

Sec. B. – Residential Use Parking Requirements.

The following regulations shall apply to all properties that are zoned for residential use with the exception of properties zoned Transect 4, Transect 5, or Transect 6 Districts:

- 1. Number of required spaces for new construction and extensive renovation only**
 - a. For a lot with two (2) or less dwelling units the parking shall be calculate at One (1) parking space per bedroom.
 - b. For a lot with three (3) or more dwelling units the parking shall be calculated at One and quarter (1 ¼) parking spaces per bedroom.
- 2. Off-street parking requirements**
 - a. Parking shall only be permitted on a hard surface. Parking shall not be permitted on open lawn area from the front façade of the building to the street. A hard surface shall be defined as either concrete, asphalt, gravel, or pavers.
 - b. Maximum driveway width (curb cut) shall be twenty (20) feet at the edge of pavement at the street.
 - c. Gravel driveways shall have a concrete apron that is a minimum of eight (8) feet from the property to the edge of pavement at the street. The design of the apron shall prevent loose gravel from being deposited on the sidewalk and roadway.
- 3. Recreational vehicles and equipment**
 - a. For the purposes of this section, recreational vehicles and equipment shall include: travel trailers, motor homes, utility trailers, boats, personal watercraft, all-terrain vehicles, dumpsters, and temporary storage containers.
 - b. Recreational vehicles and equipment shall be stored behind the nearest portion of a building to the street in either the side yard, rear yard, garage, carport, or an enclosed building. For loading and unloading, recreational vehicles and equipment shall be permitted to park anywhere on the property for a maximum of twenty-four (24) hours.
 - c. Parking of recreational vehicles and equipment is not permitted on any public street for a period in excess of twenty-four (24) hours.
 - d. Recreational vehicles cannot be used as a dwelling. Recreational vehicles can be used as short term sleeping quarters during home game weekends for Mississippi State University for a maximum of three (3) nights consecutively not to exceed thirty (30) days within a calendar year. During this short term period, one recreational vehicles may be parked in the driveway of an occupied dwelling as long as the vehicle does not block public sidewalks or protrude into the street.
- 4. Exceptions from off-street parking requirements**
 - a. Parking of automobiles is permitted in the front yard for private events for a period not to exceed twelve (12) hours. Private event parking exceptions shall be limited to no more than three (3) events within a calendar year.
 - b. Parking of automobiles is permitted in the front yard during home game weekends for Mississippi State University from 12:00 pm Friday to 12:00 pm Sunday.

- c. Parking of utility trailers and temporary storage containers shall be permitted in the front yard of any structure with an active building permit. All utility trailers and temporary storage containers shall be removed once construction activities have ended.

5. Variances

- a. The Planning Department has the discretion to approve any site and/or building plan that deviates less than ten (10) percent from number of required spaces and the off-street parking requirements prescribed in this section.
- b. Any other deviation from the number of required spaces and/or the off-street parking requirements not approved by the Planning Department shall be required to receive approval through the Variance process.
- c. All Variances shall be noticed as a Public Hearing and conducted in accordance with the requirements found in Appendix A- Zoning, Article VI – General Provision, Sec K- Variances of the Starkville Code of Ordinances.