

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI JANUARY 8, 2019**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville met at their regularly scheduled meeting on January 8, 2019 at 5:30 PM 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, Carl Smith Jr., Ward 2, Tom Walker, Ward 3, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6, and 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 Official Agenda of the Planning and Zoning Commission of January 8, 2019 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, January 08, 2019
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 DECEMBER 11, 2018
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. CU 19-01 REQUEST FOR CONDITIONAL USE TO ALLOW FOR A DWELLING, SINGLE FAMILY, DETACHED AT 104 AZALEA LANE IN A C-1 ZONE WITH THE PARCEL NUMBER 102O-00-029.00
 - B. PP 19-01 AND FP 19-01 REQUEST FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR SUBDIVIDING 0.99 ACRE PARCEL INTO 3 LOTS. 104 AZALEA LANE IN A C-1 ZONING DISTRICT WITH THE PARCEL NUMBER 102O-00-029.00
 - C. CU 19-02 REQUEST FOR CONDITIONAL USE BY TEP STARKVILLE, LLC TO ALLOW RESIDENTIAL DWELLING UNITS TO BE PLACED IN A C-2 ZONE AS PART OF A MIXED-

USE DEVELOPMENT LOCATED APPROXIMATELY 360' SOUTHEAST OF THE CENTER OF THE INTERSECTION OF HIGHWAY 12 EAST AND PAT STATION ROAD DIRECTLY EAST OF THE LA QUINTA INN WITH THE PARCEL NUMBER 117-25-021.00.

VIII. PLANNER'S REPORT
IX. ADJOURN

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Smith, the motion to approve the official agenda as amended of the Planning and Zoning Commission for January 8, 2019 received unanimous approval.

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

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

CITIZEN COMMENTS

The Commission Chair opened up the meeting for Citizen Comments. Calling for and receiving no other comments, the Commission moved to New Business. Commissioner Verdell arrived at 5:33 PM

NEW BUSINESS

**A. CONSIDERATION OF CU 19-01 REQUEST FOR CONDITIONAL USE TO ALLOW
FOR A DWELLING, SINGLE FAMILY, DETACHED AT 104 AZALEA LANE IN A C-
1 ZONE WITH THE PARCEL NUMBER 1020-00-029.00**

City Planner Daniel Havelin introduced the request. This is a Conditional Use Request by Starkville Habitat for Humanity to allow for two dwellings, single family, detached on two proposed lots at 104 Azalea Lane. The applicant is proposing to subdivide an existing lot into 3 lots. The 2 northern lots are being proposed as single family detached housing to be constructed by Habitat for Humanity. The property is zoned C-1 and in order to construct a "dwelling, single family, detached", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart.

15 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 December 14, 2019 and a sign was posted on the property concurrent with publication of the notice.

As of this date, the Planning Office has received no phone calls.

Appendix A, Article VI, Section I of the City's Code of Ordinances provides five specific criteria for conditional use review and approval:

1. Land use compatibility. The proposed use as a dwelling, single family, detached could be considered a compatible use with adjacent properties.
2. Sufficient site size and adequate site specifications to accommodate the proposed use. The site is adequately sized to accommodate the proposed use.

3. Proper use of mitigative techniques. None proposed
4. Hazardous waste. No hazardous waste or materials would be generated, used or stored at the site
5. Compliance with applicable laws and ordinances. The applicant is responsible for obtaining all the property permitting required by City and State

The Commission Chair opened up the public hearing.

The applicant, Mr. Downey, came forward to speak in support of his request.

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

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner Smith, the motion to approve CU 19-01 was approved 6 to 1 with Commissioner Walker being the dissenting vote with one recommended condition:

1. The applicant shall have six months from time of Conditional Use approval to obtain a building permit.

B. CONSIDERATION OF PP 19-01 AND FP 19-01 REQUEST FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR SUBDIVIDING 0.99 ACRE PARCEL INTO 3 LOTS. 104 AZALEA LANE IN A C-1 ZONING DISTRICT WITH THE PARCEL NUMBER 102O-00-029.00

Assistant City Planner Emily Corban introduced the request. This is a request by Starkville Area Habitat for Humanity for Final Plat approval for subdividing 1 lot into 3. The proposed subdivision is named "Habitat for Humanity Property, Azalea Subdivision, No. 2". The subject property is located in a C-1 zone. On the northeast corner of Azalea Lane and Louisville Street.

This subdivision is part of a development plan to construct two single family residences on proposed lots 1 and 2. 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.

The applicant, Mr. Joel Downey, came forward to speak in favor of the request.

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Verdell, the motion to approve PP 19-01 was approved unanimously.

After discussion and upon the motion of Commissioner Verdell, duly seconded by Commissioner Gregory, the motion to approve FP 18-13 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.

C. CONSIDERATION OF CU 19-02 REQUEST FOR CONDITIONAL USE BY TEP STARKVILLE, LLC TO ALLOW RESIDENTIAL DWELLING UNITS TO BE PLACED IN A C-2 ZONE AS PART OF A MIXED-USE DEVELOPMENT LOCATED APPROXIMATELY 360' SOUTHEAST OF THE CENTER OF THE INTERSECTION OF HIGHWAY 12 EAST AND PAT STATION ROAD DIRECTLY EAST OF THE LA QUINTA INN WITH THE PARCEL NUMBER 117-25-021.00.

City Planner Daniel Havelin introduced the request. This is a Conditional Use request by TEP Starkville, LLC to allow residential dwelling units to be placed in a C-2 zone as part of a mixed-use development located approximately 360' southeast of the center of the intersection of Highway 12 East and Pat Station Road directly east of the La Quinta Inn. The proposal is to construct residential units on the upper floors and commercial space on the ground floor of the proposed building.

The property is zoned C-2 and in order to construct a "dwelling, multi-family", a Conditional Use is required per the City of Starkville's Permitted and Conditional Use Chart. 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 December 24, 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 this request. Appendix A, Article VI, Section I of the City's Code of Ordinances provides five specific criteria for conditional use review and approval:

1. Land use compatibility. The proposed use as a "dwelling, multi-family" could be considered a compatible use with adjacent properties. The property is currently zoned C-2. The 2016 Comprehensive plan has the areas placetype listed as suburban center.
2. Sufficient site size and adequate site specifications to accommodate the proposed use. The site is adequately sized to accommodate the proposed use.
3. Proper use of mitigative techniques. None proposed
4. Hazardous waste. No hazardous waste or materials would be generated, used or stored at the site
5. Compliance with applicable laws and ordinances. The applicant is responsible for obtaining all the property permitting required by City and State and will be required to seek a Certificate of Occupancy prior to the commencement of operations at the site.

The Commission Chair opened up the public hearing.

The applicant Josh Burnett came forward to speak in favor of the request.

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

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Walker, the motion to approve CU 19-02 was approved unanimously with the following conditions:

1. The applicant shall have six months from time of Conditional Use approval to obtain site plan approval by the City's Development Review Committee.
2. The applicant shall obtain a Certificate of Occupancy prior to the commencement of any business activities at the subject property.
3. All of the above conditions shall be fully and faithfully executed or the conditional use shall become null and void.

PLANNER REPORT

The City Planning staff updated the Commission on the progress on the code rewrite.

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on February 12, 2019, 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 Smith, the motion to adjourn until 5:30 PM on February 12, 2019 in in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner