

**APPROVED MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI OCTOBER 09, 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 October 09, 2018 at 5:30 PM 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, Carl Smith Jr., Ward 2, Tom Walker, Ward 3, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6. Joining the meeting by phone was Jason Camp, Ward 1. Absent from the meeting was Tommy Verdell Jr., Ward 7. Attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Emily Corban, and City Attorney Chris Latimer.

Commission Chairman Michael Brooks opened the meeting with the Pledge of Allegiance followed by a moment of silence.

CONSIDERATION OF THE OFFICIAL AGENDA

There came for consideration the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of October 09, 2018 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF MONDAY, OCTOBER 09, 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 OF THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF SEPTEMBER 11, 2018
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. PP 18-15 AND FP 18-11 REQUEST FOR PRELIMINARY PLAT AND FINAL PLAT APPROVAL FOR SUBDIVIDING A 0.76 ACRE LOT INTO 2 LOTS ON AZALEA LANE IN A R-5 ZONE WITH THE PARCEL NUMBER 102N-00-020.00

- B. RZ 18-08 REQUEST TO REZONE ALL OF A 19.63 ACRES 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 AND A PORTION OF 1 PARCEL LOCATED ON SOUTH SIDE OF LYNN LANE +/- 960FT WEST OF THE INTERSECTION WITH SOUTH MONTGOMERY STREET FROM C-2 TO R-3A WITH THE PARCEL NUMBERS 102I-00-005.00, 102I-00-006.00 AND 102I-00-002.00.

VIII. PLANNER'S REPORT

IX. ADJOURN

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Gregory, the motion to approve the official agenda as amended of the Planning and Zoning Commission for October 9, 2018 received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
SEPTEMBER 11, 2018**

After discussion and upon the motion of Commissioner Smith duly seconded by Commissioner Gregory, the motion to approve the Minutes as amended of September 11, 2018 Planning and Zoning Commission received unanimous approval.

CITIZEN COMMENTS

The Chair opened up the meeting for Citizen Comments. Calling for and receiving no other comments, the Commission moved to New Business.

NEW BUSINESS

**A. CONSIDERATION OF PP 18-15 FP 18-11 REQUEST FOR PRELIMINARY PLAT
AND FINAL PLAT APPROVAL FOR SUBDIVIDING A 0.76 ACRE LOT INTO 2
LOTS ON AZALEA LANE IN A R-5 ZONE WITH THE PARCEL NUMBER 102N-
00-020.00**

This is a request by Starkville Area Habitat for Humanity for Final Plat approval for subdividing 1 lot into 2. The proposed subdivision is named "Azalea Subdivision, NO. 1". The proposed subdivision is located in a R-5 zone. The proposed subdivision is located on the west side of Azalea Lane with the parcel number 102N-00-020.00. This subdivision is part of development plans to construct one single family residence on each lot.

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 is provided by the City. Staff has 3 requested conditions that are in your packet.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Walker, the motion to approve PP 18-15 and FP 18-11 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. 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.

B. CONSIDERATION OF RZ 18-08 A REQUEST TO REZONE ALL OF A 19.63 ACRES 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 AND A PORTION OF 1 PARCEL LOCATED ON THE SOUTH SIDE OF LYNN LANE +/- 960FT WEST OF THE INTERSECTION WITH SOUTH MONTGOMERY STREET FROM C-2 TO R-3A WITH THE PARCEL NUMBERS 102I-00-005.00, 102I-00-006.00 AND 102I-00-002.00.

This is a 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 Street approximately 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, approximately 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.

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 September 13, 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 for information and three phone calls against the request. Staff has also received 13 letters against the request (attachment 6) and 2 letters for the request (attachment 7). A petition against the request was received by email on October 4, 2018. The petition contains 196 signatures (attachment 5).

Approximately 40% of the property owners directly adjacent to the east side of the subject properties are signatories of the petition against the request (see attachment 9 for calculations). Per § 17-1-17 of the Mississippi Code of 1972, as amended, a three-fifths (3/5) favorable vote by the Board of Aldermen will be required to approve the rezoning 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 has been eight Rezoning's since 2013 within ½ mile of the subject property.

1. The subdivision now known as Bent Brook Ridge on Yellow Jacket Road was rezoned from R-1 to R-3A in February of 2014.
2. The Cottages at Starkville Station on Lincoln Green was rezoned from R-5 to R-4A in April of 2014.
3. The former site of a mobile home park directly south of Starkville High School on Louisville Street 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 located to the east of Academy Hill Subdivision on Academy Road was rezoned from R-3A to C-2 in January of 2017
6. The property on the west side of Louisville Street south of Academy Road was rezoned from R-4A to C-1 in June of 2018.
7. The former Josey home at 300 Yellow Jacket Drive was rezoned from R-1 to R-3A in August of 2018.
8. The property located at 901 and 903 Louisville Street was rezoned from C-1 to R-5 in October of 2018

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.

The proposed rezoning would be consistent and compatible with 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.

The Commissioner opened up the public hearing:

Henry Minor, representing the applicant, came forward to present his case, speaking in favor of the applicant.

Bobby Crosland came forward to speak against the request.

Pickett Wilson, representing the Sherwood Forest neighborhood, came forward to speak against the request.

Tom Freeman, representing the Maison de Ville neighborhood, came forward to speak in favor of the request.

Larry Otis came forward to speak against the request.

Henry Minor came forward to answer questions regarding the request.

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

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Dumas, the motion to approve RZ 18-08 was approved 3-2 with Commissioner Camp and Commissioner Gregory being the dissenting votes based on change in condition and public need with the following self-imposed conditions by the applicant:

1. Limit the total number of lots on the subject property to 79 lots.
2. Access from South Montgomery Street into the neighborhood shall be right-in and right-out only.
3. Developer must provide a linear park varying in width from 40 to 55 feet along South Montgomery Street, leaving existing trees located within the linear park, and have an ornamental black metal fence along properties adjacent to South Montgomery Street.

PLANNER REPORT

Assistant City Planner Emily Corban reminded commissioners of the training opportunity for planning commissioners at the upcoming Mississippi-Alabama American Planning Association State Conference that will be held on October 10-12 in Oxford, MS. Two Commissioners have been registered.

VIII. ADJOURN

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on November 13, 2018, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Gregory, duly seconded by Commissioner Dumas, the motion to adjourn until 5:30 p.m. on November 13, 2018 in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner