



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, SEPTEMBER 11, 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 JUNE 12, 2018 (pg. 3)
 - B. CONSIDERATION OF THE UNAPPROVED MINUTES OF JUNE 29, 2018 (pg. 7)
 - C. CONSIDERATION OF THE UNAPPROVED MINUTES OF JULY 10, 2018 (pg. 11)
 - D. CONSIDERATION OF THE UNAPPROVED MINUTES OF JULY 17, 2018 (pg. 17)
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. PP 18-09 FP 18-09 REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING AND RECONFIGURING 2 LOTS AT 516 AND 518 S. MONTGOMERY ST. IN A C-2 ZONE WITH THE PARCEL NUMBERS 102A-00-277.00 AND 102A-00-279.00. (pg. 21)
 - B. PP 18-12 FP 18-10 REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING AND RECONFIGURING 2 LOT AT 400 AND 402 GREENSBORO ST. IN A R-1 ZONE WITH THE PARCEL NUMBERS 118O-00-318.00 AND 118O-00-319.00. (pg. 27)
 - C. RZ 18-08 REQUEST TO REZONE ALL OF 1 PARCEL LOCATED ON THE WEST SIDE OF SOUTH MONTGOMERY STREET +/- 330FT SOUTH OF THE LYNN LANE INTERSECTION FROM R-1/C-2 TO R-3A WITH THE PARCEL NUMBERS 102I-00-005.00 AND 102I-00-006.00. AS PART OF THIS REQUEST, A PORTION OF 1 PARCEL LOCATED ON SOUTH SIDE OF LYNN LANE +/- 960FT WEST OF THE INTERSECTION WITH SOUTH MONTGOMERY STREET TO BE REZONED FROM C-2 TO R-3A WITH THE PARCEL NUMBER 102I-00-002.00. (pg. 33)
 - D. EX 18-05 REQUEST FOR AN EXCEPTION FROM FENESTRATION REQUIREMENTS FOR THE VISTA PROJECT ON UNIVERSITY DRIVE DIRECTLY NORTH OF THE PAGE AVENUE INTERSECTION IN A T-5 DISTRICT WITH THE PARCEL NUMBERS 101D-00-003.00 AND 101D-00-001.00. (pg. 49)
 - E. PP 18-13 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING A 3.9 ACRE PARCEL INTO 28 LOTS LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF BENT BROOK LANE AND YELLOW JACKET DRIVE IN AN R-3A ZONE WITH THE PARCEL NUMBER 102H-00-043.00. (pg. 59)

- F. PP 18-11 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING +/-11.04 ACRES PARCEL INTO 51 LOTS LOCATED ON THE NORTH SIDE OF GARRARD ROAD +/- 660' WEST OF OLD WEST POINT ROAD IN A R-3A ZONING DISTRICT WITH THE PARCEL NUMBER 117C-00-036.01. (pg. 67)
- G. RZ 18-06 REQUEST TO REZONE 2 LOTS LOCATED AT 901 AND 903 LOUISVILLE STREET FROM C-1 TO R-5 WITH THE PARCEL NUMBERS # 102G-00-156.01 AND 102G-00-166. (pg. 75)
- H. PP 18-10 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING 21.66-ACRE PARCEL INTO 2 LOTS LOCATED +/-400' SOUTHEAST OF THE INTERSECTION OF PAT STATION ROAD AND MS HWY 12 IN AN R-1 ZONE WITH THE PARCEL NUMBER 117-25-021.00. (pg. 85)
- I. RZ 18-07 REQUEST TO REZONE ONE PARCEL FROM R-1 TO R-5 AND C-2 LOCATED APPROXIMATELY 360' SOUTHWEST OF THE CENTER OF THE INTERSECTION OF HIGHWAY 12 EAST AND PAT STATION ROAD DIRECTLY EAST OF THE LA QUINTA INN WITH THE PARCEL NUMBERS 117-25-021.00 AND 117F-00-001.00. (pg. 95)
- J. RZ 18-09 REQUEST TO REZONE ONE PARCEL FROM R-1 TO R-6 TO ALLOW FOR THE PLACEMENT OF A MOBILE HOME LOCATED AT 723 JESSIE ROAD WITH THE PARCEL NUMBERS 115-22-037.02. (pg. 107)

VIII. PLANNERS REPORT

IX. ADJOURN

**UNAPPROVED MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JUNE 12, 2018**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville, MS met at their regularly scheduled meeting on June 12, 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, Jim McReynolds, Ward 2, Tom Walker, Ward 3, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Absent from the meeting was Jason Camp, Ward 1. Attending the Commissioners were Assistant City Planner Emily Corban, City Attorney Chris Latimer, 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 Official Agenda of the Planning and Zoning Commission of June 12, 2018 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, JUNE 12, 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 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 NUMBERS 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. 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 June 12, 2018 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
MAY 8, 2018**

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

CITIZEN COMMENTS

NEW BUSINESS

**A. CONSIDERATION OF 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**

Assistant City Planner Emily Corban introduced 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. 58 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 March 11, 2018 and a placard was posted on the property concurrent with publication of the notice.

The Commissioner opened up the public hearing.

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

Mark Castleberry, 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.

Upon the motion of Commissioner Walker, duly seconded by Commissioner McReynolds, the motion to approve EX 18-01 was approved 5 to 1 with Commissioner Gregory being the dissenting vote based on a finding that the exception was consistent with Sections 1.2 and 1.3 of the Transect Code.

B. CONSIDERATION OF 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 NUMBERS 108I-00-002.00, 108I-00-002.01, 108I-00-002.02, AND 108I-00-002.03

Assistant City Planner Emily Corban introduced 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. The applicant is seeking to rezone from C-2 to R-5 based on error in the map. In the 2000 Official Zoning Map the properties in question appear to have been incorrectly split zoned R-5 and C-2. The prior maps have always shown the property as a residentially zoned property. The property to the north is zoned R-5 and is used as multi family. The property to the east is zoned R-2 and is single family. The property to the south is zoned R-3 and is undeveloped. The property to the west is zoned R-3 and is an elementary school.

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 on May 28, 2018 and a placard was posted on the property concurrent with publication of the notice.

The Commissioner opened up the public hearing.

Jason Pepper, representing 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.

Upon the motion of Commissioner Walker, duly seconded by Commissioner McReynolds, the motion to approve RZ 18-03 from C-2 to R-5 due to error was unanimously approved.

C. SECOND PUBLIC HEARING AND DISCUSSION FOR UPDATING THE RESIDENTIAL PARKING REQUIREMENTS OF THE ZONING ORDINANCE.

Commissioner McReynolds left the meeting at 6:40 pm.

Assistant City Planner Emily Corban gave the Planning Commission an overview of the proposed residential parking ordinance. After the presentation, the Commission gave city planning staff several opinions on the residential parking requirements. There was significant discussion by Commissioner Dumas regarding the need to both educate the public about the changes in the ordinance as well as creating strategies for enforcement. He also highlighted the need to consider the appeal process that will inevitably occur with those whose violations are taken to municipal court.

VIII. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 12:00 p.m. on June 29, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to adjourn until 12:00 p.m. on June 29, 2018, in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Emily Corban, Assistant City Planner

**UNAPPROVED MINUTES OF THE SPECIAL CALL MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JUNE 29, 2018**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville, met at their specially called meeting on June 29, 2018 at 12:00 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, Tom Walker, Ward 3, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Absent from the meeting were Jim McReynolds, Ward 2, and Alexis Gregory, Ward 5. Attending the Commissioners were, 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 Official Agenda of the Special Call Planning and Zoning Commission of June 29, 2018 as presented.

**OFFICIAL AGENDA
SPECIAL CALL
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, JUNE 29, 2018
CITY HALL - COURT ROOM,
110 West Main Street, 12:00 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CITIZEN COMMENTS
- VI. NEW BUSINESS
 - A. CU 18-01 REQUEST FOR CONDITIONAL USE TO ALLOW FOR 5 MOBILE HOMES ON SAND RD. IN TOWNSHIP RANGE 16-18N-14E IN AN R-5 AND C-2 ZONE WITH THE PARCEL NUMBER 105 -16-002.00
- VII. PLANNER'S REPORT
- VIII. ADJOURN

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Dumas, the motion to approve the official agenda of the Planning and Zoning Commission for June 29, 2018 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 18-01 REQUEST FOR CONDITIONAL USE TO ALLOW FOR 5 MOBILE HOMES ON SAND RD. IN TOWNSHIP RANGE 16-18N-14E IN AN R-5 AND C-2 ZONE WITH THE PARCEL NUMBER 105-16-002.00

Assistant City Planner Emily Corban introduced the Conditional Use Request by Shanaria Smith, Nekitia Smith, Kaye Henderson, Tracey Baldwin, and Reshequia Henderson on behalf of the Starkville Oktibbeha Consolidated School District to allow for 5 mobile homes located on Sand Road in Township Range 16-18N-14E in an R-5 and C-2 zone with the parcel number 105 -16-002.00. The applicants are seeking a Conditional Use to allow mobile homes to be located on property leased by the Starkville Oktibbeha Consolidated School District. All leased areas are located along Sand Road and will have access to City water and electric service. All leased properties will have septic tanks or access to City sewer lines. The property is currently split zoned R-5 and C-2 and in order to place a "mobile home", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart.

The property to the North is zoned C-2/C-1 and its current use is Single family/mobile homes. The property to the East is zoned R-5/M-1 and its current use is Multi-family/mobile homes/City Waste Treatment. The property to the South is zoned R-5, R-6, and its current use is C-2 Single family/mobile homes. The property to the West is zoned C-2/R-5 and its current use is Single family/warehouse.

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 June 14, 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 phone call requesting information and one phone call against.

The staff report originally listed 3 conditions for approval. Staff has added one additional recommended condition:

Reshequia Henderson, LMS #528, is to provide a stamped site plan prepared by a licensed Mississippi surveyor illustrating and stating the proposed placement of any

structure will not encroach onto any utility easement areas. No structure under LMS #528 will be allowed to encroach onto any utility easements.

The Commissioner opened up the public hearing.

The applicants Nekitia Smith, Reshequia Henderson, and Trennis Gooden came forward to speak in favor of the request.

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

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Camp, the motion to approve CU 18-02 received unanimous approval based on the criteria found in Appendix A, Article VI, Section 1, of the City's Code of Ordinances, with the following conditions:

1. The applicant shall have six months from time of Conditional Use approval to place mobile homes on the individual lease areas.
2. The applicant shall provide documentation that all necessary permits and approval from the Mississippi State Department of Health for a septic system have been approved.
3. Reshequia Henderson, LMS #528, is to provide a stamped site plan prepared by a licensed Mississippi surveyor illustrating and stating the proposed placement of any structure will not encroach onto any utility easement areas. No structure under LMS #528 will be allowed to encroach onto any utility easements.
4. All of the above conditions shall be fully and faithfully executed or the conditional use shall become null and void.

VIII. PLANNER'S REPORT

Assistant City Planner Emily Corban announced to the Commission that there will be a full case load at the July 10 planning and zoning meeting.

IX. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on July 10, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to adjourn until 5:30 p.m. on July 10, 2018, in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Emily Corban, Assistant City Planner

DRAFT

**UNAPPROVED MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JULY 10, 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 July 10, 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, Jim McReynolds, Ward 2, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Attending the meeting by phone was Jason Camp, Ward 1. Absent from the meeting was Tom Walker, Ward 3. Attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Emily Corban, City Attorney Chris Latimer, 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 Official Agenda of the Planning and Zoning Commission of July 10, 2018 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, JULY 10, 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 JUNE 12, 2018
 - B. CONSIDERATION OF THE UNAPPROVED MINUTES OF JUNE 29, 2018
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. EX 18-02 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 500 RUSSELL STREET, SUITE #31 IN A T-5 ZONE WITH THE PARCEL NUMBER 101D-00-315.00.

- B. EX 18-03 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 500 RUSSELL STREET, SUITE #20 IN A T-5 ZONE WITH THE PARCEL NUMBER 101D-00-315.00.
- C. EX 18-04 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 223 DR. MARTIN LUTHER KING DRIVE WEST IN A T-5 ZONING DISTRICT WITH THE PROPERTY NUMBERS 118O-00-158.00 AND 118O-00-156.00.
- D. RZ 18-04 REQUEST TO REZONE 1 LOT LOCATED AT 300 YELLOW JACKET DRIVE FROM R-1 TO R-3A ZONING WITH THE PARCEL NUMBER 102H-00-043.00.
- E. RZ 18-05 REQUEST TO REZONE TWO PARCELS FROM R-2 TO R-5 LOCATED AT 314 LOUISVILLE STREET AND 300 SCALES STREET WITH THE PARCEL NUMBERS 102B-00-051.00 AND 102B-00-052.00.

VIII. PLANNER'S REPORT
VIII. ADJOURN

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Gregory, the motion to approve the official agenda of the Planning and Zoning Commission for July 10, 2018 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
June 12, 2018 and June 29, 2018**

After discussion, and upon the motion of Commissioner Verdell, duly seconded by Commissioner Gregory, the motion to table the consideration of minutes from the June 12 and June 29, 2018 meeting in order to give staff time to incorporate revisions to the minutes received unanimous approval.

CITIZEN COMMENTS

NEW BUSINESS

A. CONSIDERATION OF EX 18-02 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 500 RUSSELL STREET, SUITE #31 IN A T-5 ZONE WITH THE PARCEL NUMBER 101D-00-315.00.

City Planner Daniel Havelin introduced the request by Beth Bland to allow a nonconforming sign to be placed at 500 Russell Street Suite 31 in a T-5 zone. 63 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 June 14, 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 phone call and two letters via email against the request. On Monday one letter of support was delivered to City Hall.

The Commissioner opened up the public hearing.

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

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to deny EX 18-02 was approved 5 to 0.

B. CONSIDERATION OF EX 18-03 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 500 RUSSELL STREET, SUITE #20 IN A T-5 ZONE WITH THE PARCEL NUMBER 101D-00-315.00.

City Planner Daniel Havelin introduced the request by Beth Bland to allow a nonconforming sign to be placed at 500 Russell Street Suite 20 in a T-5 zone. 63 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 June 14, 2018 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received 1 phone call and two letters via email against the request. On Monday one letter of support was delivered to City Hall.

The Commissioner opened up the public hearing.

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

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to deny EX 18-03 was approved 5 to 0.

C. CONSIDERATION OF EX 18-04 REQUEST FOR AN EXCEPTION TO ALLOW A NONCONFORMING SIGN TO BE PLACED AT 223 DR. MARTIN LUTHER KING DRIVE WEST IN A T-5 ZONING DISTRICT WITH THE PROPERTY NUMBERS 118O-00-158.00 AND 118O-00-156.00.

City Planner Daniel Havelin introduced the request by Ryan Ashford to allow a nonconforming sign to be placed at 223 Dr. Martin Luther King Drive West in a T-5 zone. 29 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 June 18, 2018 and a sign was posted on the property concurrent with publication of the notice. The packet incorrectly listed the publication date as July 18th.

As of this date, the Planning Office has received one phone call for information on this request.

The Commissioner opened up the public hearing.

Ryan Ashford came forward to speak in favor of the request.

Alderman Henry Vaughn came forward to speak in favor of the request.

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

Upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to approve EX 18-04 was approved 5 to 0.

D. CONSIDERATION OF RZ 18-04 REQUEST TO REZONE 1 LOT LOCATED AT 300 YELLOW JACKET DRIVE FROM R-1 TO R-3A ZONING WITH THE PARCEL NUMBER 102H-00-043.00.

Assistant City Planner Emily Corban introduced the request by Jason Pepper on behalf of Josey Betty Family Trust to rezone one parcel located at 300 Yellow Jacket Drive from R-1 to R-3A. The applicant is seeking to rezone based on change in condition with public need.

The property to the north is zoned B-1 and is currently storage units. The property to the east is zoned R-1 and is single family. The property to the south is zoned R-3A and is single family. The property to the west is zoned R-1 and is the baseball field for the Starkville High School.

47 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 June 15, 2018 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 in favor of the request and one phone call for information only.

A rezoning can only take place if one of the following conditions prevail:

Error in the map: There is no Error

Or Change in conditions with public need:

There has been five Rezoning since 2014 within ½ mile of the subject property.

1. The property directly south of Sonic Drive In restaurant on Vine Street was rezoned from R-1 to B-1 in June of 2014.
2. The Cottages at Starkville Station was rezoned from R-5 to R-4A in June of 2014
3. The subdivision now known as Bent Brook Ridge was rezoned from R-1 to R-3A in February of 2014.

4. The former site of a mobile home park directly south of Starkville High School was rezoned from R-6 to R-5 in December of 2014.
5. Riddle Run development on Lynn Lane was rezoned from R-1 to R-3 in July of 2015.

The Commissioner opened up the public hearing.

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

Robert Boyd, came forward to ask questions about the request.

Elnera Jefferson, came forward to ask questions about the request.

Beth Baker, came forward to ask questions about the request.

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

Upon the motion of Commissioner Gregory, duly seconded by Commissioner Dumas, the motion to approve RZ 18-04 was approved 5 to 0 based on change in conditions and public need.

E. CONSIDERATION OF RZ 18-05 REQUEST TO REZONE TWO PARCELS FROM R-2 TO R-5 LOCATED AT 314 LOUISVILLE STREET AND 300 SCALES STREET WITH THE PARCEL NUMBERS 102B-00-051.00 AND 102B-00-052.00.

Assistant City Planner Emily Corban introduced the request by Jason Pepper on behalf of Fowler Construction Company and Paige Shearer to rezone two parcels from R-2 to R-5 located at 314 Louisville Street and 300 Scales Street. The applicant is seeking to rezone based on change in condition with public need. All properties adjacent to the subject property are zoned R-2. 28 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 June 15, 2018 and a sign was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received three phone calls against the request and two phone calls requesting information. The day of the Planning and Zoning meeting, the Planning Department received two emailed letters against this request.

A rezoning can only take place if one of the following conditions prevail:

Error in the map: There is no Error

Or Change in conditions with public need:

There have been no rezonings within a ½ mile of the subject property since the adoption of the 2013 City of Starkville Zoning Map.

The Commissioner opened up the public hearing.

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

George Dunn, came forward to speak against the request.

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

Upon the motion of Commissioner Camp, duly seconded by Commissioner Gregory, the motion to deny RZ 18-05 was approved 4 to 1, with Commissioner McReynolds being the dissenting vote, based on a lack of change in condition or public need.

VIII. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 12:00 p.m. on August 7, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to adjourn until 12:00 p.m. on August 7, 2018, in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Emily Corban, Assistant City Planner

**UNAPPROVED MINUTES OF THE SPECIAL CALL MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JULY 17, 2018**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met at their specially called scheduled on July 17, 2018 at 12:00 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. Absent from the meeting was Absent from the meeting were Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6, and Tommy Verdell Jr., Ward 7. Attending the Commissioners 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 July 17, 2018 as presented.

**OFFICIAL AGENDA
SPECIAL CALL
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF MONDAY, JULY 17, 2018
CITY HALL - COURT ROOM,
110 West Main Street, 12:00 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
- III. ROLL CALL
- IV. CONSIDERATION OF THE OFFICIAL AGENDA
- V. CITIZEN COMMENTS
- VI. NEW BUSINESS
 - A. FP 18-07 REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING +- 15.57-ACRE PARCEL INTO 40 LOTS. THE SUBDIVISION IS LOCATED ON THE EAST SIDE OF ROYAL TROON ROAD IN A R-4 ZONE WITH THE PARCEL NUMBER #106-14-013.0008.
- VII. PLANNER'S REPORT
- VIII. ADJOURN

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner Gregory, the motion to approve the official agenda of the Planning and Zoning Commission for July 17, 2018 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 FP 18-07 REQUEST FOR FINAL PLAT APPROVAL FOR SUBDIVIDING +- 15.57-ACRE PARCEL INTO 40 LOTS. THE SUBDIVISION IS LOCATED ON THE EAST SIDE OF ROYAL TROON ROAD IN A R-4 ZONE WITH THE PARCEL NUMBER #106-14-013.00

This is a request by Pritchard Engineering on behalf of Frank Jones Development, LLC for Final Plat approval for subdividing a +- 15.57-acre parcel into 40 lots. The proposed subdivision is named "Country Club Estates Phase 3C and 3D". The proposed subdivision is located in an R-4 zone. The proposed subdivision is located at on the east side of Royal Troon Road, Somerset Rd, and Turnberry Lane. A preliminary plat was originally approved for Country Club Estates Final Phase on May 20, 2014, June 16, 2015, and September 6, 2016. On August 15, 2017, the Board of Aldermen renewed the Preliminary Plat. 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. This proposal is not part of a previously platted subdivision. There are 16 recommended conditions.

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Camp, the motion to approve FP 18-01 was approved unanimously 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. No Certificates of Occupancy or Temporary Certificates of Occupancy shall be granted for any structures until all conditions of approval have been met to the satisfaction of City Staff.
3. The final plat shall meet the minimum requirements for R-4 zone dimensions.
4. All public utilities must be inspected, tested, meet city requirements and be in place prior to any issuance of any Certificate of Occupancy.
5. Erosion control vegetation shall be established on all disturbed areas.
6. The applicant shall provide adequate and satisfactory test reports for roadways, curbs and all drainage structures and facilities.

7. The covenants shall include provisions for the maintenance of common areas/stormwater management and the City Attorney's standard hold-harmless indemnification clause.
8. A guarantee in the amount of 200% of the current cost of all non-sidewalk remaining improvements is required to be posted prior to final plat approval by the Mayor and Board of Aldermen.
9. The roadways shall not be accepted by the City until at least 85% of all lots located in Phase 3C, 3D, and any future phase that have been developed and received Certificates of Occupancy. The performance agreement shall remain in effect until such time.
10. The applicant shall execute the standard performance agreement ("developer contract") for the financial guarantee of the completion of the final requirements for acceptance of the streets and utilities and the Board of Aldermen shall authorize the Mayor to execute same.
11. 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.
12. The applicant shall provide "as-built" drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, etc.) in "AutoCAD" format as well as a paper copy that is signed and sealed by a licensed design professional, guaranteeing accuracy.
13. 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.
14. 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.
15. Covenants restricting the placement of any fence within drainage Easements.
16. Document outlining ownership and maintenance responsibilities of storm drainage system to the satisfaction of the City Attorney, City Engineer, and Community Development Director.

VIII. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on August 7, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Camp duly seconded by Commissioner Gregory, the motion to adjourn until 5:30 p.m. on August 7, 2018 in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner

DRAFT

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: PP 18-09 FP 18-09 Request for Final Plat approval for subdividing and reconfiguring 2 lots at 516 and 518 S. Montgomery St. in a C-2 zone with the parcel numbers 102A-00-277.00 and 102A-00-279.00.
Date: September 11, 2018

The purpose of this report is to provide information regarding the request by Mike Brent on behalf of Gold Asia, LLC for Final Plat approval for subdividing and reconfiguring 2 lots. The proposed subdivision is named "Gold Asia, LLC Property". The proposed subdivision is located in a C-2 zone. The proposed subdivision is located at 516 and 518 S. Montgomery St. with the parcel numbers 102A-00-277.00 and 102A-00-279.00. The applicant is in the process of selling approximately 35' of the eastern side of their lot (102A-00-277.00) to the property owner to the east (102A-00-279.00). This area is currently an easement that has parking and the dumpster enclosure for Slim Chickens restaurant. Please see attachments 1-4.

Below is information pertaining to C-2 general business Zoning

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.*

PLAT PROPOSAL:

General Information

The subdivision has a gross acreage of +/- 1.07 acres with a total of 2 lots. The proposed development has a gross density of .54 units per acre.

Easements and Dedications

All easements are provided on the final plat. There are no proposed roadway dedications on the plat. Electrical service is provided by Starkville Utilities. Potable water and sanitary sewer utility services are provided by Starkville Utilities.

Findings and Comments

The final plat is a Class "C" survey prepared by a professional licensed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and meets the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code Annotated (1972), as amended. This subdivision is not part of any previously platted subdivision. Therefore, there are no adversely effected parties.

REQUESTED CONDITIONS:

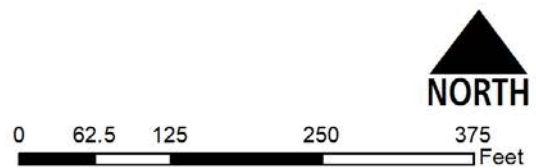
1. The final plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The applicant shall provide one paper copy of the recorded plat to the City, along with a digital copy in "AutoCAD" format in standard state plane coordinates.
3. 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.

Attachment 1
PP 18-09 FP 18-09- Aerial

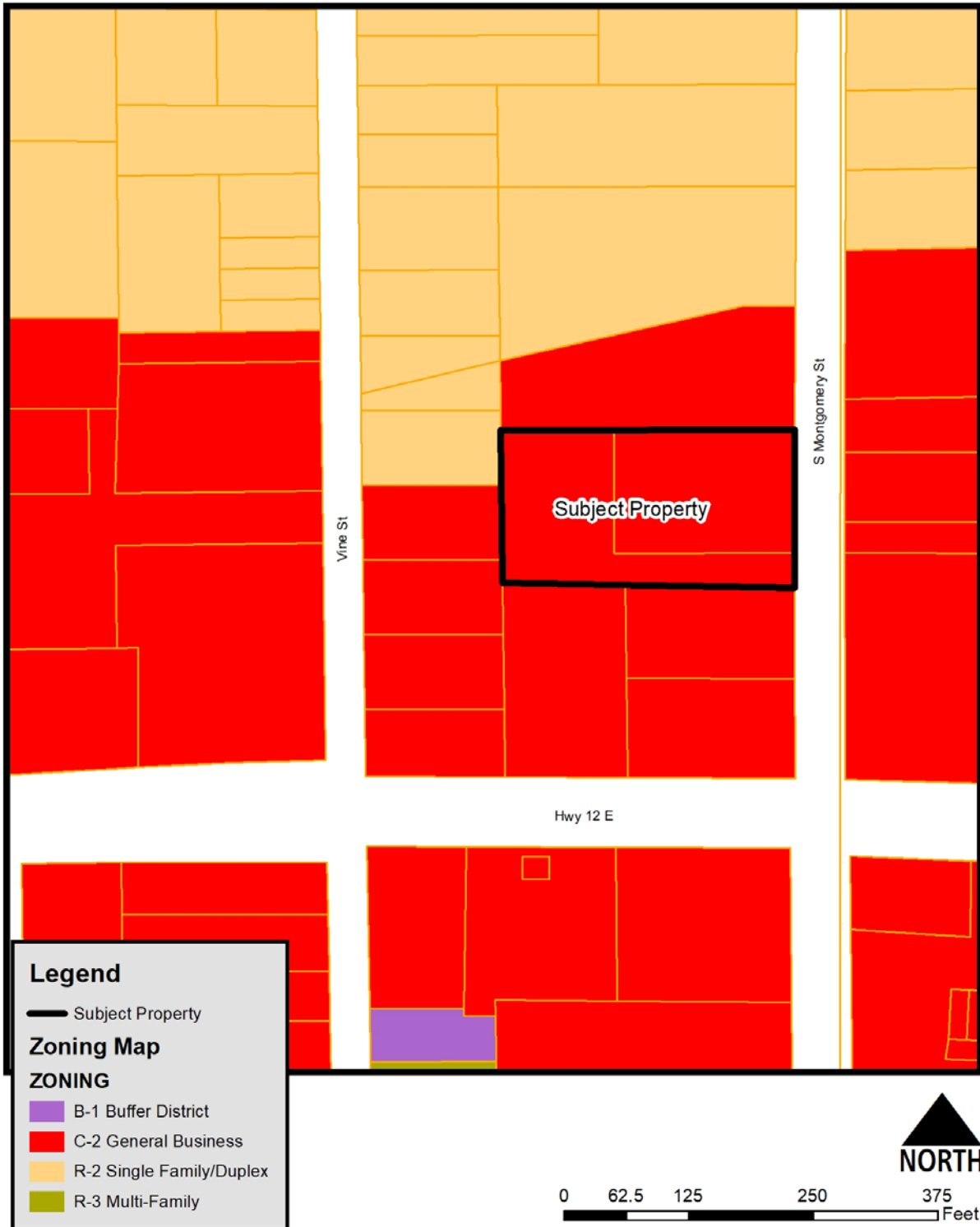


Legend

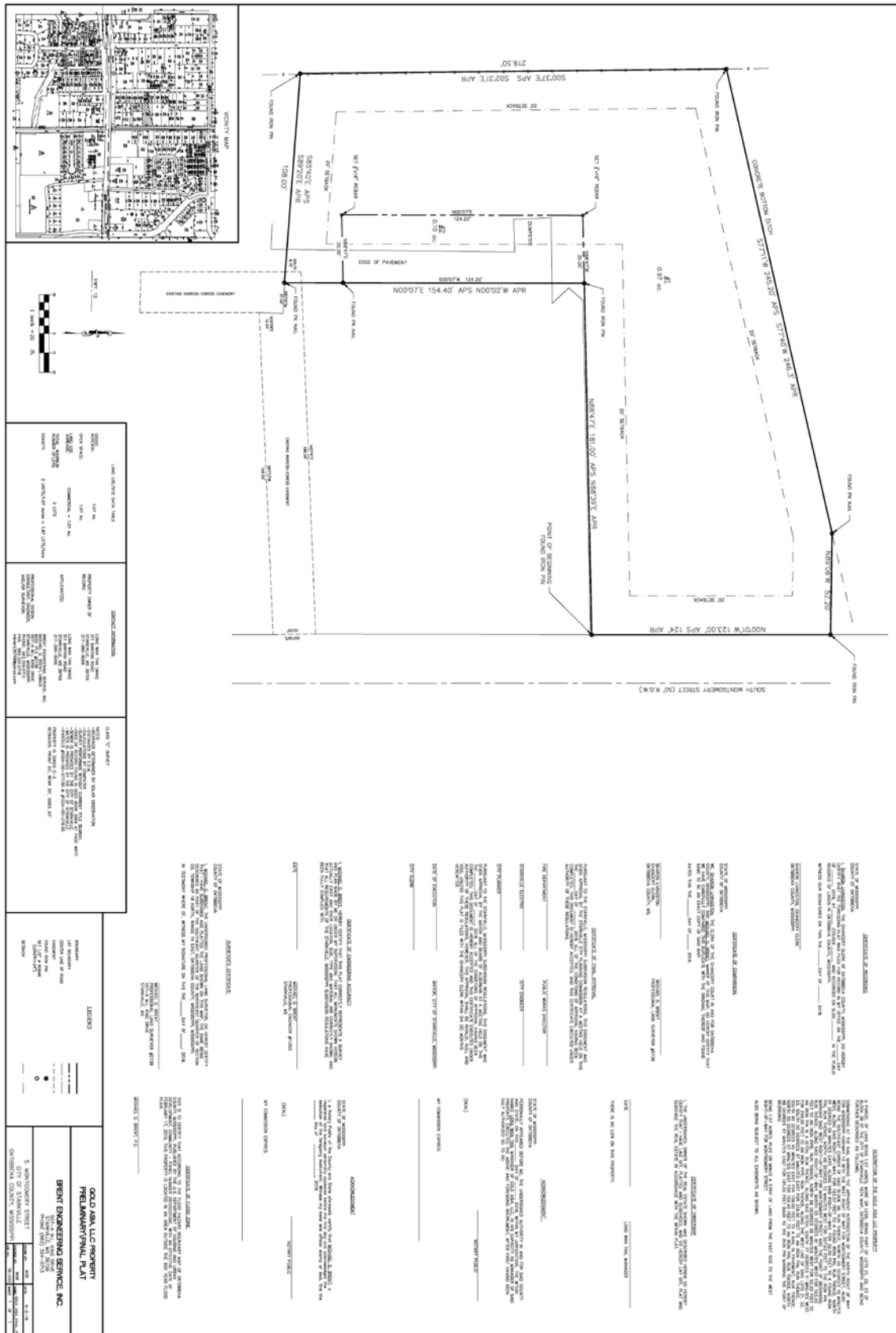
— Subject Property



Attachment 2
PP 18-09 FP 18-09- Zoning



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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:	<u>PP 18-12 FP 18-10</u> Request for Final Plat approval for subdividing and reconfiguring 2 lot at 400 and 402 Greensboro St. in a R-1 zone with the parcel numbers 118O-00-318.00 and 118O-00-319.00.
Date:	September 11, 2018

The purpose of this report is to provide information regarding the request by Anita Reynolds on behalf of Betsy Stark Revocable Trust for Final Plat approval for subdividing and reconfiguring 2 lots at 400 and 402 Greensboro Street. The proposed subdivision is named "402 Greensboro Street". The proposed subdivision is located in an R-1 zone. The owner of Lot 9 (402 Greensboro Street) is proposing to combine the northwest part of their lot with Lot 9a (400 Greensboro Street). The applicant attended a Development Review Committee meeting on August 30, 2018. The Development Review Committee had no issues with the request. Please see attachments 1-3.

Below is information pertaining to R-1 Zone

Sec. C. - R-1 residence zoning district regulations.

These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 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: 10,000 square feet.
 - (b) Minimum lot width at the building line: 75 feet.
 - (c) Minimum depth of front yard: 30 feet.
 - (d) Minimum depth of rear yard: 35 feet.
 - (e) Minimum width of each side yard: Ten feet.
 - (f) Maximum height of structure: 45 feet.
4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.

PLAT PROPOSAL:

General Information

The subdivision has a gross acreage of +/- 1.41 acres with a total of 2 lots.

Easements and Dedications

All easements are provided on the final plat. There are no proposed roadway dedications on the plat. Electrical service is provided by Starkville Utilities. Potable water and sanitary sewer utility services are provided by the City.

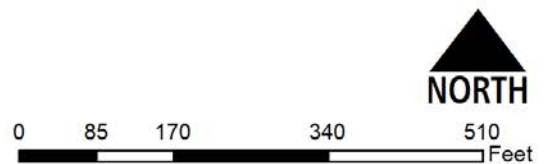
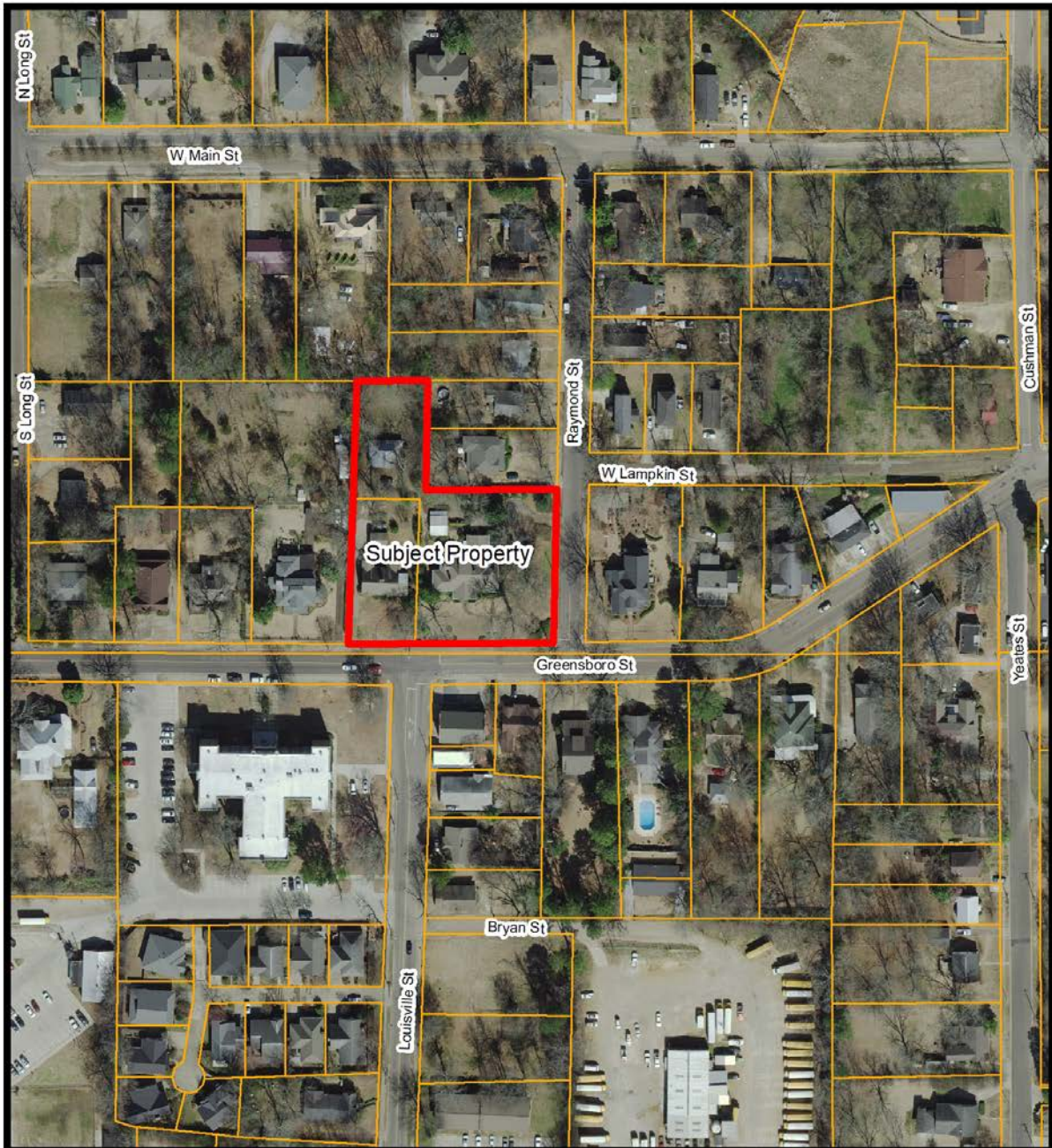
Findings and Comments

The final plat is a Class "C" survey prepared by a professional licensed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and meets the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code Annotated (1972), as amended. This subdivision is not part of any previously platted subdivision. Therefore, there are no adversely effected parties.

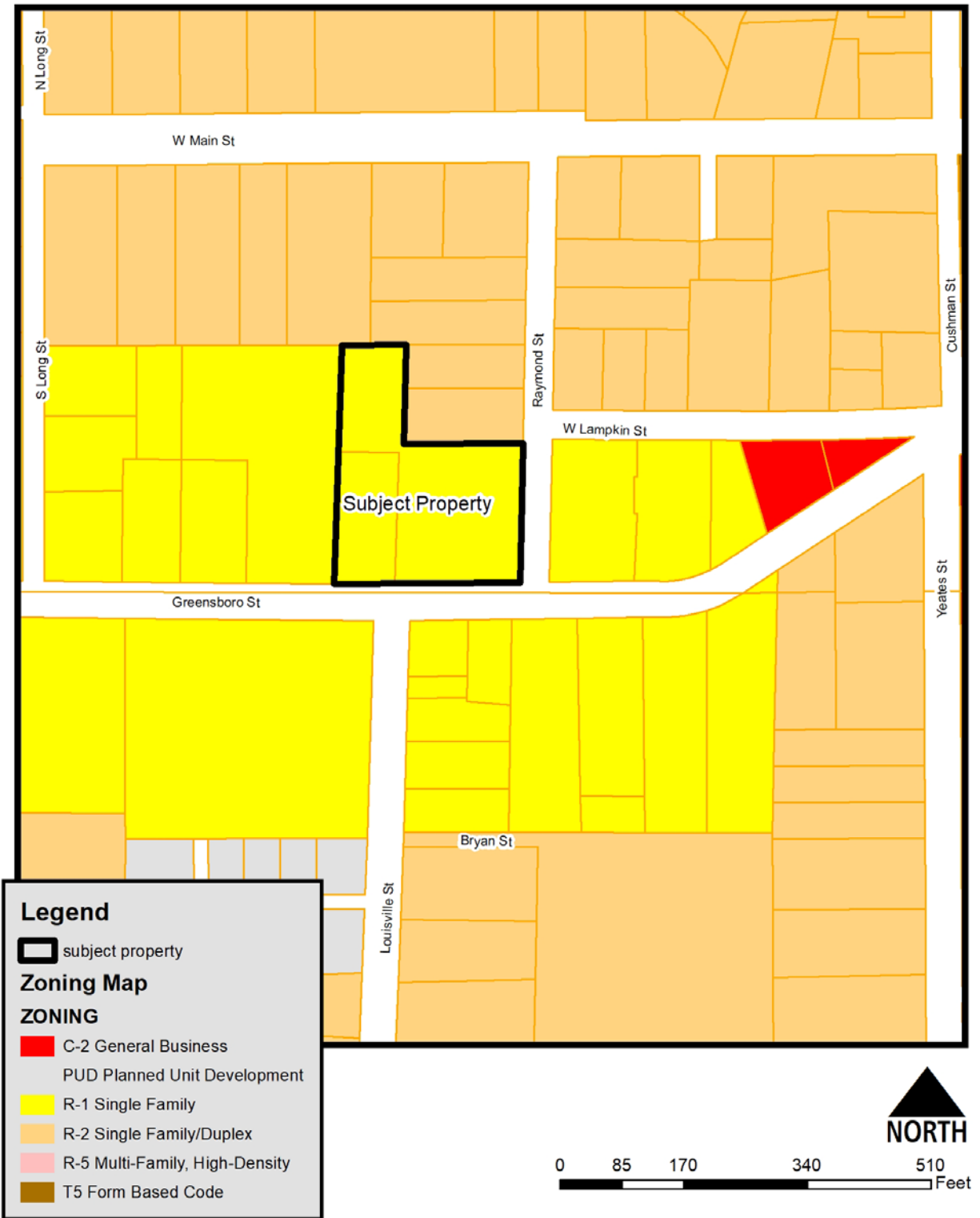
REQUESTED CONDITIONS:

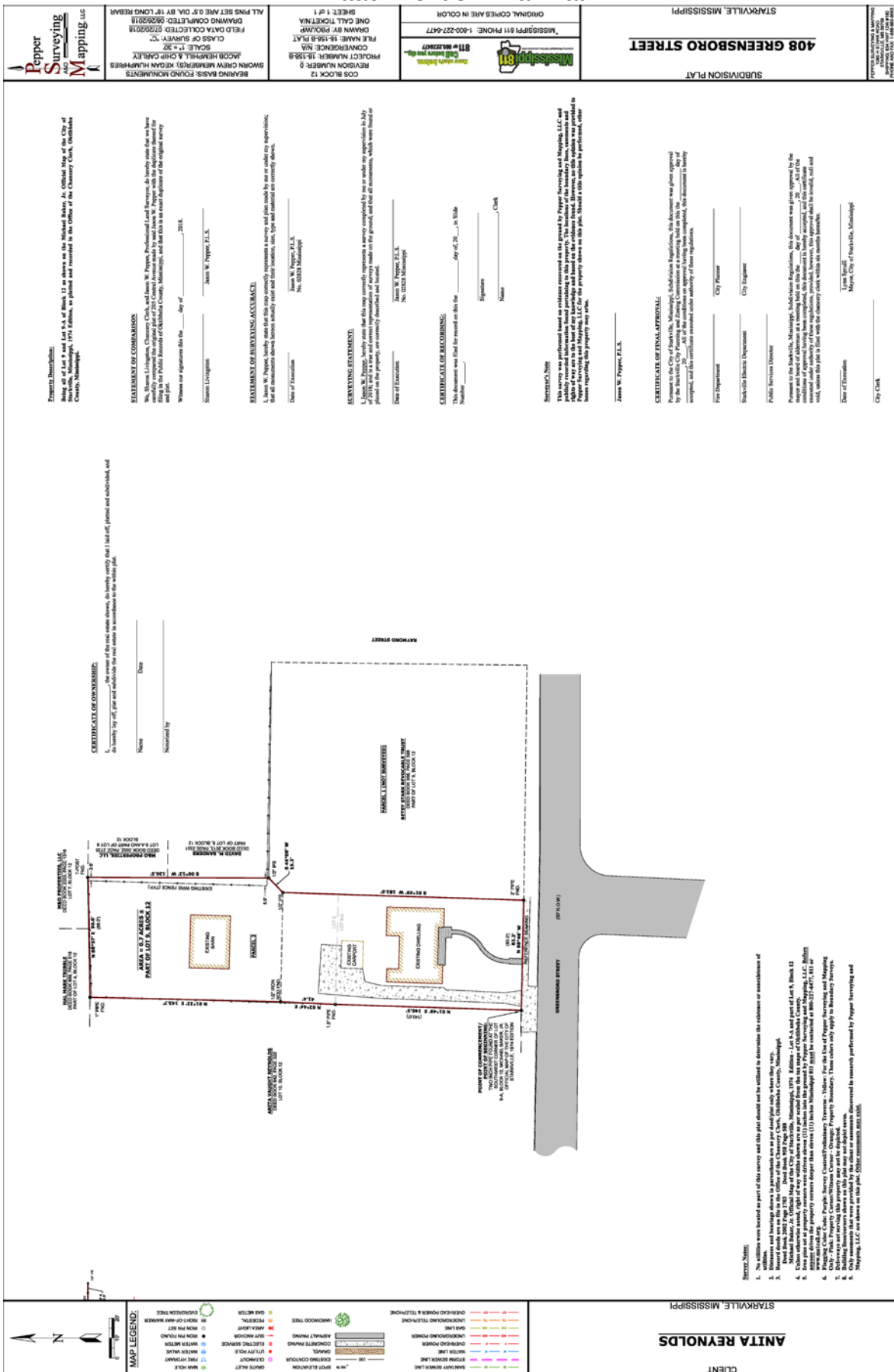
1. The final plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The applicant shall provide one paper copies of the recorded plat to the City, along with a digital copy in "AutoCAD" format in standard state plane coordinates.
3. 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.

Attachment 1
PP 18-12 FP 18-10- Aerial



Attachment 2 PP 18-12 FP 18-10- Zoning





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 18-08 Request to Rezone all of 1 parcel located on the west side of South Montgomery Street +/- 330ft south of the Lynn Lane intersection from R-1/C-2 to R-3A with the parcel numbers 102I-00-005.00 and 102I-00-006.00. As part of this request, a portion of 1 parcel located on south side of Lynn Lane +/- 960ft west of the intersection with South Montgomery Street to be rezoned from C-2 to R-3A with the parcel number 102I-00-002.00.

Date: September 11, 2018

The purpose of this report is to provide information regarding the request by Andy Fornea to rezone several parcels. Parcel 1 is owned by the Valentine W R Estate located on the west side of South Montgomery St. +/- 330ft south of the intersection with Lynn Lane directly south of the Maison De Ville subdivision with the parcel numbers 102I-00-005.00 and 102I-00-006.00. The request is to rezone from C-2 General Business and R-1 Single Family to R-3A Single Family. Parcel 2 is owned by William Labon Richmond V, Sean Crumpton Richmond, and Dallas Carroll Richmond, and is located on the south side of Lynn Lane, +/- 960ft west of the intersection with S. Montgomery St. with the parcel number 102I-00-002.00. The request is to rezone 200' of the eastern most portion of the southern portion of the parcel from C-2 General Business to R-3A Single Family Residential. Please see attachments 1-4.

BACKGROUND INFORMATION:

The applicant is seeking to rezone from C-2 and R-1 to R3-A based on changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

Zoning Change Subject Property				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
Lynn Lane	C-2	C-2	C-2	C-2
S. Montgomery	R-1	R-1	R-1	R-1
S. Montgomery 2	C-2	C-2	C-2	C-2
Zoning Change Adjacent Properties				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
North	R-1/C-2	R-1/C-2	R-1/C-2	R-3/C-2
East	R-1	R-1	R-1	R-1
South	R-1	R-1	R-1	R-1
West	C-2	C-2	C-2	C-2

Zoning and land uses adjacent to the subject property			
Direction	Zoning	Current Use	
North	R-3/C-2	Single family and vacant	
East	R-1	Single family	
South	R-1	Fire station/church	
West	C-2	Vacant	

NOTIFICATION:

63 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 August 21, 2018 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 for information and one phone call against the request. Staff has also received four letters against the request and one letter for the request.

REZONING REQUEST:

The subject properties rezoning request is from C-2 and R-1 to R3-A. Differences between the 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.*

Sec. C. - R-1 residence zoning district regulations.

These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 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: 10,000 square feet.*
 - b. *Minimum lot width at the building line: 75 feet.*
 - c. *Minimum depth of front yard: 30 feet.*
 - d. *Minimum depth of rear yard: 35 feet.*
 - e. *Minimum width of each side yard: Ten feet.*
 - f. *Maximum height of structure: 45 feet.*
4. *Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

Proposed Zoning District:

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

- 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.

Permitted and Conditional Uses:

Current Zoning

R-1

The following uses are permitted by right in the current R-1 zoning district:

1. Dwelling, live/work
2. Dwelling, single family, detached
3. Parks & Recreation, Passive

The following uses are allowed by conditional use in the current R-1 zoning district:

1. Accessory Dwelling unit
2. Bed & Breakfast Inn
3. Community Services
4. Family Child Care
5. Education Facilities
6. Government Facilities
7. Parks & Recreation, Active
8. Places of Worship
9. Public Spaces

C-2

The following uses are permitted by right in the current C-2 zoning district:

1. Accessory dwelling unit
2. Assisted Living Facility
3. Bed & Breakfast Inn
4. Boarding/Rooming House
5. Dormitory
6. Personal Care/Group Home
7. Child Care
8. Government Facilities
9. Institutional and Health Care Facilities
10. Parks & Recreation, Active
11. Parks & Recreation, Passive
12. Public Spaces
13. Transportation
14. Utilities
15. Business Offices
16. Conference/Convention Center
17. Eating & Drinking Establishments
18. Funeral Home
19. General Retail & Services
20. Personal Services
21. Recreation and Entertainment, Indoor
22. Vehicular Sales & Service
23. Visitor Accommodations & Services
24. Trades & Skilled Services
25. Warehousing & Distribution
26. Wholesale Services

The following uses are allowed by conditional use in the current C-2 zoning district:

1. Dwelling, live/work
2. Dwelling, single family, detached
3. Dwelling, multi-family
4. Dwelling, 3 & 4-family
5. Dwelling, 2-family
6. Fraternity/Sorority House
7. Manufactured Home
8. Community Services
9. Education Facilities
10. Places of Worship
11. Wireless Communication Towers
12. Car Title Loan, Payday Advance or Loan Business
13. Parking Lots & Garages
14. Recreation and Entertainment, Outdoor
15. Manufacturing, light
16. Farm Support

Proposed Zoning
R-3A

The following uses are permitted by right in the proposed R-3A zoning district:

1. Dwelling, live/work
2. Dwelling, single family, detached
3. Parks & Recreation, Passive

The following uses are allowed by conditional use in the proposed R-3A zoning district:

1. Accessory Dwelling unit
2. Community Services
3. Education Facilities
4. Government Facilities
5. Parks & Recreation, Active
6. Places of Worship
7. Public Spaces

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:
 - No Error
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.
 - There has been six Rezoning since 2014 within ½ mile of the subject property.
 1. The Cottages at Starkville Station was rezoned from R-5 to R-4A in June of 2014.
 2. The subdivision now known as Bent Brook Ridge was rezoned from R-1 to R-3A in February of 2014.
 3. The former site of a mobile home park directly south of Starkville High School was rezoned from R-6 to R-5 in December of 2014.
 4. Riddle Run development on Lynn Lane was rezoned from R-1 to R-3 in July of 2015.
 5. The property on the west side of Louisville St south of Academy Road was rezoned from R-4A to C-1 in June of 2018.
 6. The former Josey home at 300 Yellow Jacket Dr. was rezoned from R-1 to R-3A in August of 2018.

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- new (attachment 3).

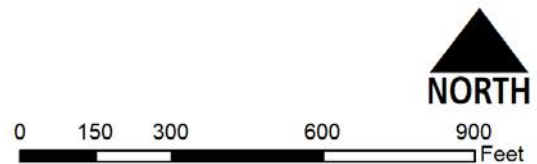
Land Use Compatibility: The proposed rezoning would be consistent and compatible the adjacent land uses in the vicinity. The subdivision immediately to the north, Maison de Ville, is an R-3 development similar to what is being proposed for the subject properties.

Attachment 1
RZ 18-08 Aerial

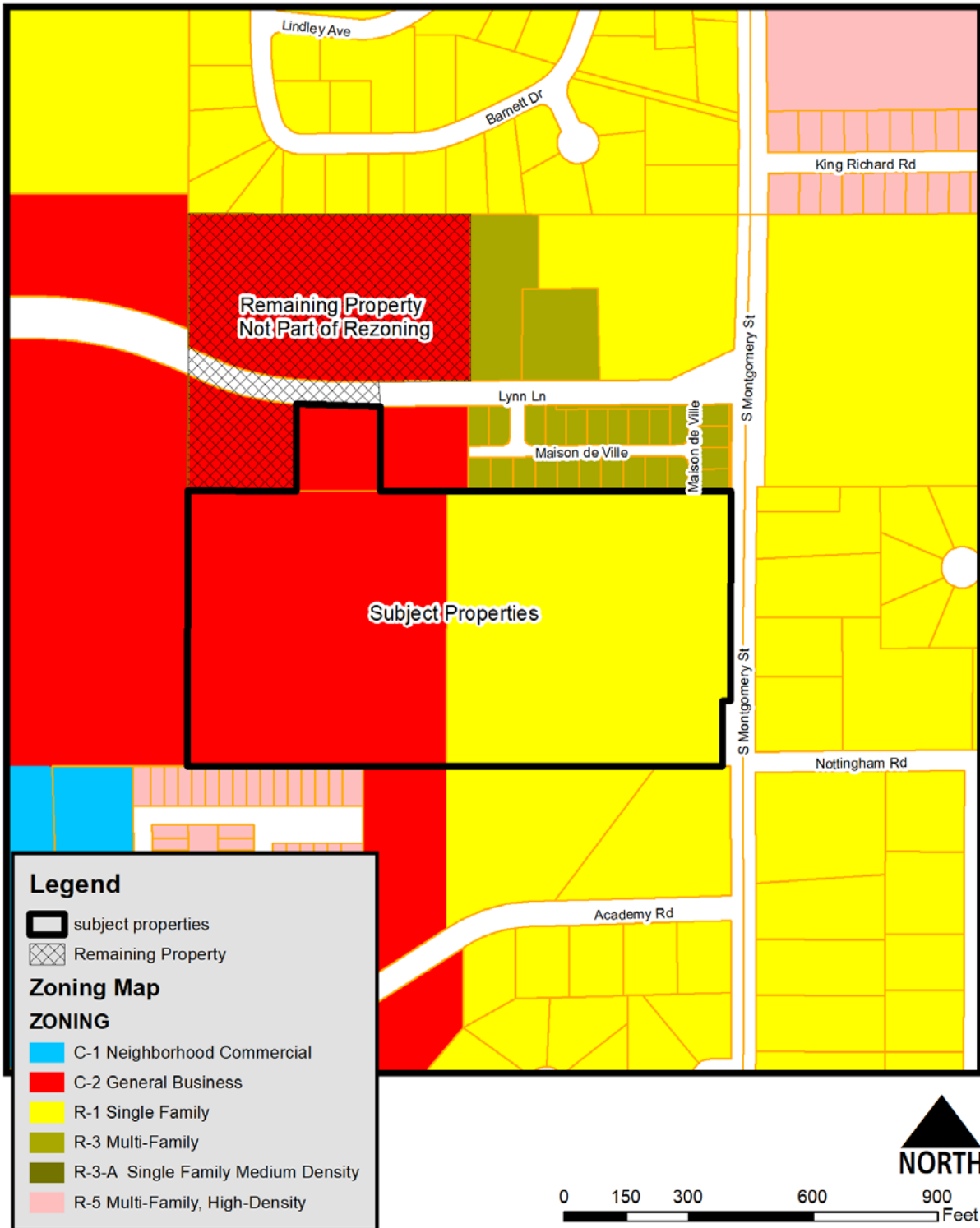


Legend

-  subject properties
-  Remaining Property



Attachment 2
RZ 18-08 Zoning



TRADITIONAL NEIGHBORHOODS: NEW

Avenues and Local



Attachment 4- Letter Against- Nobles

Rezoning/Development of Valentine Property On South Montgomery Street

Owning a house on S. Montgomery St., my family received a letter from City Planner detailing the rezoning request from R1 to R3A of the subject property. Also we received word via the grapevine of an August 28 meeting with Farmer Realty and Fornea Development. This was attended; there were no drawings, notes, or handouts but was very informational. The following was gleaned:

- The plan provides for 79 houses on 19.86 acres, Southern Acadian style, 2000 square feet each (does this include garage?), \$280k – \$320K range
- The main entrance will be on Lynn Lane with traffic signal, plus S. Montgomery will have single lane in and another out, right turn only specified by City
- There will be a buffer zone along S. Montgomery; after session realtor suggested this will be landscaped to provide screening of backyards.
- Developer will not provide wrap-around fence; individual houses restricted to “iron” only.
- Existing pond on southwest corner to be enhanced as green space.
- This will be the developer’s second project; he is winding up Waterstone in Oxford.
- No sale of individual lots to builders or prospective homeowners; to preserve uniformity the developer will provide only finished houses to the marketplace.
- The plat to be presented at Sept. 11 Rezoning meeting will cover the entire project – no progression of phases in which further rezoning might be requested.
- This will be developer’s second project; he is winding up Waterstone in Oxford - which I subsequently visited. The website describes it as “infill” within the much larger Grand Oaks; there are 35 very small lots.

Concerns

Lot size – 19.86 acres (45,360 sq ft per acre) minus 3 acres assumed for streets/buffer/greenspace and divided by 79 yields an average lot size of 0.215 acre (9680 sq ft), thus the rezoning from R1 (10,000 sq ft minimum) to R3A (5000 sq ft). If the streets etc should require 5 acres, the average lot reduces to 8600 sq ft. I believe such small lots are applicable to the small reclaimed parcels along Yellowjacket Drive, or “niche” developments like Maison deVille and the new spaciouly arranged duplex development on Lynn Lane. These small projects don’t hurt the value of adjacent neighborhoods with traditionally-sized lots, but I think a large project of 79 squeezed-together houses could certainly damage the value of neighboring Sherwood Forest (where we also own a house) and Maison de Ville etc.. There is already a development with minimal lots and small houses underway on Academy Road; that is enough (too much) for this area. It is certainly possible to have a successful development with larger lots/houses, i.e., Adelaide, or a smaller version of Country Club estates.

Pricing/Quality – The Waterstone houses (termed as condos) are very attractive, other than the dominant front feature being the garage/driveway, and several are listed on Zillow at prices from \$379k to \$465k, around 2650-2800 sq ft. Subtract \$100k or more as per the Starkville proposal, and appearance certainly must suffer, due to decreased size, possibly quality, and the garage becoming a larger visual portion of the house package (smaller square footage). Waterstone seems to be a destination neighborhood (almost filled up); the Starkville project with its smaller houses maybe not so much and therefore not an asset to the area.

Traffic on South Montgomery - Already very heavy at peak times; 79 more families will obviously result in more delay and safety concerns. At least, limit the access to South Montgomery by having only the entrance/exit on Lynn Lane, with signalization.

Recommendation

Utilize R1 or larger lots, with larger houses, so as to achieve Waterstone success, while enhancing the value of the area. Provide solid fencing, not just metal spindles, so as to provide positive screening from S. Montgomery.

By Ralph Nobles (rnobles46@gmail.com, 662-617-2434)

Attachment 5- Letter Against- Bennett

9/7/2018

City Of Starkville Mail - Sherwood Forrest



Daniel Havelin <d.havelin@cityofstarkville.org>

Sherwood Forrest

Jody Bennett <buzbennett@yahoo.com>

Thu, Sep 6, 2018 at 8:17 PM

Reply-To: Jody Bennett <buzbennett@yahoo.com>

To: "d.havelin@cityofstarkville.org" <d.havelin@cityofstarkville.org>, "e.corban@cityofstarkville.org" <e.corban@cityofstarkville.org>

My name is Jody Bennett, and I live on Robinhood Rd in Sherwood Forrest. It is my understanding that the land across from our entrance on South Montgomery is up for rezoning, and that there are 3 criteria that influence the decision to rezone: change in neighborhood, market need, and error in the current zoning map. After discussing this with several others, it does not appear that any of these have been met. There are 5 new developments along South Montgomery within a half mile of our neighborhood, and all of them have vacancies. There are new developments going in further south near the golf course. To me, it would be irresponsible of the city to allow yet another development, especially the potential size of what's being planned to go in across from us, in an already saturated area. Nothing has been done to address the current congestion on South Montgomery. All 3 schools are located off of Lynn Lane, and adding another cramped, zero lot line neighborhood would further congest it, leading to more delays getting our children to school.

I urge you to deny the request from the developer and get more specific plans from any future development requests so that we know exactly the size and number of houses/condos/town homes someone that doesn't live here and drive on our streets wants to saturate us with so they can make a fast dollar.

I plan to attend the meeting next week along with many other residents in our neighborhood.

Concerned,

Jody Bennett

Attachment 6- Letter Against Morse

9/7/2018

City Of Starkville Mail - concern over development on South MontgomeryLynn Lane



Emily Corban <e.corban@cityofstarkville.org>

concern over development on South MontgomeryLynn Lane

1 message

Morse, Linda [REDACTED]
To: "e.corban@cityofstarkville.org" <e.corban@cityofstarkville.org>

Fri, Sep 7, 2018 at 11:44 AM

Dear Ms. Corban,

I have tried several times to reach you by phone, so I am now sending this email.

I have great concern over the development being considered on South Montgomery/Lynn Lane.

I am opposed to having too many small houses on limited land space. As a Sherwood Forest resident, I see this as a disturbing development. I do not understand how 79 houses can be placed on slightly less than 20 acres. I also do not understand how the traffic will flow without causing issues.

I will be unable to attend the meeting on Sept. 11, but please consider this as my concern and negative feelings regarding this potential development under the current conditions.

Thank you,

Linda Morse

1205 Nottingham Road

Starkville, MS 39759

<https://mail.google.com/mail/u/1/?ik=cf26b12118&view=pt&search=all&permthid=thread-f%3A1610967861869032268&simpl=msg-f%3A1610967861869032268>

1/2

Attachment 7- Letter Against Obringer

9/7/2018

City Of Starkville Mail - Rezoning on South Montgomery



Emily Corban <e.corban@cityofstarkville.org>

Rezoning on South Montgomery

2 messages

Marsha Obringer <marsha_obringer@hotmail.com>
To: "e.corban@cityofstarkville.org" <e.corban@cityofstarkville.org>

Fri, Sep 7, 2018 at 1:33 PM

Ms. Corban,

As thirty year residents on Nottingham Road in Sherwood Forest, we are quite concerned about rezoning for the proposed housing development across South Montgomery. Another high density area seems undesirable on many levels. First of all, Sherwood residents are concerned about a decrease in property values if adjacent areas are no longer R1. Also, we feel that an already overloaded traffic situation will be seriously impacted by an additional couple hundred cars. School dismissal hours and commutes to and from work are already very congested. Finally, it seems that a huge neighborhood of patio homes would overcrowd a market which already has numerous homes of this type. We have Academy Place, Carpenter Place, Sherwood Commons, Bent Ridge, new developments on Academy Rd., Yellow Jacket Dr., Lynn Lane, etc. All of these areas appear to have numerous houses for sale. We just don't feel that rezoning is a wise decision.

Thank you for your consideration.
John and Marsha Obringer
1206 Nottingham Road
Get [Outlook for iOS](#)

Emily Corban <e.corban@cityofstarkville.org>
To: Daniel Havelin <d.havelin@cityofstarkville.org>

Fri, Sep 7, 2018 at 1:48 PM

[Quoted text hidden]

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Emily Corban, AICP

110 West Main Street | Starkville | MS 39759-2823

Ph: [662.323.2525](tel:662.323.2525) ext: 3138

www.cityofstarkville.org

<https://mail.google.com/mail/u/1/?ik=cf26b12118&view=pt&search=all&permthid=thread-f%3A1610974707828113089&siml=msg-f%3A1610974707828113089&siml=msg-a%3A2869929387715829755> 1/1

Attachment 8- Letter For Josey

9/6/2018

City Of Starkville Mail - Rezoning application... Valentine property



Daniel Havelin <d.havelin@cityofstarkville.org>

Rezoning application... Valentine property

1 message

David Josey <davidhJosey@gmail.com>

Thu, Sep 6, 2018 at 2:57 PM

To: "<wmbrooks@wmbrooks.com>" <wmbrooks@wmbrooks.com>

Cc: Daniel Havelin <d.havelin@cityofstarkville.org>

Re: Application for rezoning of "Valentine" property (South Montgomery)

Dear Planning & Zoning Commission,

Having property adjacent to the "Valentine" property, we have taken a lot of interest in its recent purchase and prospective development.

I recently met with the new owner Andy Fornea and his team in Oxford. We toured several of his projects including "The Mill" and "Waterstone" a high-end single family project developed at The Country Club at Oxford. I not only was impressed by the quality and detail of these projects but also with the new owner/developer. Mr. Fornea's interest in bringing further quality to South Montgomery is genuine and matched by his ability and experience.

We support the developer's rezoning initiative and prospective project.

Sincerely,

David Josey
4J Properties
901-240-3742

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 18-05 Request for an exception from fenestration requirements for The Vista project on University Drive directly north of the Page Avenue intersection in a T-5 District with the parcel numbers 101D-00-003.00 and 101D-00-001.00
Date: September 11, 2018

The purpose of this report is to provide information regarding the request by The Vista-Starkville LLC for an exception from the fenestration requirements for The Vista project on University Drive directly north of the Page Avenue intersection in a T-5 District with the parcel numbers 101D-00-003.00 and 101D-00-001.00. Please see attachments 1- 4

BACKGROUND INFORMATION:

The applicant is seeking an exception to allow for a reduction in the amount of fenestration required on the first floor of a mixed-use building. The first floor of any building with a commercial use in a T-5 District is required to be a minimum of 70% fenestrated. The applicant is requesting a reduction in the amount of fenestration required to “allow building design to blend in with adjacent buildings in the cotton district”. The applicant is requesting that only 40% of the first floor be fenestrated (attachment 3). Attachment 4 shows the building elevation with the required 70% fenestration.

NOTIFICATION:

41 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 August 9, 2018 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 requesting information.

CODE SECTION REQUESTING EXCEPTION FROM:

APPENDIX A, SEC. T. – TRANSECT DISTRICTS, § 2 – GENERAL TO ALL TRANSECT DISTRICTS

2.4 BUILDING FORM

- (a) *Permitted building heights, measured in number of Stories, are specified on Table 3.*
- (b) *Height limits do not apply to Attics or raised basements, masts, belfries, clock towers, chimney flutes, water tanks, or elevator bulkheads.*

€ *Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial Use, which shall be a minimum of 11 feet with a maximum of 25 feet.*

- (d) Attics shall not exceed 14 feet in height.
- € The footprint of any Outbuilding shall not exceed 576 square feet.
- (f) The habitable living area of an Accessory Unit within an Outbuilding shall not exceed 576 square feet.
- (g) Permitted Encroachments into the Setbacks of any Lot or into the Public Frontage of any Thoroughfare are specified on Table 3.
- (h) All Facades shall be Fenestrated with clear glass no less than 30% of the first Story.
- (i) Building with a first floor Commercial Use shall be Fenestrated with clear glass no less than 70% of the first Story.
- (j) Openings above the first Story shall not exceed 50% of the total building wall area, with each Facade being calculated independently.
- (k) Fenestration percentages shall be calculated as the total combined area of window glazing (lights or panes within each window's casing) divided by the total area of the facade for the target Story of a building.
- (l) All openings, including porches, Galleries, Arcades and windows shall be square or vertical in proportion, excluding windows required for Commercial Uses by Sec. T – 2.4(i).

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.*
- € *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.*
- € *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.*
- € *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.*
- € *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:

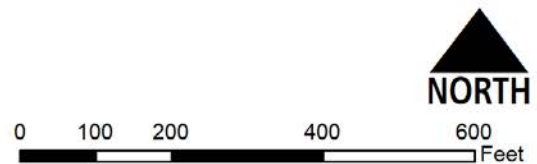
The proposed exception would generally be consistent with the goals, objectives, and policies of the City of Starkville's Comprehensive Plan. The 2016 Comprehensive Plan lists the property's placetype as Urban Corridor.

Attachment 1
EX 18-05 Aerial

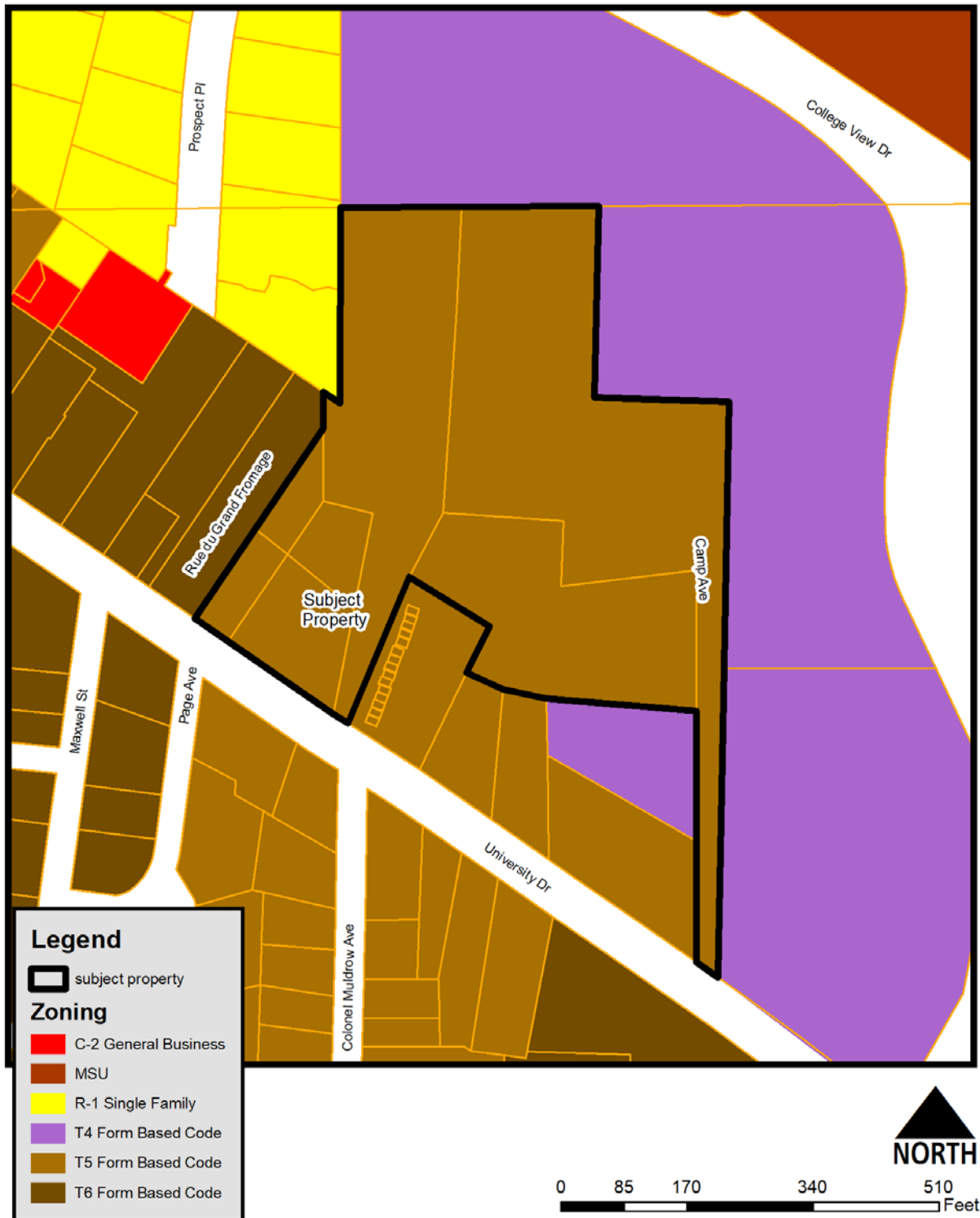


Legend

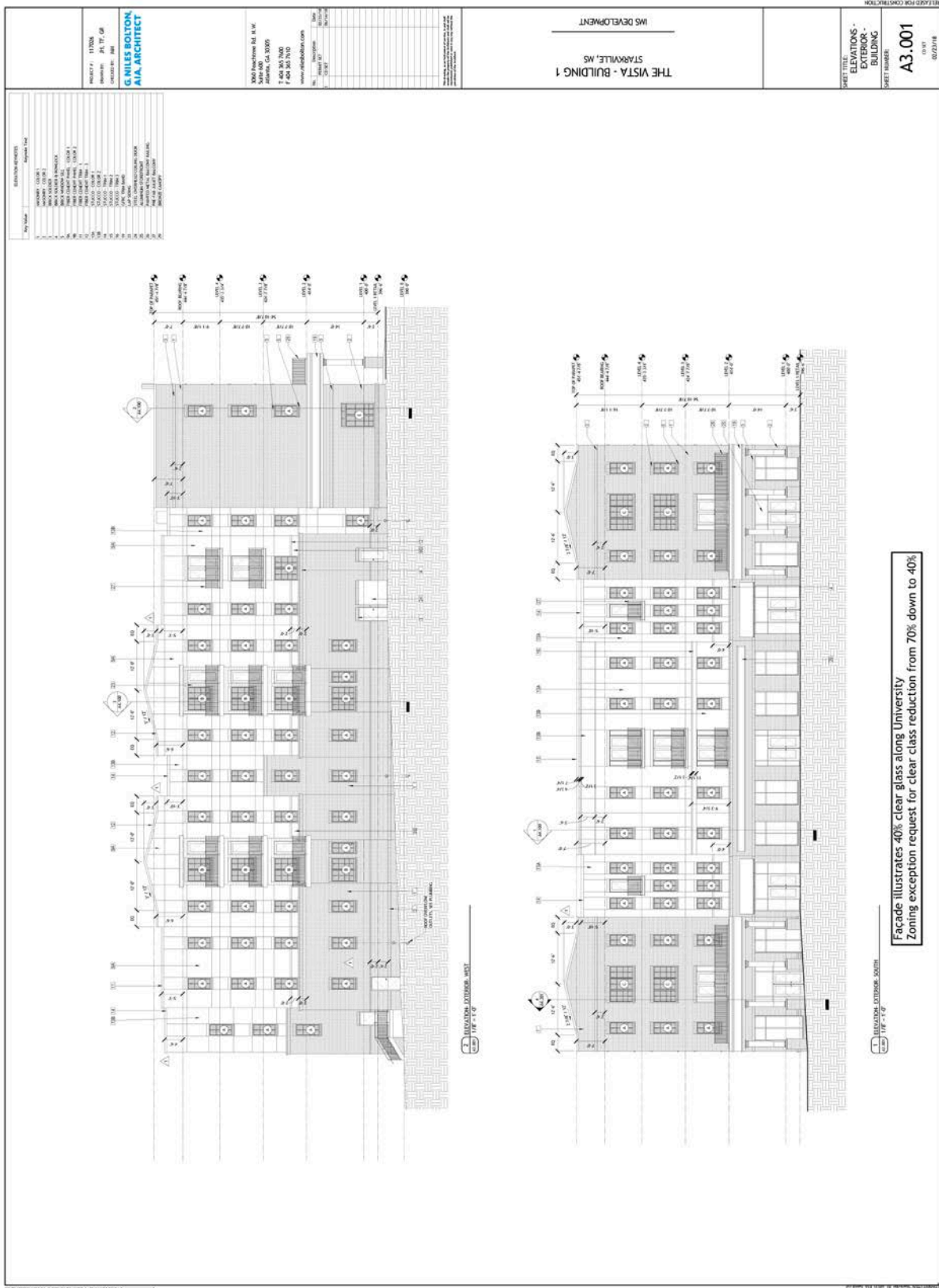
-  subject property
-  Parcels 2017



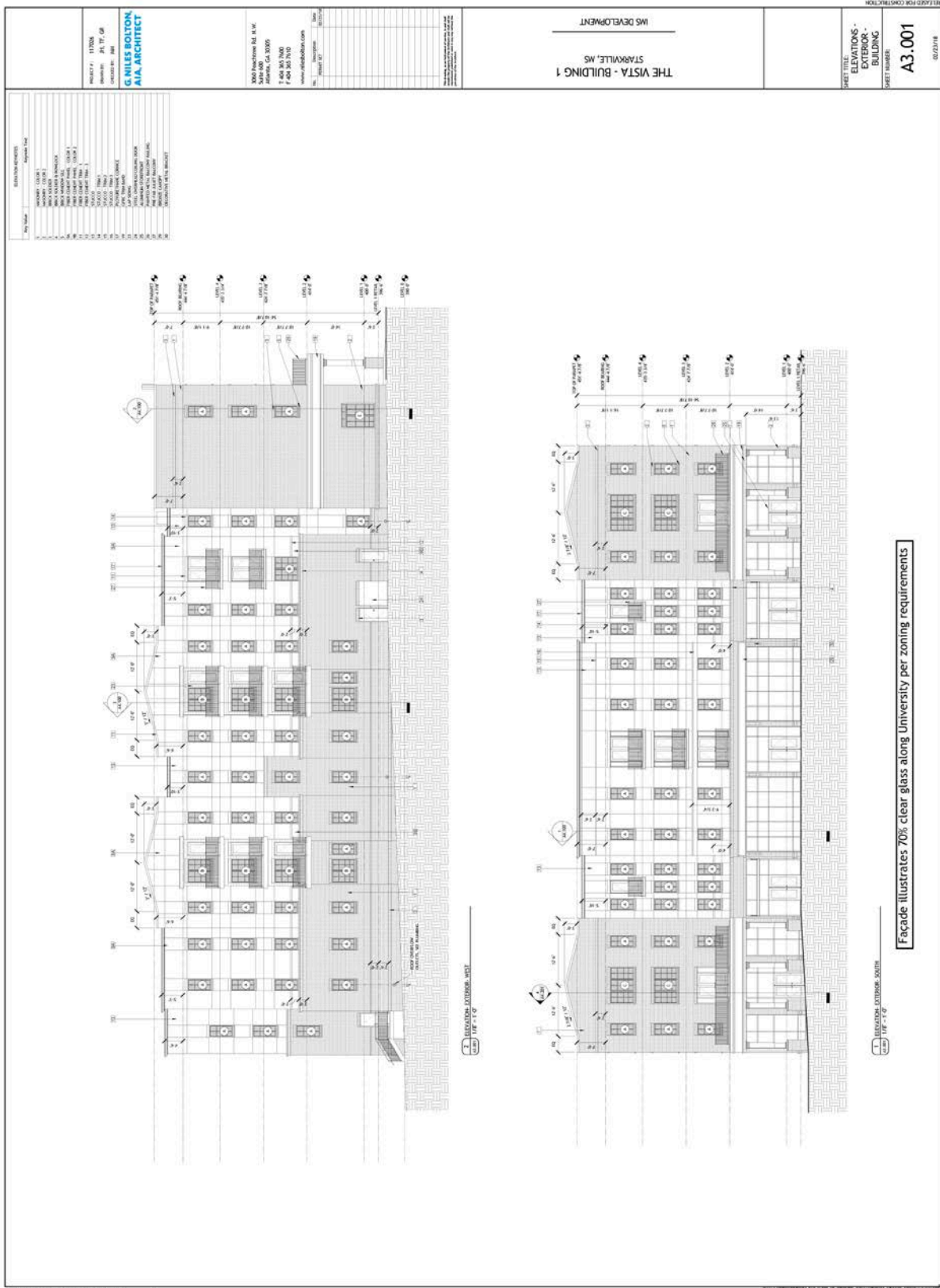
Attachment 2
EX 18-05 Zoning



Attachment 3- Building Elevation with 40% Fenestration



Attachment 4- Building Elevation with 70% Fenestration



THE PLAN

PLACE TYPES: URBAN AREAS

URBAN CORRIDORS

Urban Corridors

Locations

Hwy. 182 adjacent to Downtown, University Dr., and Russell St.

Spatial Form

Linear following associated streets

Land Uses

Mixed use, including high-density residential

Density / Intensity

High density / intensity

Development Form

Buildings fronting streets, parking behind or below buildings, a connected street network with on-street parking, public spaces of various types (as applied to 182/MLK, it should be less urban due to the existing patterns)

Street Types

Avenues

STARKVILLE COMPREHENSIVE PLAN: 2016

Page 62

Page 57 of 117

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: PP 18-13 Request for Preliminary Plat approval for subdividing a 3.9 acre parcel into 28 lots located at the southeast corner of the intersection of Bent Brook Lane and Yellow Jacket Drive in an R-3a zone with the parcel number 102H-00-043.00.
Date: September 11, 2018

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of Magnolias at Bent Brook LLC for Preliminary Plat approval for subdividing a 3.9 acre parcel into 28 lots. The proposed subdivision is named "Magnolias at Bent Brook". The proposed subdivision is located in an R-3a zoning district. The proposed subdivision is located at the southeast corner of the intersection of Bent Brook Lane and Yellow Jacket Drive. On August 7, 2018 the Board of Aldermen rezoned the property from R-1 to R-3A. Please see attachments 1-5.

Below is information pertaining to R-3A Zoning District

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

- 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.

PLAT PROPOSAL:

General Information

The subdivision has a gross acreage of +/- 3.9 acres with a total of 28 lots. The proposed development has a gross density of 7.18 units per acre. The applicant will submit infrastructure plans to the Development Review Committee upon approval of Preliminary Plat. A copy of the proposed covenants that include sections for common area and storm water facilities maintenance, as well as the City's standard hold-harmless indemnification clause required by the City Attorney shall be submitted prior to application for Final Plat.

Easements and Dedications

All easements are provided on the Preliminary Plat with the exception of a required 10' utility easement along the right of way. This easement will be required to be shown on the Final Plat. All proposed roadway dedications are shown on the plat. The applicant shall contact the County for review and approval of the proposed road name. The Applicant shall meet the requirements of the electrical service provider, Starkville Utilities. The Applicant shall meet the requirements of the potable water and sanitary sewer utility services provider, Starkville Utilities.

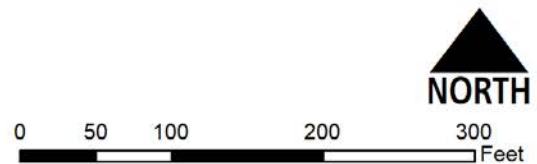
Findings and Comments

The preliminary plat is a Class "C" survey prepared by a professional licensed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and meets the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code Annotated (1972), as amended. The applicant shall provide documentation that the subject area is not part of a previously plat subdivision. If it is a part of a previously platted subdivision, the applicant shall provide names of the persons to be adversely affected thereby or directly interested therein and provided written proof from each party agreeing to the alteration.

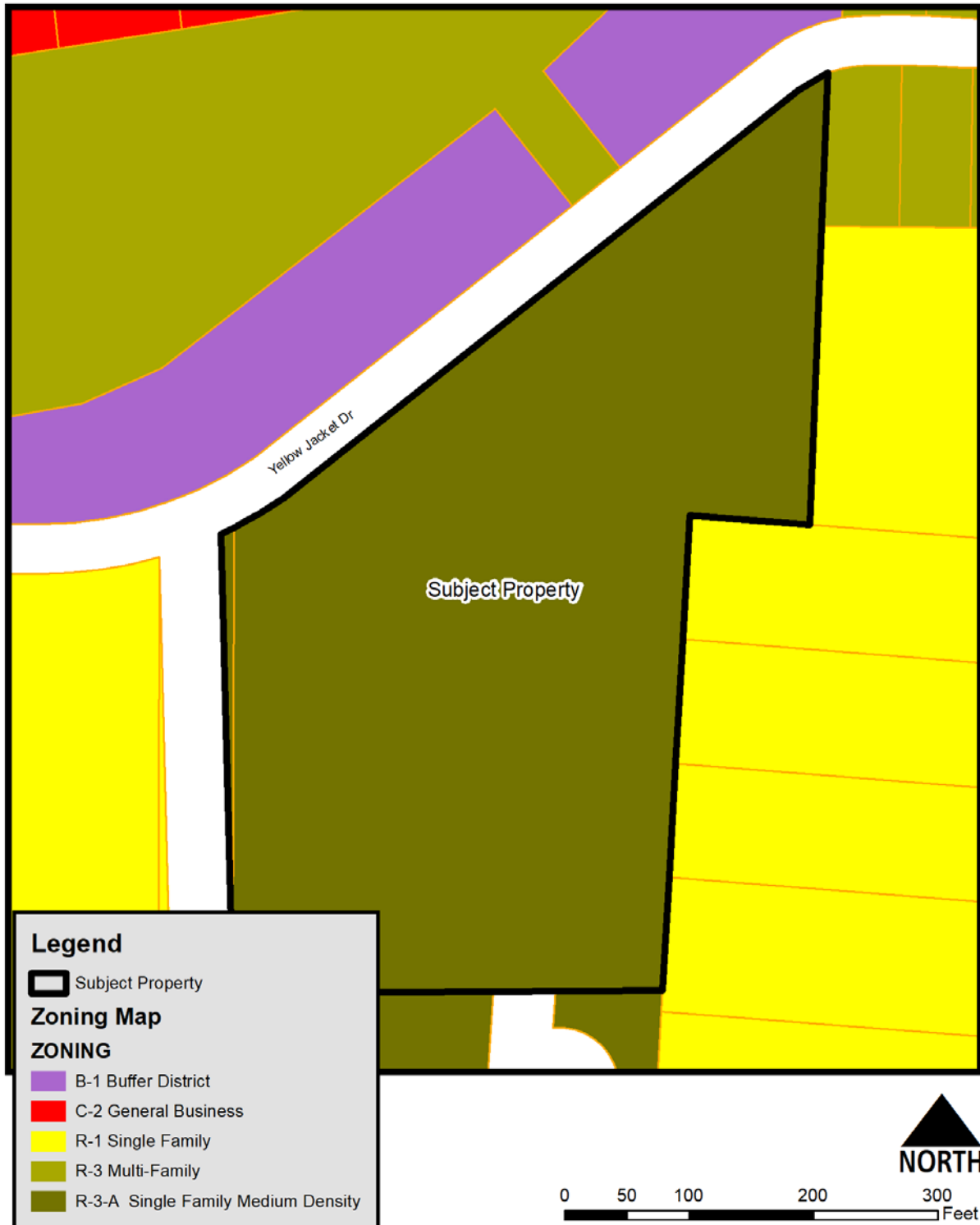
REQUESTED CONDITIONS:

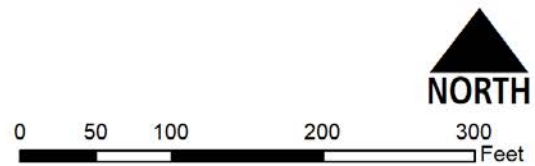
1. The preliminary plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The preliminary plat shall meet the minimum requirements for R-3A zone dimensions.
3. Approval of the preliminary plat shall be tentative, 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.

Attachment 1
PP 18-13 Aerial



Attachment 2
PP 18-13 Zoning



[illegible]



[illegible]

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: PP 18-11 Request for Preliminary Plat approval for subdividing +/-11.04 acres parcel into 51 lots located on the north side of Garrard Road +/- 660' west of Old West Point Road in a R-3A zoning district with the parcel number 117C-00-036.01
Date: September 11, 2018

The purpose of this report is to provide information regarding the request by Crosstown Builders for Preliminary Plat approval for subdividing a +/-11.04 parcel into 51 lots. The proposed subdivision is named "The Cottages of Starkville". The proposed subdivision is located in an R-3A zoning district. The proposed subdivision is located on the north side of Garrard Road +/- 660' west of Old West Point Road. On March 15, 2018 the Board of Aldermen rezoned the property to R-3A from R-1. There were three conditions placed on the rezoning. Condition 1: No individual driveway curb cuts allowed on Garrard Road. Condition 2: Landscape Buffer, with dimensions stated in the City Ordinance, will be required along the northern property line. Condition 3: Six foot solid fence along northern property line adjacent to Southern Crossway property (Parcel #117-26-001.02). Please see attachments 1-5.

Below is information pertaining to R-3A Zoning District

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

- 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.

PLAT PROPOSAL:

General Information

The subdivision has a gross acreage of +/- 11.04 acres with a total of 51 lots. The proposed development has a gross density of 4.62 units per acre. The applicant shall submit infrastructure plans to the Development Review Committee upon approval of Preliminary Plat. A copy of the proposed covenants and that include sections for common area and storm water facilities maintenance, as well as the City's standard hold-harmless indemnification clause required by the City Attorney shall be submitted prior to application for Final Plat.

Easements and Dedications

All easements are provided on the Preliminary Plat. All proposed roadway dedications are shown on the plat. The applicant shall contact The County for review and approval of the proposed road name. The Applicant shall meet the requirements of the electrical service provider, Starkville Utilities. The Applicant shall meet the requirements of the potable water and sanitary sewer utility services provider, Starkville Utilities.

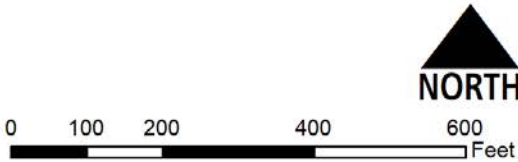
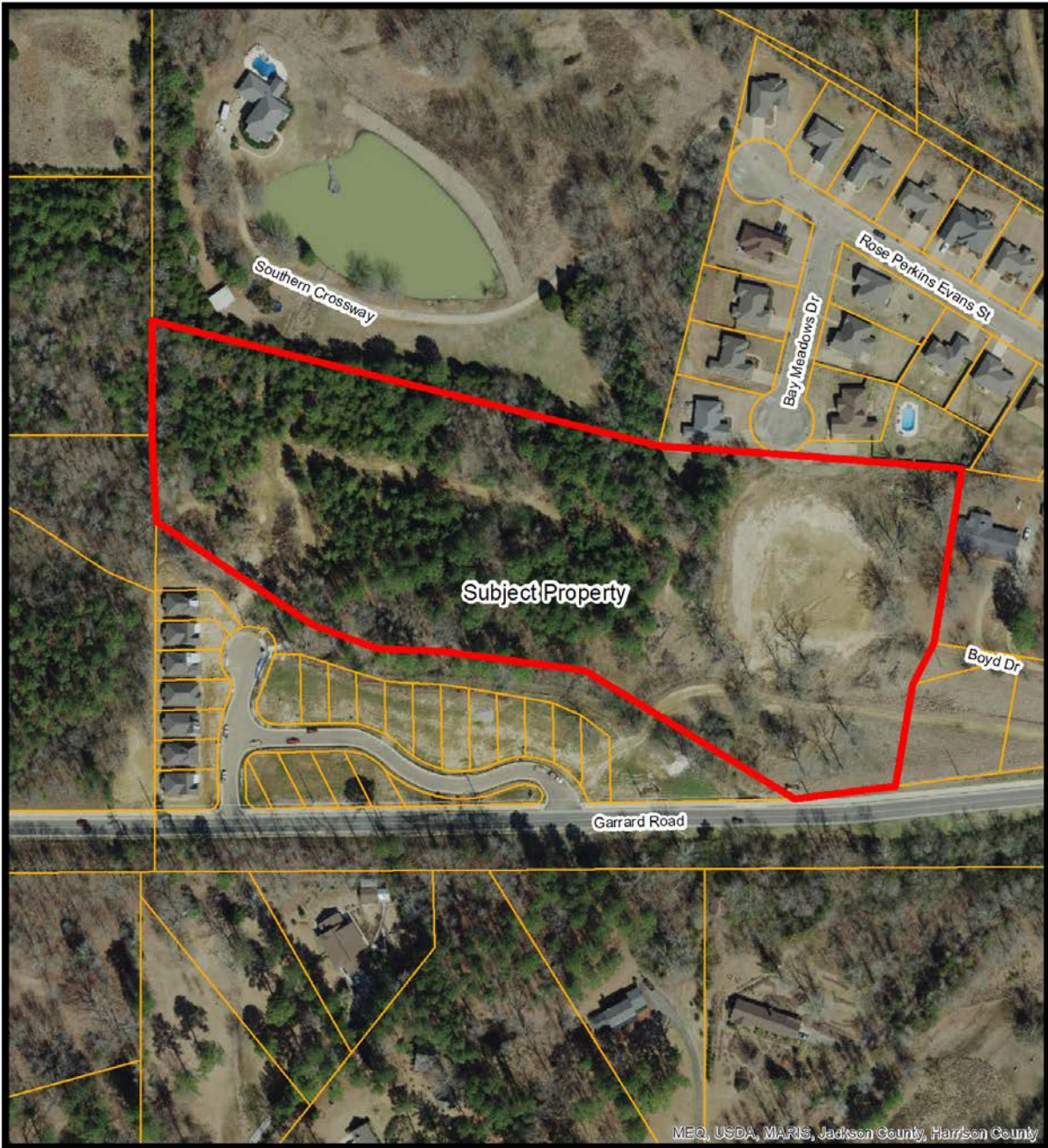
Findings and Comments

The preliminary plat is a Class "C" survey prepared by a professional licensed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and meets the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code Annotated (1972), as amended. The applicant shall provide documentation that the subject area is not part of a previously plat subdivision. If it is a part of a previously platted subdivision, the applicant shall provide names of the persons to be adversely affected thereby or directly interested therein and provided written proof from each party agreeing to the alteration.

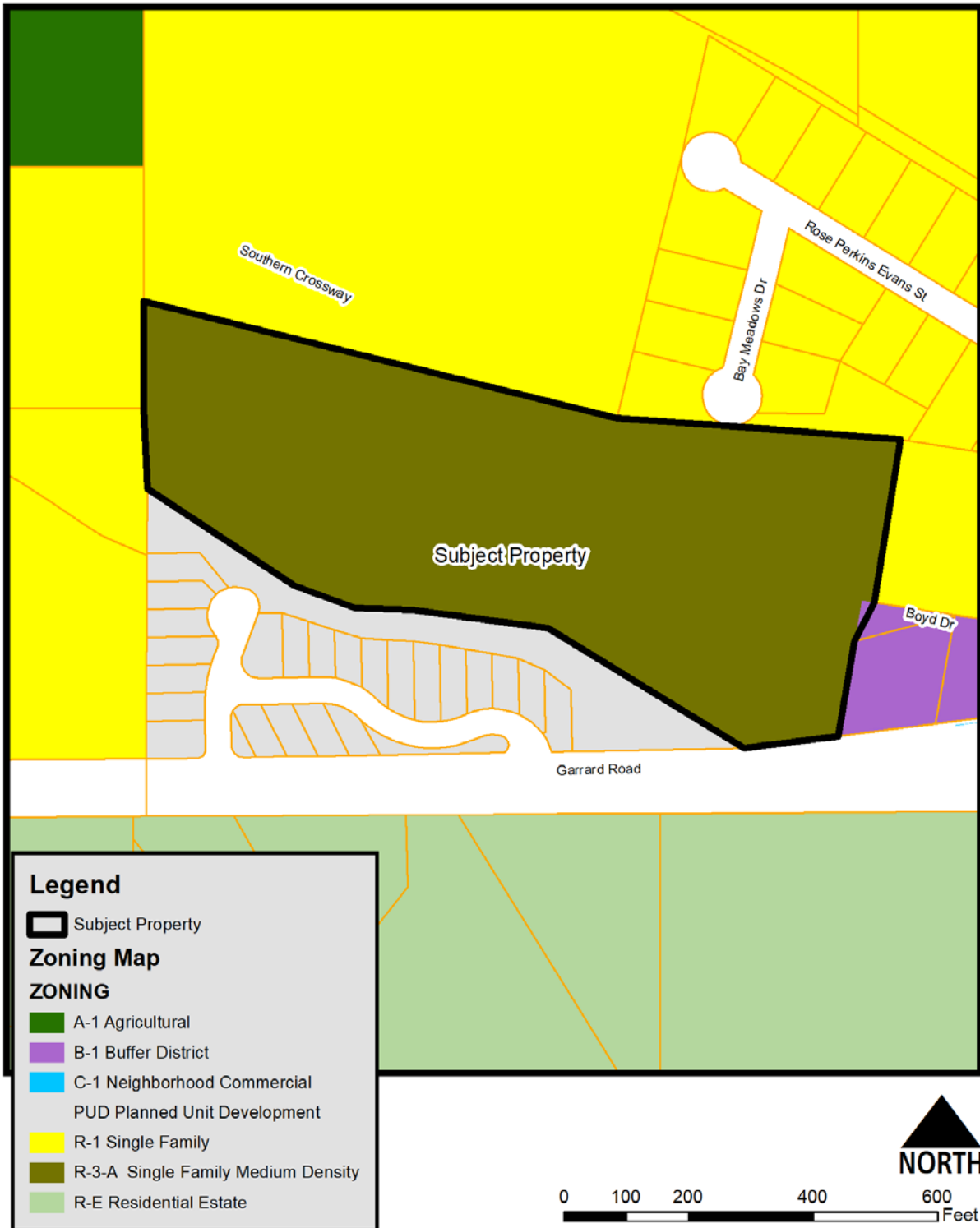
REQUESTED CONDITIONS:

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-3A zoning district 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.

Attachment 1
PP 18-11 Aerial



Attachment 2
PP 18-11 Zoning

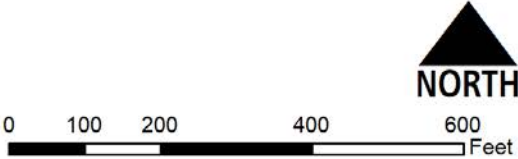


Attachment 3
PP 18-11 Aerial with Overlay

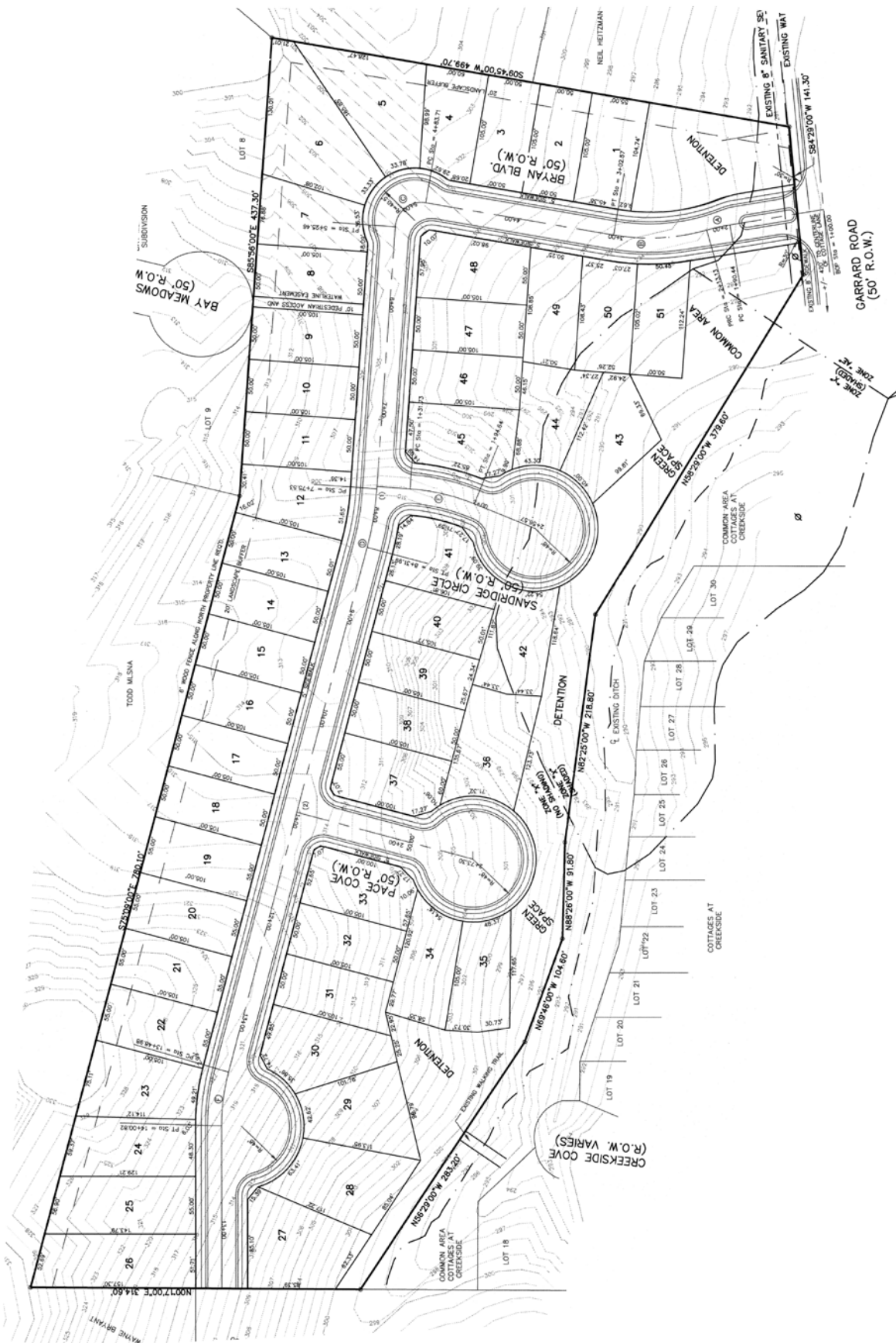


Legend

 Subject Property



Attachment 5- Enlarged Preliminary Plat



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 18-06 Request to Rezone 2 lots located at 901 and 903 Louisville Street from C-1 to R-5 with the parcel numbers # 102G-00-156.01 and 102G-00-166.
Date: September 11, 2018

The purpose of this report is to provide information regarding the request by Clay Weeks and Sandy Reese to rezone 901 and 903 Louisville Street from C-1 to R-5. The property is located on the east side of Louisville Street at the intersection of Linden Circle with the parcel # 102G-00-156.01 and 102G-00-166. Please see attachments 1- 2.

BACKGROUND INFORMATION:

The applicant is seeking to rezone from C-1 to R-5 based on changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

Zoning Change Subject Property				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
	R-1	C-1	C-1	C-1
Zoning Change Adjacent Properties				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
North	R-1	R-1	R-1	R-1
East	R-1	R-6	R-6	R-5
South	R-1	C-1	C-1	C-1
West	R-1	R-1	R-1/C-1	R-1/C-1
Zoning and land uses adjacent to the subject property				
Direction	Zoning	Current Use		
North	R-1	school		
East	R-5	Vacant lot		
South	C-1	Single-family home		
West	R-1/C-1	Church/business		

NOTIFICATION:

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 on August 13, 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 about the request.

REZONING REQUEST:

The subject property rezoning request is from C-1 to R-5. Differences between the zones are:

Current Zoning District:

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.

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.

Permitted and Conditional Uses:

Current Zoning

C-1

The following uses are permitted by right in the C-1 zoning district:

1. Accessory dwelling unit
2. Assisted Living Facility
3. Child Care
4. Government Facilities
5. Parks & Recreation, Active
6. Parks & Recreation, Passive
7. Public Spaces
8. Transportation
9. Business Offices
10. Conference/Convention Center
11. Eating & Drinking Establishments
12. General Retail & Services
13. Personal Services

The following uses are allowed by conditional use in the C-1 zoning district:

1. Bed & Breakfast Inn
2. Boarding/Rooming House
3. Dwelling, live/work
4. Dwelling, single family, detached
5. Dwelling, multi-family
6. Dwelling, 3 & 4-family
7. Dwelling, 2-family
8. Fraternity/Sorority House
9. Personal Care/Group Home
10. Community Services
11. Family Child Care
12. Education Facilities
13. Institutional and Health Care Facilities
14. Places of Worship
15. Utilities
16. Funeral Home
17. Parking Lots & Garages
18. Recreation and Entertainment, Indoor
19. Vehicular Sales & Service
20. Visitor Accommodations & Services
21. Trades & Skilled Services
22. Warehousing & Distribution
23. Farm Support

Proposed Zoning

R-5

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

14. Accessory dwelling unit
15. Assisted Living Facility
16. Dwelling, live/work
17. Dwelling, single family, detached
18. Dwelling, multi-family
19. Dwelling, 3-4 family
20. Personal Care/Group Home
21. Family Child Care
22. Parks & Recreation, Passive
23. Business Offices

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

24. Bed & Breakfast Inn
25. Boarding/Rooming House
26. Dormitory
27. Dwelling, 2-family
28. Fraternity/Sorority House
29. Manufactured Homes
30. Mobile Homes
31. Community Services
32. Education Facilities
33. Government Facilities
34. Institutional and Health Care Facilities
35. Parks & Recreation, Active
36. Places of Worship
37. Public Spaces
38. Utilities
39. Conference/Convention Center
40. Eating & Drinking Establishments
41. General Retail & Services
42. Parking Lots & Garage
43. 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:
 - No Error

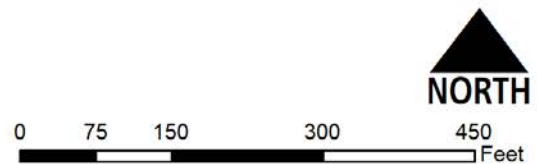
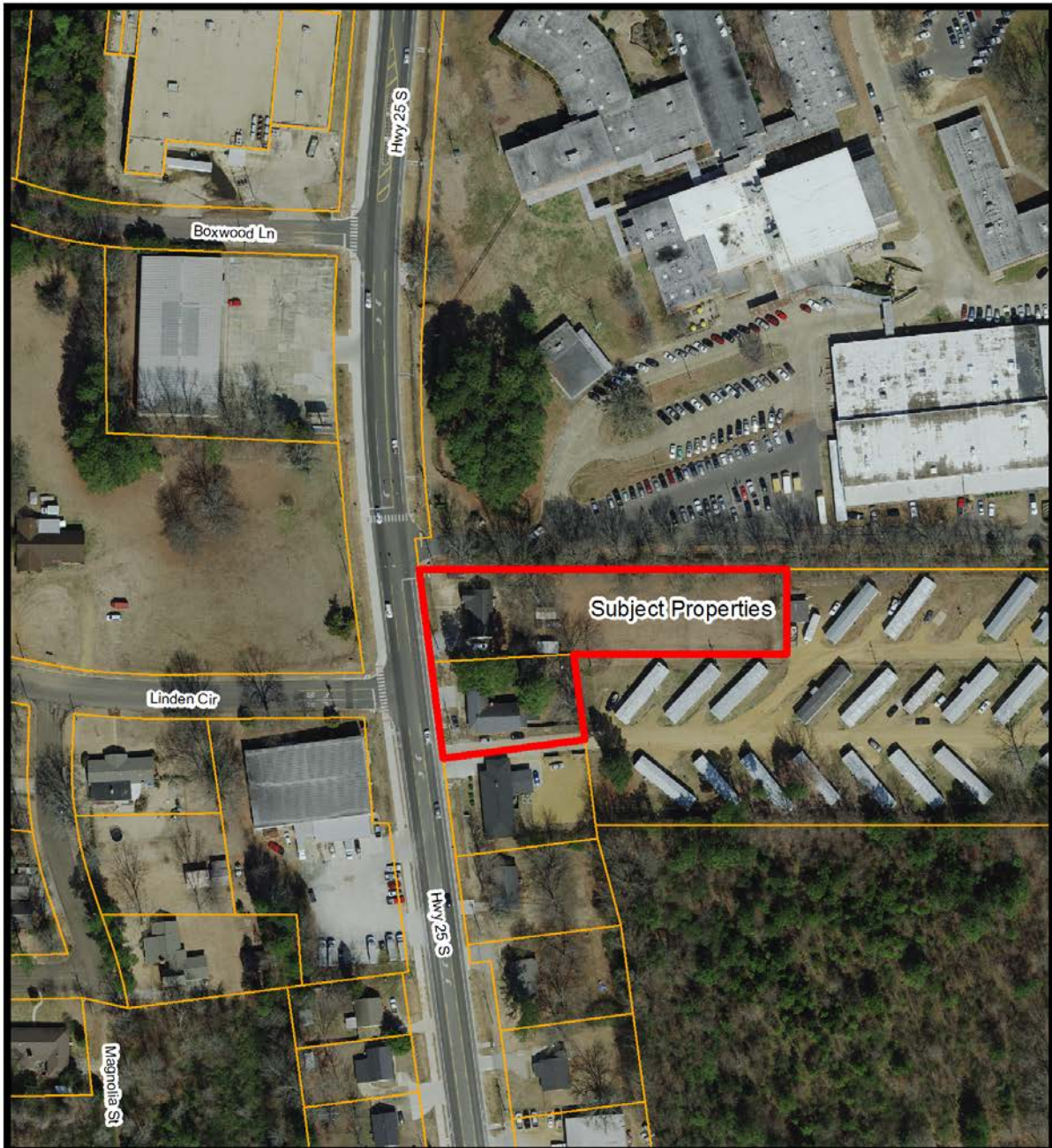
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

- 903 ½ Louisville St- rezoned from R-6 to R-5 on December 16, 2014.
- Bent Brook Ridge- rezoned to R-3A single family in 2014.
- Josey Property on Yellow Jacket Drive- rezoned from R-1 to R-3A on August 7, 2018

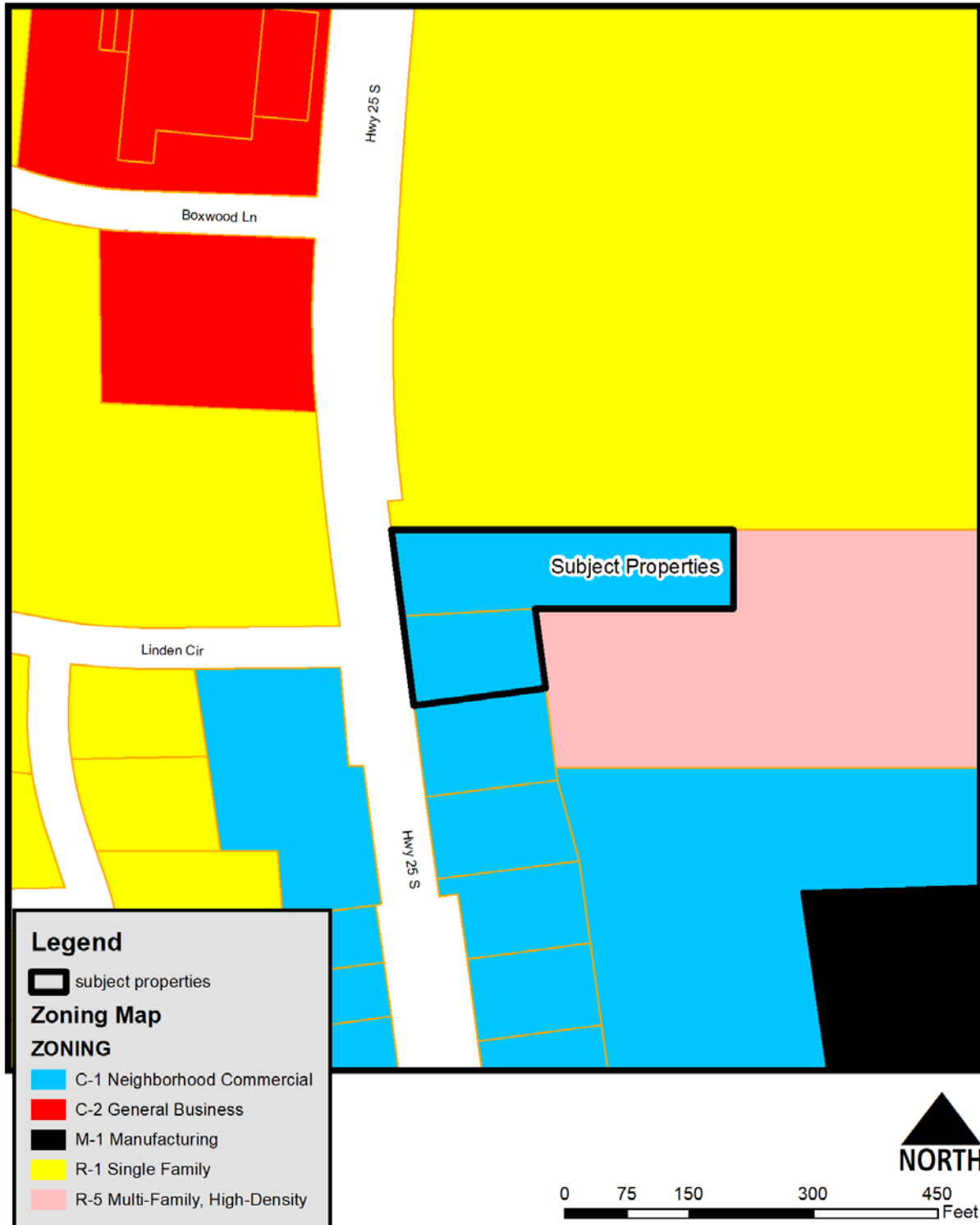
Consistency with Comprehensive Plan: The proposed rezoning would generally be consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The Comprehensive Plan has the subject properties' placetype listed as suburban corridor (attachment 3).

Land Use Compatibility: The proposed rezoning would be consistent and compatible with the adjacent land uses in the vicinity.

Attachment 1
RZ 18-06 Aerial



Attachment 2
RZ 18-06 Zoning



THE PLAN

PLACE TYPES: SUBURBAN AREAS

CORRIDORS

Suburban Corridors

Locations

Segments of Hwy. 12, Old Hwy. 25, Hwy. 182, and Stark Rd.

Spatial Form

Linear along primary roads

Land Uses

Primarily commercial, particularly retail and dining with drive-thru windows, as well as office and multi-family housing

Density / Intensity

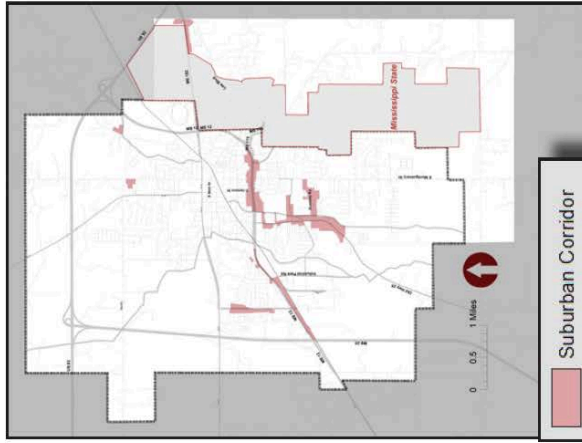
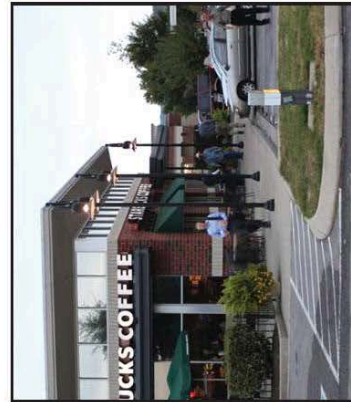
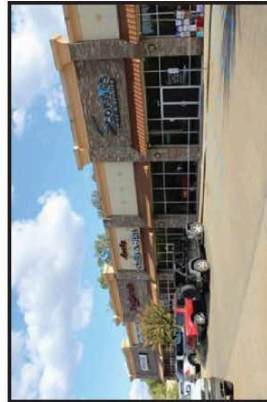
Moderate density / intensity

Development Form

Auto-oriented form with low-rise buildings fronting parking lots, but softened with generous landscaping

Street Types

Boulevards and Avenues



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:	<u>PP 18-10</u> Request for Preliminary Plat approval for subdividing 21.66-acre parcel into 2 lots located +/-400' southeast of the intersection of Pat Station Road and MS Hwy 12 in an R-1 zone with the parcel number 117-25-021.00.
Date:	September 11, 2018

The purpose of this report is to provide information regarding the request by York Development, LLC for Preliminary Plat approval for subdividing a 21.66-acre parcel into 2 lots. The proposed subdivision is named "The Row". The proposed subdivision is located +/-400' southeast of the intersection of Pat Station Road and MS Hwy 12 in an R-1 zone. The applicant is also requesting to rezone the property from R-1 to R-5 and C-2. The preliminary plat boundary lines will also serve as the boundary lines for the proposed rezoning. Please see attachments 1-3.

Below is information pertaining to the proposed zoning of C-2 general business zoning and R-5 Multifamily

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.*

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.*

PLAT PROPOSAL:

General Information

The subdivision has a gross acreage of +/- 21.66 acres with a total of 2 lots. The applicant will submit infrastructure plans to the Development Review Committee upon approval of Preliminary Plat. A copy of the proposed covenants that includes sections for common area and storm water facilities maintenance, as well as the City's standard hold-harmless indemnification clause required by the City Attorney shall be submitted prior to application for Final Plat.

Easements and Dedications

All easements are provided on the Preliminary Plat. All proposed roadway dedications are shown on the plat. The applicant shall contact The County for review and approval of the proposed road name. The Applicant shall meet the requirements of the electrical service provider, Starkville Utilities. The Applicant shall meet the requirements of the potable water and sanitary sewer utility services provider, Starkville Utilities.

Findings and Comments

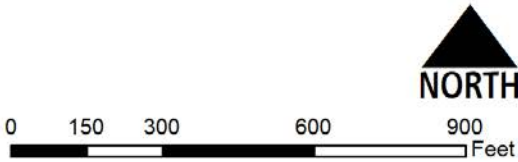
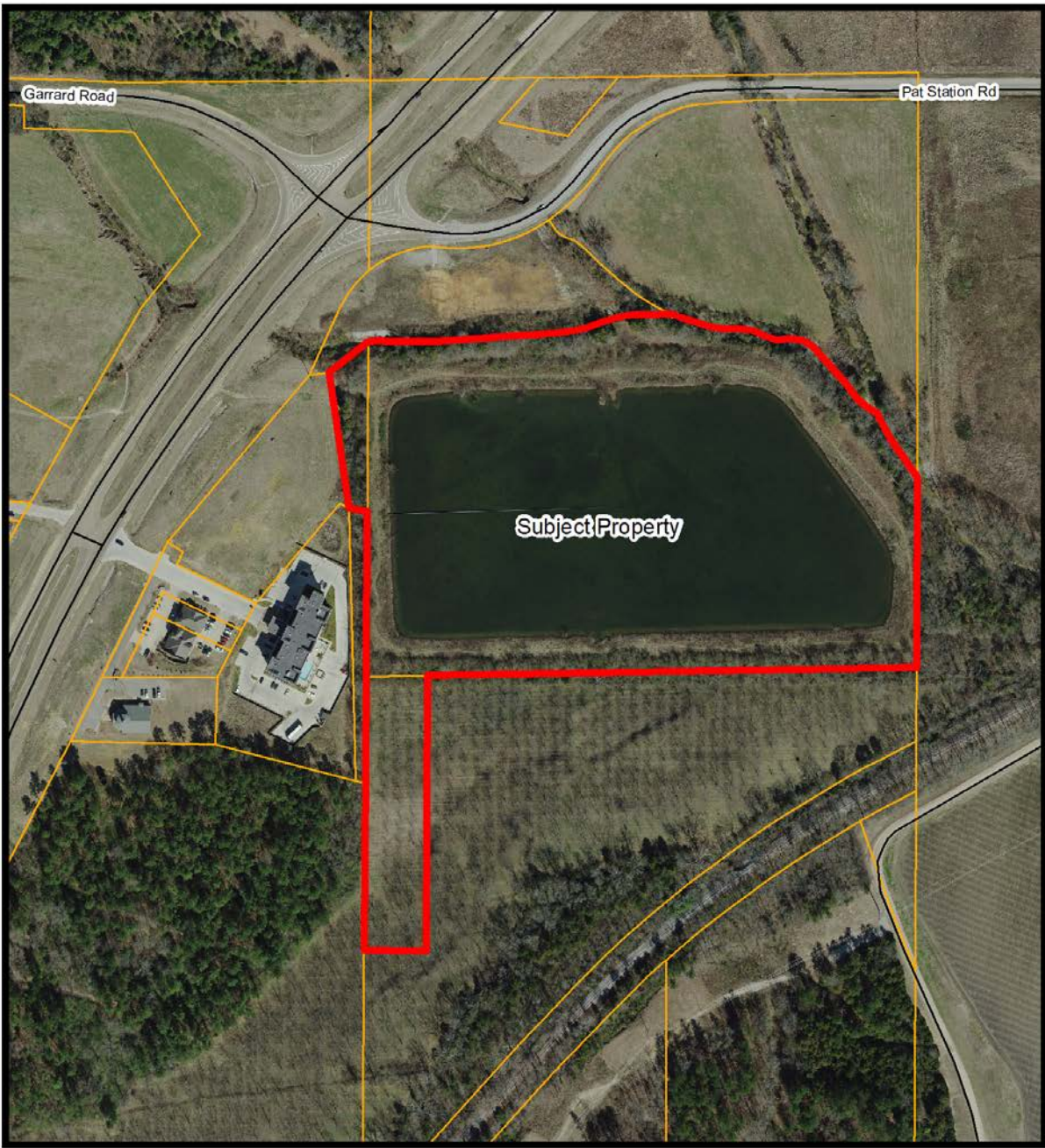
The preliminary plat is a Class "C" survey prepared by a professional licensed by the Mississippi Board of Licensure for Professional Engineers and Surveyors and meets the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code Annotated (1972), as amended. The applicant shall provide documentation that the subject area is not part of a previously platted subdivision. If it is a part of a previously platted subdivision, the applicant shall provide names of the persons to be adversely affected thereby or directly interested therein and provided written proof from each party agreeing to the alteration.

REQUESTED CONDITIONS:

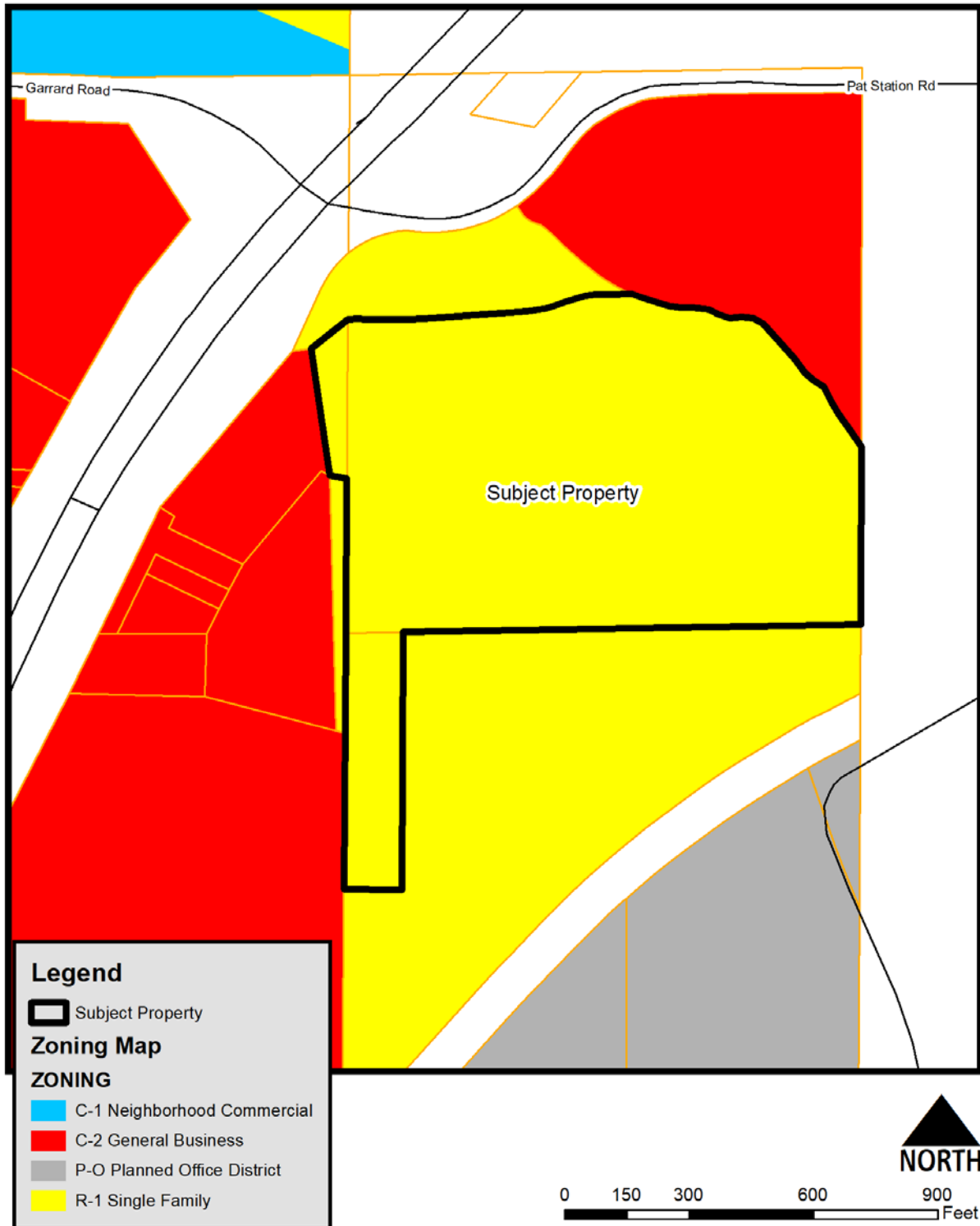
1. The preliminary plat shall meet the minimum standards for the State of Mississippi, as required by §17-1-23 and §17-1-25 of the Mississippi Code of 1972, as amended.
2. The preliminary plat shall meet the minimum requirements for C-2 and R-5 zoning dimensions.

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.

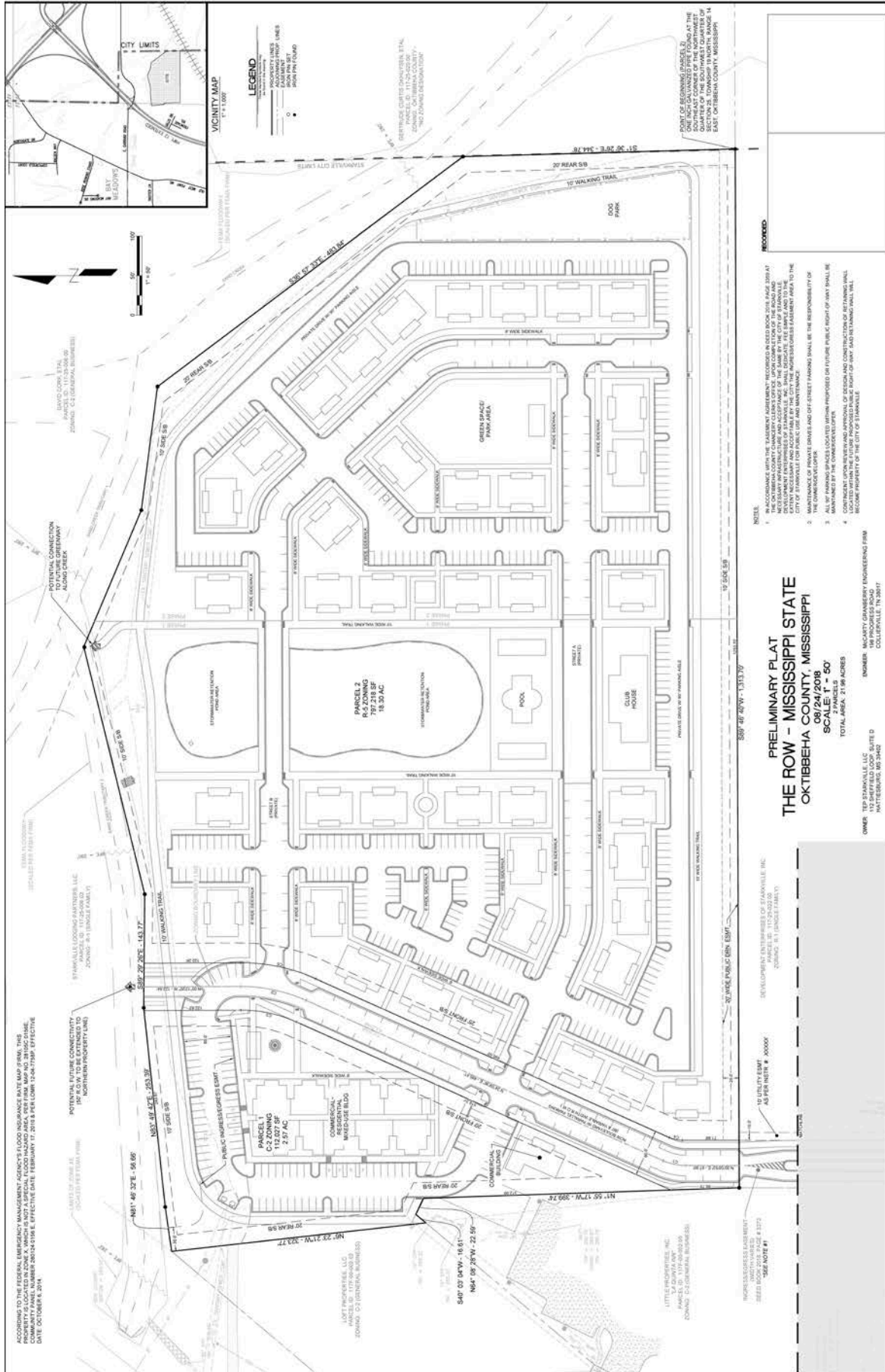
Attachment 1
PP 18-10- Aerial

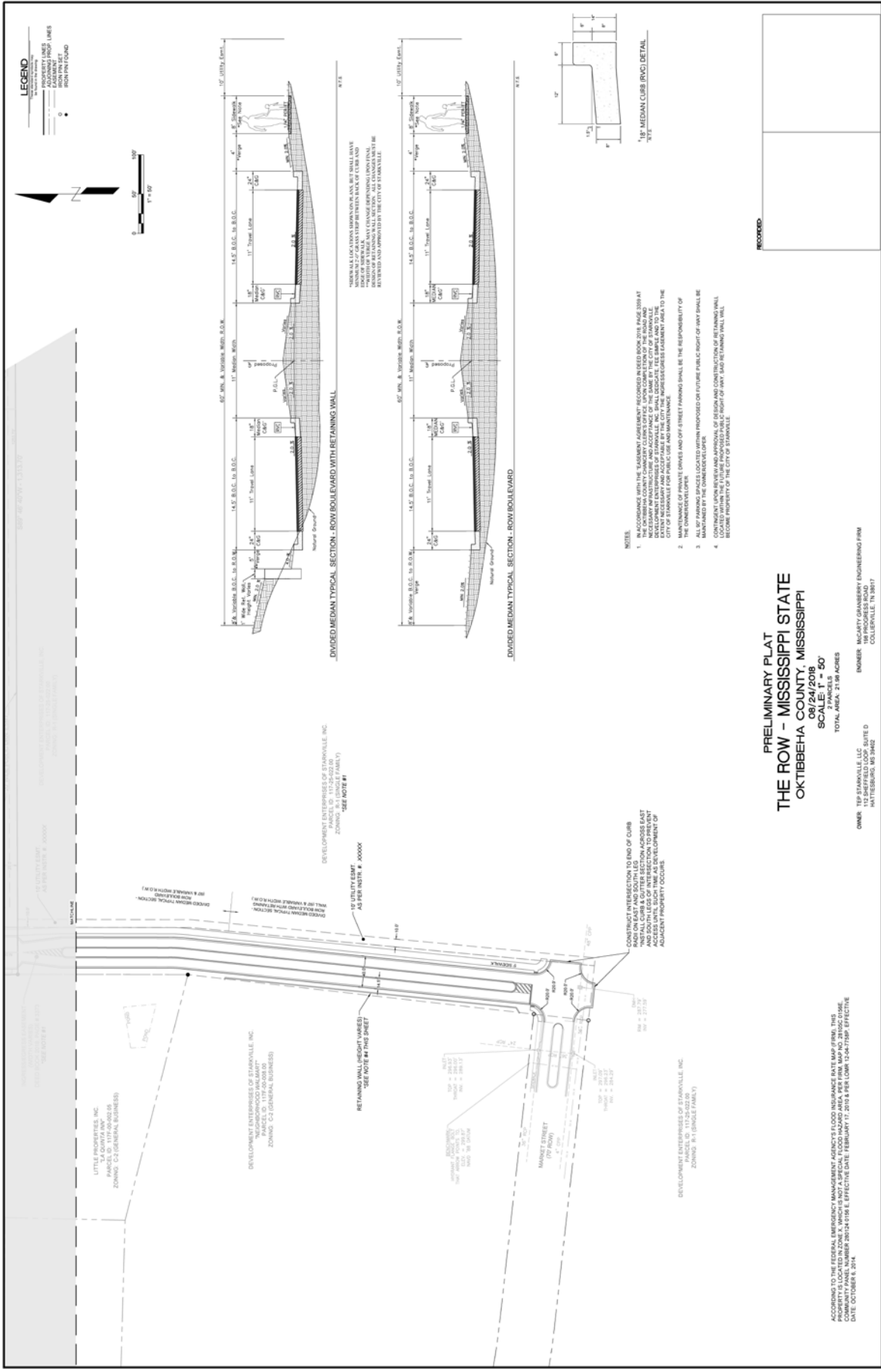


Attachment 2
PP 18-10- Zoning



Attachment 3





PRELIMINARY PLAT
THE ROW - MISSISSIPPI STATE
OKTIBBEHA COUNTY, MISSISSIPPI
08/24/2018
SCALE: 1" = 50'
TOTAL AREA: 21.98 ACRES

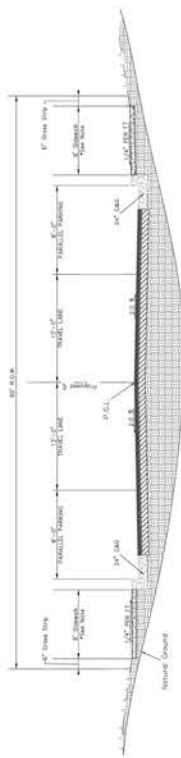
OWNER: TEP STARVILLE, LLC
SITE: 0
HATTESBURG, MS 39402
ENGINEER: MICHAEL GRABNEY ENGINEERING, P.A.
COLLEGEVILLE, TN 38017

CONFORMS TO THE MISSISSIPPI SUBDIVISION ACT AND THE MISSISSIPPI PLAT ACT. THIS PLAT IS A PRELIMINARY PLAT AND IS NOT A FINAL PLAT. THE PROPERTY IS LOCATED IN ZONE 1, WHICH IS A SPECIAL FLOOD HAZARD AREA. THE PLAT IS SUBJECT TO THE MISSISSIPPI SUBDIVISION ACT AND THE MISSISSIPPI PLAT ACT. THE PLAT IS EFFECTIVE DATE: FEBRUARY 17, 2010 & PER COM 15-04778P. EFFECTIVE DATE: OCTOBER 6, 2014.

BEING A 21.85 ACRE (MORE OR LESS) PARCEL OF LAND LOCATED IN SECTION 25, TOWNSHIP 18 NORTH, RANGE 14 EAST, OKTIBBEHA COUNTY, MISSISSIPPI AND AS SHOWN ON A SURVEY BY PEPPER SURVEYING AND MAPPING, LLC AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO WIT:

[illegible]

THERE IS A DISTANCE OF 327 FEET FROM THE NEAREST INTERSECTION OF GARRARD ROAD AND VETERANS MEMORIAL DRIVE TO THE NORTHWEST CORNER OF THE SUBJECT PROPERTY.



TYPICAL SECTION - ROW BOULEVARD W/ PARALLEL PARKING

*SHEWALK LOCATIONS SHOWN ON PLANS, BUT SHALL HAVE MINIMUM 2' OF GRASS STRIP BETWEEN BACK OF CURB AND OUTLINE OF SHEWALK.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROPERTY IS LOCATED IN ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. PER FIRM, MAP NO. 28105C 0146E, COMMUNITY PANEL NUMBER 250124 0158 E, EFFECTIVE DATE: FEBRUARY 17, 2015 & PER LOMR 12-04-75MD, EFFECTIVE

GENERAL NOTES

- [illegible]

WATER SUPPLY

1. WATER IS CURRENTLY PROVIDED IN THE NORTHWEST CORNER OF THE PROPERTY.
2. WATER MAIN LINES AND SEWER LINES ARE LOCATED AT THE INTERSECTION WITH THE CITY OF WATER AND SEWER MAINS. THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF WATER AND SEWER MAINS ARE SET FORTH BY THE PUBLIC WORKS DEPARTMENT OF THE CITY OF ST. LOUIS.
3. ALL WATER LINES WHEN USED FOR FIRE PROTECTION, SHALL MEET THE CITY OF ST. LOUIS' FIRE DEPARTMENT REQUIREMENTS AND ALL REQUIREMENTS AS SET FORTH IN THE LATEST VERSION OF THE INTERNATIONAL FIRE CODE OR AS SPECIFIED BY THE CITY OF ST. LOUIS.
4. A WATER METER SHALL BE SET AT THE PROPOSED RIGHT OF WAY AND ALL RESIDENTIAL WATER LINES SHALL BE OWNED AND MAINTAINED BY THE DEVELOPMENT OWNER'S PROPERTY MANAGEMENT COMPANY.

SITE DATA TABLE

[illegible]

- [1] ONE SIDE SHALL BE SUFFICIENT IN WIDTH TO PROVIDE VEHICULAR ACCESS TO THE REAR
- [2] LOTS OF SUFFICIENT SIZE SHALL BE REQUIRED FOR ANY BUSINESS OR SERVICE USE AND TO PROVIDE ADEQUATE PARKING AND LOADING
- [3] SUFFICIENT SPACE SHALL BE REQUIRED FOR THE OTHER NORMAL OPERATIONS OF THE BUSINESS OR SERVICE
- [4] SINGLE FAMILY AND MULTIFAMILY DWELLING OF LESS THAN EIGHT UNITS
- [5] TOWNHOUSE DWELLING
- [6] MULTIFAMILY DWELLING OF EIGHT UNITS OR MORE

Preliminary Engineering Certificate

I, _____, hereby certify that this preliminary plat correctly represents a survey completed by me or under my supervision on _____, and is a true and correct representation of surveys made on the ground; and that all monuments which were found or placed on the property are correctly described and located.

Witness my hand and signature on this, the _____ day of _____, 20____.

John Granberry, P.E.
License # 18804

PRELIMINARY PLAT
THE ROW - MISSISSIPPI STATE
OKTIBBEHA COUNTY, MISSISSIPPI
08/24/2018
SCALE: 1" = 50'

2 PARCELS
TOTAL AREA: 71.50 ACRES

OWNER: TEP STARKVILLE, LLC
112 SHEFFIELD LOOP, SUITE D
HATTIESBURG, MS 39402

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 18-07 Request to rezone one parcel from R-1 to R-5 and C-2 located approximately 360' southwest of the center of the intersection of Highway 12 East and Pat Station Road directly east of the La Quinta Inn with the parcel numbers 117-25-021.00 and 117F-00-001.00
Date: September 11, 2018

The purpose of this report is to provide information regarding the request by TEP Starkville, LLC to rezone one parcel from R-1 to R-5 and C-2 located approximately 360' southwest of the center of the intersection of Highway 12 East and Pat Station Road directly east of the La Quinta Inn with the parcel numbers 117-25-021.00. Please see attachments 1- 3.

BACKGROUND INFORMATION:

The applicant is seeking to rezone from R-1 to R-5 and C-2 based on changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

The dividing line between the two proposed zone is illustrated on Preliminary Plat proposal PP 18-10 (see attachment 3).

Zoning Change Subject Property				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
	Out of City Limits	R-1	R-1	R-1
Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	Out of City Limits	Out of City Limits	R-1	R-1/C-2
East	Out of City Limits	Out of City Limits	Out of City Limits	C-2/Out of City Limits
South	Out of City Limits	R-1	R-1	R-1
West	R-1	R-1	R-1	C-2
Zoning and land uses adjacent to the subject property				
Direction	Zoning	Current Use		
North	R-1/C-2	vacant		
East	C-2/Out of City Limits	vacant		
South	R-1	vacant		
West	C-2	hotel		

NOTIFICATION:

8 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 August 13, 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 call requesting information.

REZONING REQUEST:

The subject property rezoning request is from R-1 to R-5 and C-2. Differences between zones are:

Current Zoning District:***Sec. C. - R-1 residence zoning district regulations.***

These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 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: 10,000 square feet.*
 - b) Minimum lot width at the building line: 75 feet.*
 - c) Minimum depth of front yard: 30 feet.*
 - d) Minimum depth of rear yard: 35 feet.*
 - e) Minimum width of each side yard: Ten feet.*
 - f) Maximum height of structure: 45 feet.*
- 4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

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.

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.*

Permitted and Conditional Uses:

Current Zoning

R-1

The following uses are permitted by right in the current R-1 zoning district:

1. Dwelling, live/work
2. Dwelling, single family, detached
3. Parks & Recreation, Passive

The following uses are allowed by conditional use in the current R-1 zoning district:

1. Accessory Dwelling unit
2. Bed & Breakfast Inn
3. Community Services
4. Family Child Care
5. Education Facilities
6. Government Facilities
7. Parks & Recreation, Active
8. Places of Worship
9. Public Spaces

Proposed Zoning

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

C-2

The following uses are permitted by right in the C-2 zoning district:

1. Accessory dwelling unit
2. Assisted Living Facility
3. Bed & Breakfast Inn
4. Boarding/Rooming House
5. Dormitory
6. Personal Care/Group Home
7. Child Care
8. Government Facilities
9. Institutional and Health Care Facilities
10. Parks & Recreation, Active
11. Parks & Recreation, Passive
12. Public Spaces
13. Transportation

14. Utilities
15. Business Offices
16. Conference/Convention Center
17. Eating & Drinking Establishments
18. Funeral Home
19. General Retail & Services
20. Personal Services
21. Recreation and Entertainment, Indoor
22. Vehicular Sales & Service
23. Visitor Accommodations & Services
24. Trades & Skilled Services
25. Warehousing & Distribution
26. Wholesale Services

The following uses are allowed by conditional use in the C-2 zoning district:

21. Dwelling, live/work
22. Dwelling, single family, detached
23. Dwelling, multi-family
24. Dwelling, 3 & 4-family
25. Dwelling, 2-family
26. Fraternity/Sorority House
27. Manufactured Home
28. Community Services
29. Education Facilities
30. Places of Worship
31. Wireless Communication Towers
32. Car Title Loan, Payday Advance or Loan Business
33. Parking Lots & Garages
34. Recreation and Entertainment, Outdoor
35. Manufacturing, light
36. Farm Support

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:

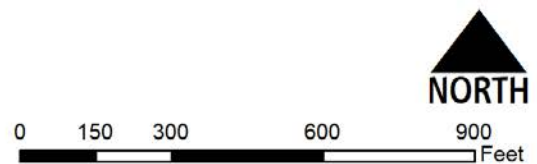
1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
 - No Error
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

- The property that now houses Haven 12 was rezoned from R-1 to B-1 on 4/2/13
- The property known as 300 Traditions was rezoned from R-1 to B-1 for multi-family on 4/26/13
- The property on the western side of Hwy 12 E just south of Hilton Garden Inn was rezoned from R-1 to C-2 on 8/3/10

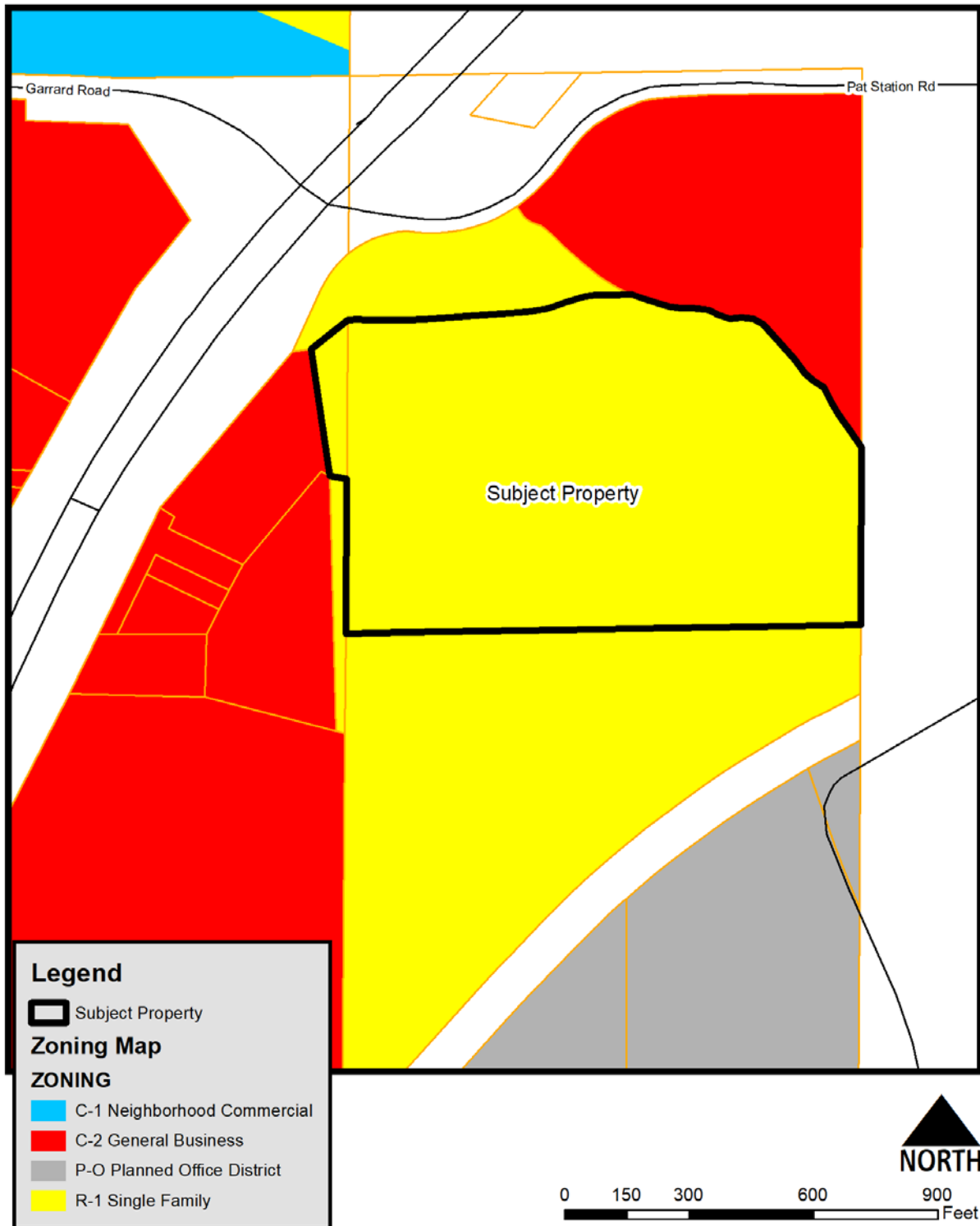
Consistency with Comprehensive Plan: The proposed rezoning would generally be consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The comprehensive plan has the placetype listed as Suburban center (attachment 4).

Land Use Compatibility: The proposed rezoning would be consistent and compatible the adjacent land uses in the vicinity.

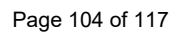
Attachment 1
RZ 18-07- Aerial



Attachment 2
RZ 18-07- Zoning



1 QF 3



THE PLAN

PLACE TYPES: SUBURBAN AREAS

CENTERS

Suburban Centers

Locations

Key points along suburban corridors, as well as on Hwy. 12 in the NE corner of town and at the intersection of N. Jackson and Garrard

Spatial Form

Various scales and somewhat nodal

Land Uses

Primarily commercial, but also offices and multi-family residential

Density / Intensity

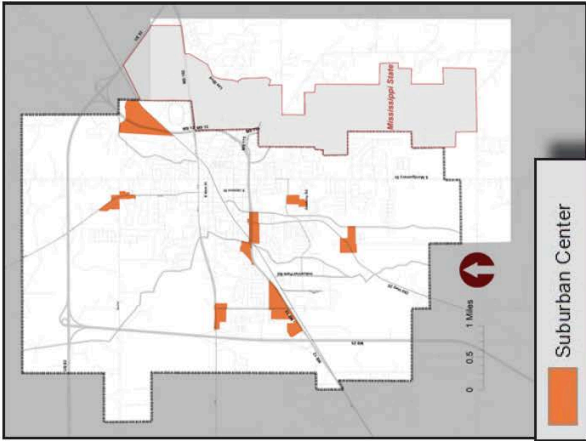
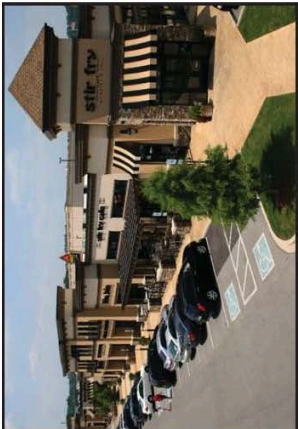
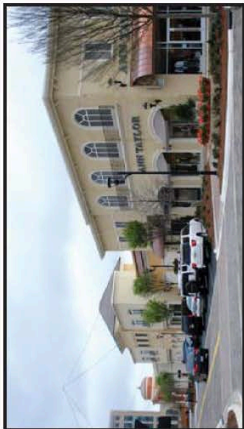
Moderate to high density

Development Form

Range from "big box" retail to smaller buildings, auto and pedestrian friendly, generous landscaping

Street Types

Boulevards, Avenues and Local





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 18-09 Request to Rezone one parcel from R-1 to R-6 to allow for the placement of a mobile home located at 723 Jessie Road with the parcel numbers 115-22-037.02.
Date: September 11, 2018

The purpose of this report is to provide information regarding the request by Gloria West on behalf of Aretha Townsel Hill to rezone one parcel from R-1 to R-6 to allow for the placement of a mobile home located at 723 Jessie Road with the parcel number 115-22-037.02. Please see attachments 1- 3.

BACKGROUND INFORMATION:

The applicant is seeking to rezone from R-1 to R-6 based on changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

Zoning Change Subject Property				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
	out of city limits	out of city limits	R-1	R-1
Zoning Change Adjacent Properties				
Properties	1960s- 1970s Map	1982-1991 Map	2000 Map	Current Map
North	out of city limits	out of city limits	R-1	R-1
East	out of city limits	out of city limits	R-1	R-1
South	out of city limits	out of city limits	R-1	R-1
West	out of city limits	out of city limits	R-1	R-1
Zoning and land uses adjacent to the subject property				
Direction	Zoning	Current Use		
North	R-1	Single family home		
East	R-1	Single family home		
South	R-1	Vacant/orchard		
West	R-1	Single family home		

NOTIFICATION:

10 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 August 16, 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 about the request.

REZONING REQUEST:

The subject property rezoning request is from R-1 to R-6. Differences between zones are:

Current Zoning District:***Sec. C. - R-1 residence zoning district regulations.***

These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 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: 10,000 square feet.*
 - (b) Minimum lot width at the building line: 75 feet.*
 - (c) Minimum depth of front yard: 30 feet.*
 - (d) Minimum depth of rear yard: 35 feet.*
 - (e) Minimum width of each side yard: Ten feet.*
 - (f) Maximum height of structure: 45 feet.*
- 4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

Proposed Zoning District:***Sec. H. - R-6 residential zoning regulations.***

These [R-6 residential (mobile homes)] districts are intended to be comprised mainly of mobile homes, mobile home parks, and mobile home subdivision, along with appropriate neighborhood supporting facilities. The character of this district is protected by requiring that certain yard and area standards be met. [The following regulations apply to R-6 districts:]

- 1. See chart for permitted uses.*
- 2. See chart for uses which may be permitted as an exception.*
- 3. Required lot area and width, yards, building areas and heights for mobile home parks and subdivisions and individual mobile homes on platted lots:*

(a) The parcel of land to be used for a mobile home park or subdivision shall have a minimum lot area of five acres. The minimum width of the lot at the building line shall be 300 feet. The minimum yard depths for the mobile home park or subdivision shall be: Front, 30 feet; side and rear, 15 feet each. This yard space may not be used for parking nor shall it constitute the yard requirements for any individual mobile home. The height of all structures in the trailer park shall be limited to one story or 12 feet.

(b) The individual mobile home lot shall have a minimum lot area of 5,000 square feet and shall not be less than 40 feet in width at the building line. The minimum yard requirements for the mobile home lot shall be: Front, 20 feet; rear, 15 feet; sides, five feet. This yard space may be used for parking of the residents' vehicles, but shall not constitute any of the yard requirements for the mobile home park or subdivision. Private accessory structures, such as sheds, must be within the building area defined for each lot. Structures shall not cover more than 35 percent of the total building area.

(c) All mobile homes permitted by this ordinance shall meet the following guidelines:

(i) Shall be secured on a permanent foundation with tiedowns;

(ii) Shall be provided with a skirt of material comparable to exterior of the structure and shall be placed on the site in a manner compatible with adjacent sites; and

(iii) Shall be in conformance with codes adopted by the City of Starkville.

4.

Off-street parking requirements: Two parking spaces shall be provided for each mobile home. See article VIII of this ordinance for requirements for other uses.

Permitted and Conditional Uses:

Current Zoning- R-1

R-1

The following uses are permitted by right in the R-1 zoning district:

1. Dwelling, live/work
2. Dwelling, single family, detached
3. Parks & Recreation, Passive

The following uses are allowed by conditional use in the R-1 zoning district:

1. Accessory Dwelling unit
2. Bed & Breakfast Inn
3. Community Services
4. Family Child Care
5. Education Facilities
6. Government Facilities
7. Parks & Recreation, Active
8. Places of Worship

9. Public Spaces

Proposed Zoning- R-6

The following uses are permitted by right in the R-6 zoning district:

1. Dwelling, live/work
2. Dwelling, single family, detached
3. Manufactured Homes
4. Mobile Homes
5. Family Child Care
6. Parks & Recreation, Passive

The following uses are allowed by conditional use in the R-6 zoning district:

1. Community Services
2. Education Facilities
3. Government Facilities
4. Parks & Recreation, Active
5. Places of Worship
6. Public Spaces
7. Parking Lots & Garage

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:

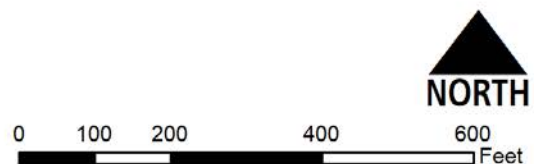
1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
 - No Error
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.
 - There have been no rezonings within a ½ mile of the subject property since the adoptions of the 2013 City of Starkville Map.

Consistency with Comprehensive Plan: The proposed rezoning would generally be not consistent with the goals, objectives and policies found in the City's Comprehensive Plan. The Comprehensive Plan has the placetype listed as optional district (Attachment 3).

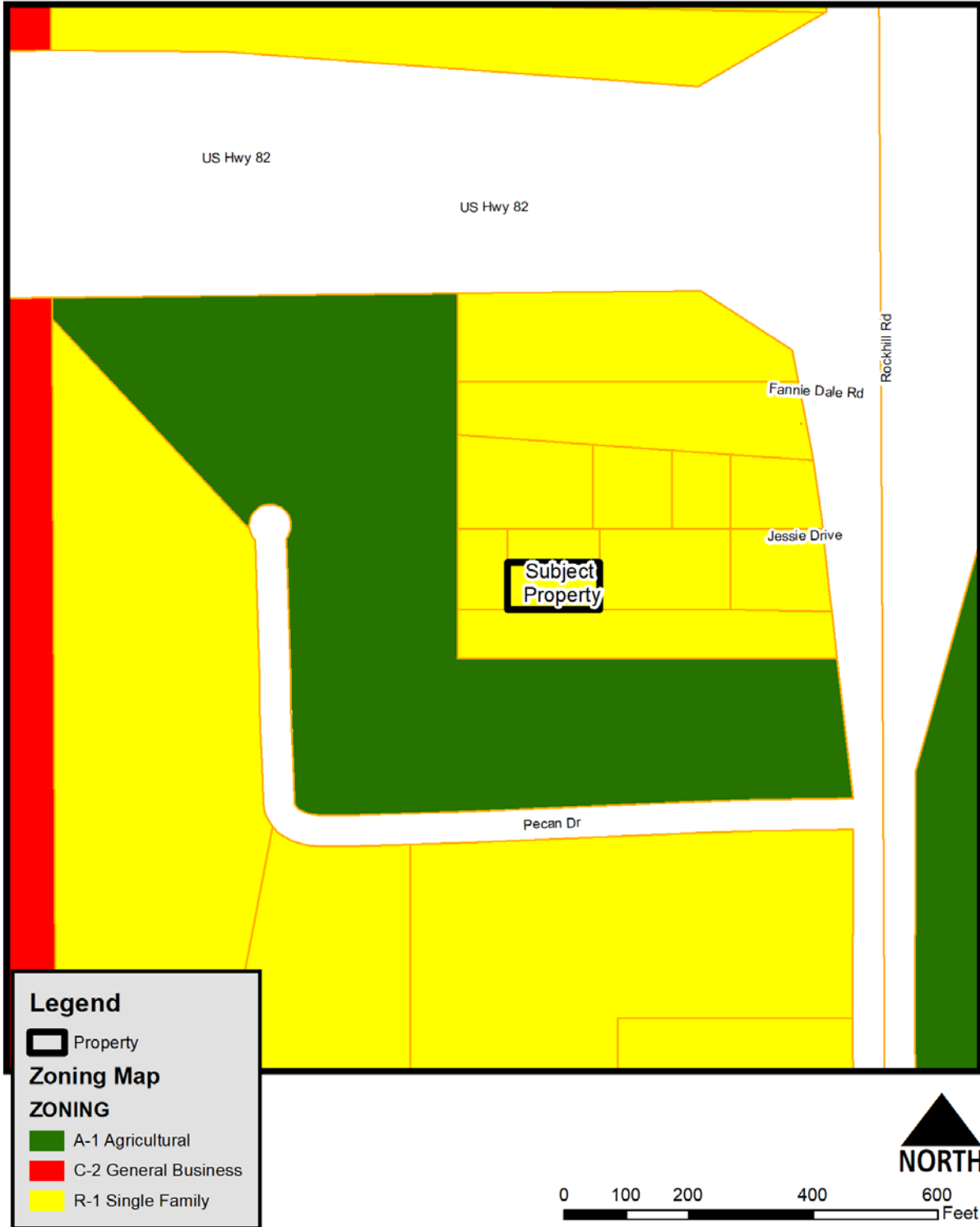
Land Use Compatibility: The proposed rezoning would be not consistent and compatible the adjacent land uses in the vicinity. Although there are other mobile homes in the

vicinity of the proposed rezoning, they are considered legal non-conforming. The current zoning of R-1 does not allow for the proposed use of “mobile home”.

Attachment 1 RZ 18-09 Aerial



Attachment 2
RZ 18-09 Zoning



THE PLAN

PLACE TYPES: OPTIONAL DISTRICTS

OPTIONAL DISTRICT CHOICES

There are four optional uses for this place type:

Commercial Option

This option allows a range of commercial uses, including retail, dining, personal and professional services, offices and other related uses. It can be either a conventional suburban development or a more urban "lifestyle center."

Industrial Option

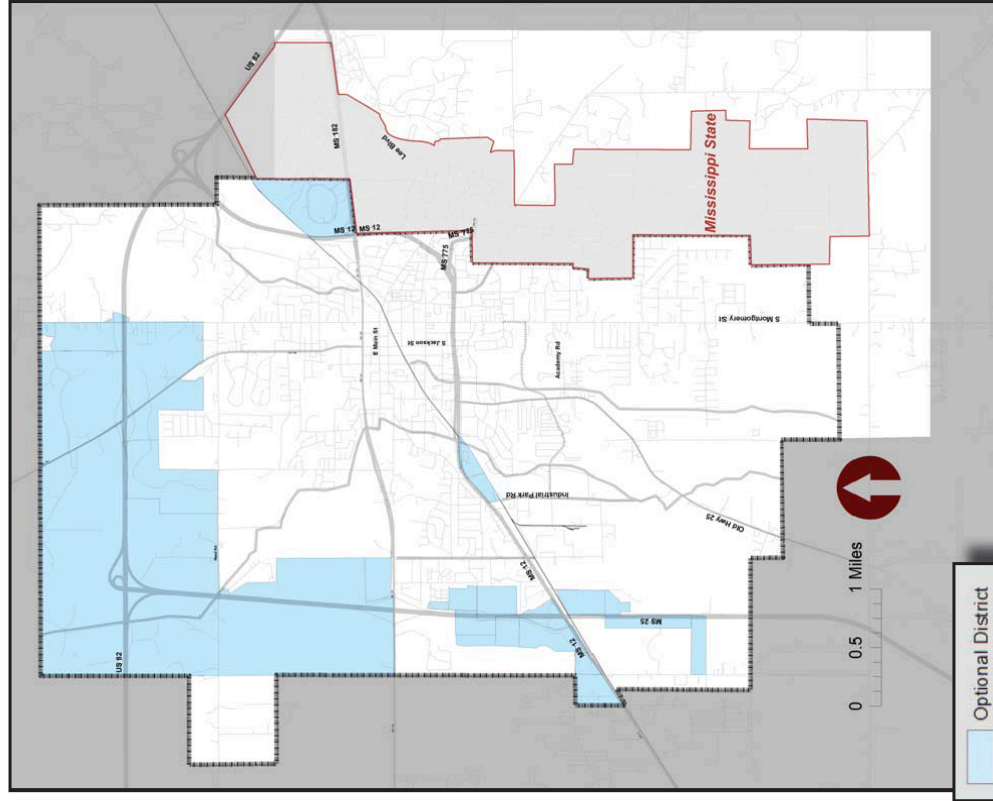
This option allows manufacturing, warehousing and similar industrial uses. It offers the ability to design sites in a campus style and to utilize generous landscaping.

TND Option

Traditional Neighborhood Development features a mixture of uses in an urban form. Housing can occur in a variety of types and densities, and the overall design should result in a pedestrian-friendly place.

CSD Option

Conservation Subdivision Development allows clustered housing to result in preserved open space.



THE PLAN

PLACE TYPES: OPTIONAL DISTRICTS

COMMERCIAL OPTION

Commercial

Locations

Northwest part of Starkville

Spatial Form

Large expansive areas

Land Uses

Retail, dining, service, office, etc.

Density / Intensity

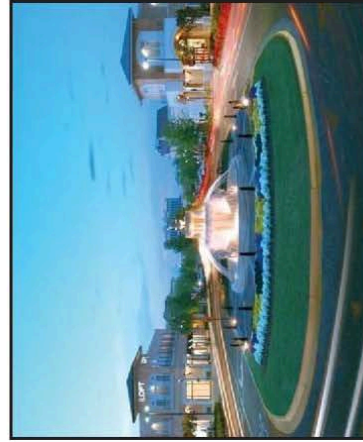
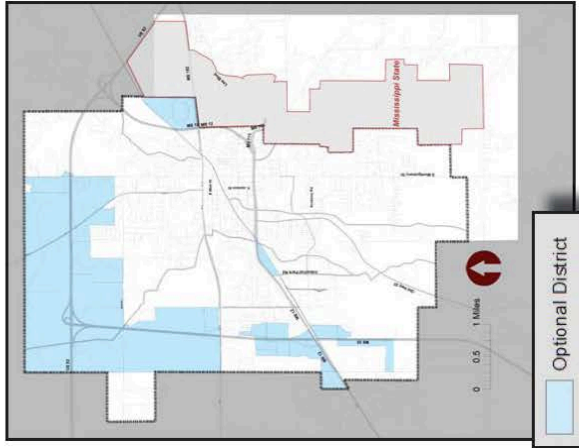
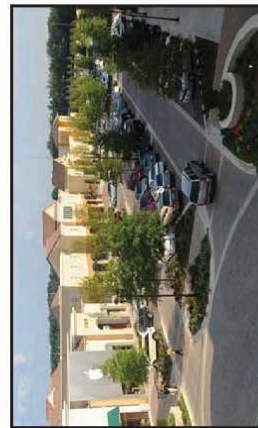
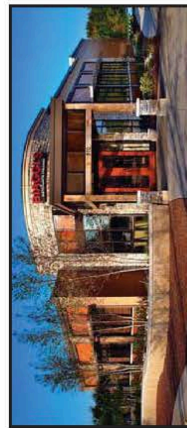
Low to moderate overall "gross" site density/ intensity, but can be high where buildings are located

Development Form

Can range from conventional suburban forms with an auto orientation to more urban "lifestyle" centers with mixed uses and a walkable environment and peripheral parking lots

Street Types

Parkways, Avenues, Main Street, Local



THE PLAN

PLACE TYPES: OPTIONAL DISTRICTS

INDUSTRIAL OPTION

Industrial

Locations

Northwest part of Starkville

Spatial Form

Large expansive areas

Land Uses

Manufacturing, assemblage, processing, warehousing, and other industrial uses

Density / Intensity

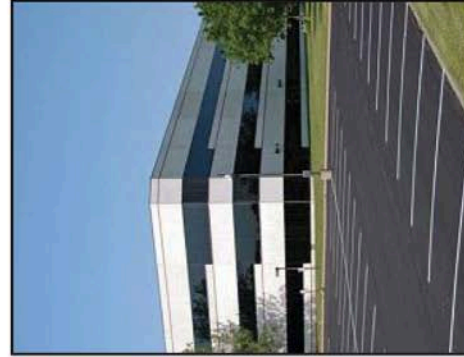
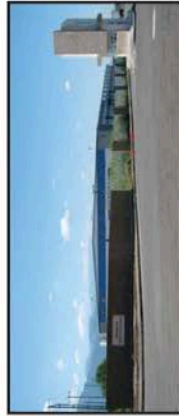
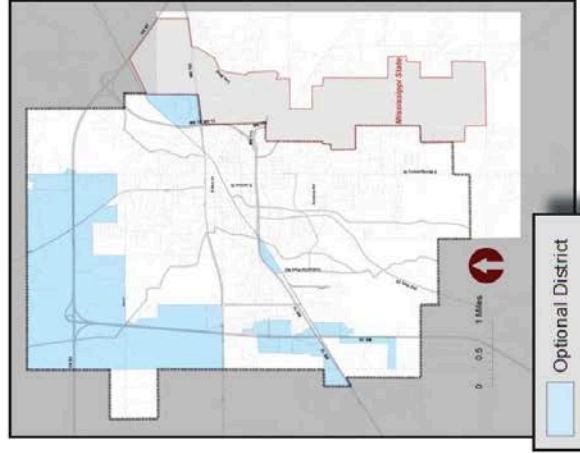
Low to moderate

Development Form

This option should be designed as "campuses" with unifying elements for streets, landscaping, signage, and architecture; and buildings are often large, utilitarian and clustered

Street Types

Parkways, Avenues, Local



THE PLAN

PLACE TYPES: OPTIONAL DISTRICTS

TND OPTION

Traditional Neighborhood Develop.

Locations

Northwest parts of Starkville; potentially a conditional use elsewhere

Spatial Form

Relatively large areas

Land Uses

Primarily residential with varied housing types, as well as small-scale commercial and institutional uses

Density / Intensity

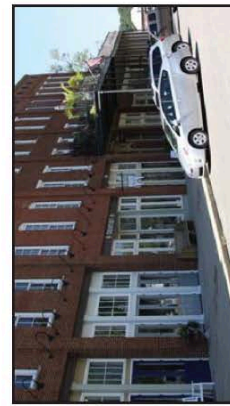
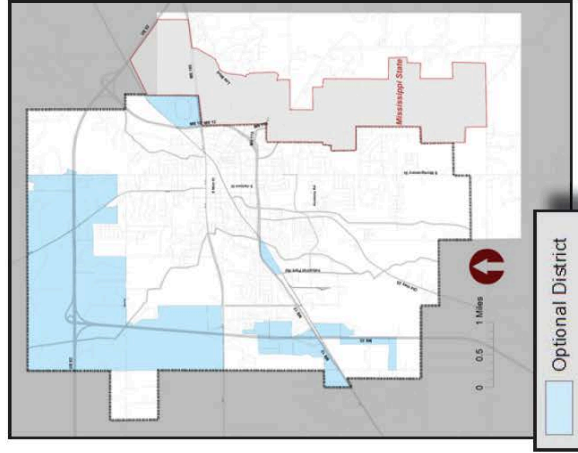
Moderate to high density/intensity

Development Form

Urban and compact form with emphasis on public and pedestrian realms; buildings close to streets, with parking on street and behind/below buildings

Street Types

Parkways, Avenues, Main Street, Local



THE PLAN

PLACE TYPES: OPTIONAL DISTRICTS

CSD Option

Conservation Subdivision Develop.

Locations

Northwest part of Starkville; potentially a conditional use elsewhere

Spatial Form

Relatively large areas

Land Uses

Residential and open space

Density / Intensity

Low gross density for the site, but high density in developed portions with clustered housing

Development Form

Primarily single-family detached houses on clustered small to medium sized lots with 50-75% preserved open space; rural character

Street Types

Parkways, Local

