

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI APRIL 14, 2020**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville held their regularly scheduled meeting on April 14, 2020 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being physically present at the meeting were Kim Moreland, Ward 1 and Michael Brooks, Chairman, Ward 4. Joining the meeting via Google Meets virtual meeting platform were Vicki West, Ward 2, Alexis Gregory, Ward 5, and Jeremiah Dumas Ward 7, Tommy Verdell Jr., Ward 7 was absent from the meeting. Attending the Commissioners at the meeting was City Planner Daniel Havelin. Joining the meeting via Google Meets virtual meeting platform were Assistant City Planner Emily Camp Corban, Community Development Director Dr. Simon Kim, and City Attorney Chris Latimer.

Chairman Mike 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 April 14, 2020 as presented.

OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, APRIL 14, 2020
1ST FLOOR CITY HALL – COURTROOM
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. CITIZEN COMMENTS
- VI. OLD BUSINESS
 - A. SE 20-01 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN ACCESSORY DWELLING UNIT AT 201 PINEBROOK ROAD IN AN SD-6 WITH THE PARCEL NUMBER 102D-00-028.00
- VII. NEW BUSINESS

- A. EX 20-02 REQUEST FOR AN EXCEPTION FROM FENESTRATION REQUIREMENTS AT 593 RUSSELL ST. PREVIOUSLY ZONED T-6 WITH THE PROPERTY NUMBER 101C-00-018.00.
- B. PP 20-04 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "JAX CORNER SUBDIVISION".
- C. SE 20-03 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A 42-UNIT TOWNHOUSE DEVELOPMENT ON LYNN LANE IN A TN-N ZONE WITH THE PARCEL NUMBER #102I-00-002.00

VIII. ADJOURN

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Moreland, the motion to approve the official agenda of the Planning and Zoning Commission for March 10, 2020 received unanimous approval.

CITIZEN COMMENTS

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

OLD BUSINESS

**A. SE 20-01 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN
ACCESSORY DWELLING UNIT AT 201 PINEBROOK ROAD IN AN SD-6
WITH THE PARCEL NUMBER 102D-00-028.00**

Upon the motion of Commissioner Moreland, duly seconded by Commissioner Gregory, the motion to lift this item from the table received unanimous approval.

The Chair requested an update from Mr. Havelin on the status of the request. Mr. Havelin informed the commission that the Applicant withdrew the request via email on April 9th to Assistant City Planner, Emily Camp Corban. With the request closed, the Commission moved to New Business.

NEW BUSINESS

**A. EX 20-02 REQUEST FOR AN EXCEPTION FROM FENESTRATION
REQUIREMENTS AT 593 RUSSELL ST. PREVIOUSLY ZONED T-6
WITH THE PROPERTY NUMBER 101C-00-018.00**

This is a request by Ron Hartley on behalf of Cadence Bank for an Exception from fenestration requirements at 593 Russell Street in a previously zoned T-6. The property is currently zoned T5-C.

The applicant is proposing to construct a new commercial building to house Cadence Bank on the property. The project was started prior to the adoption of the Unified Development Code and is therefore being reviewed under the previous ordinance. The applicant is seeking an Exception to reduce the fenestration requirements from 70% to 55%.

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.

In the opinion of the Planning Department the proposed reduction in fenestration requirements would generally be consistent with the goals, objectives, and policies of the City of Starkville's Comprehensive Plan. The current zoning of the property as T5-C has similar transparency (fenestration) requirements as the request.

The staff report in the epacket incorrectly states that the request was noticed in accordance to the UDC and to all properties within 160 feet. The request was noticed in accordance with previous code section Appendix A, Article 6, Section i to all properties within 300 feet.

The Chairman opened the public hearing:

The Applicant, Ron Hartley came forward to speak in favor of the request.

Calling for and hearing no other comments, the chairman closed the public hearing.

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner West, the motion to approve the EX 20-02 received unanimous approval.

B. PP 20-04 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "JAX CORNER SUBDIVISION".

This is a request by Jason Pepper on behalf of Jody Josey and 4j I LP for Preliminary Plat approval for subdividing and reconfiguring several lots into 2 lots. The proposed subdivision is named "Jax Corner Subdivision". Proposed Lot 1 is shown as having an acreage of +/- 0.74 and Lot 2 is shown as having an acreage of +/- 1.1. Lot 1 will continue the current business of a veterinary clinic. Lot 2 will be made available for sale and redevelopment. The applicant has not identified any adversely affected parties to the subdivision.

There were three requested conditions from Engineering staff.

1. All development and redevelopment on either lot will be required to comply with new access management requirements, stormwater management and any other codes per the UDC.
2. Lot 1 will be required to be in compliance with access management requirements prior to execution of the final plat
3. Infrastructure plans should be submitted and approved by DRC which will include all required improvements.

The applicant, Jason Pepper, came forward to speak in favor of the request.

After discussion and upon the motion of Commissioner Moreland, duly seconded by Commissioner Dumas, the motion to approve PP 20-04 with the three requested conditions received unanimous approval.

C. SE 20-03 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A 42-UNIT TOWNHOUSE DEVELOPMENT ON LYNN LANE IN A TN-N ZONE WITH THE PARCEL NUMBER #1021-00-002.00

This is a request by Henry Minor on behalf of William, Sean, and Dallas Richmond for a Special Exception to allow for a townhome development to be located on Lynn Lane in a TN-N zone. The Use Chart requires a Special Exception for "dwelling, townhouse/rowhouse" in a TN-N zoning district. The property is approximately 5.3 acres. The proposal is to build 42 (3) bedroom townhome units with an overall gross density of 7.92 dwelling units per acre. The concept plan shows 158 parking spaces. Which meets the requirement of 1.25 spaces per bedroom. A buffer is also shown on the north side of the property. The applicant has submitted concept drawings of the proposed buildings. The project will require Architectural Review in accordance with Section 3.10 of the UDC.

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 39 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on March 18, 2020. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received two emails and three phone calls requesting information about the request. An Email from George Barry (Attachment 4) expressed some concerns with the project and requested conditions if approved. On April 14th an additional email not stated in the e-packet was received from Mark Guyton against the request. The email was provided to the Commission.

Section 3.4.1 list 8 criteria for Special Exception approval. Section 13.3.4 of Unified Development Code also requires that the Special Exception meet the additional standards for that use. Section 13.5.5.D lists 7 additional standards for the proposed use.

The Development Review Committee reviewed and commented on the request in the MyGov system in accordance with Section 3.4.1.E. The final site plan will require Site Plan approval from the DRC.

In the opinion of the Planning Department the proposed use associated with the Special Exception request does meet the criteria for special exception review and approval.

The Chairman opened the public hearing:

The applicant, Jason Pepper, came forward to speak in favor of the request.

Tom Freeman came forward to speak against the request. Mr. Freeman also provided staff with his comments in writing.

Calling for and hearing no other comments, the chairman closed the public hearing.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Moreland, the motion to approve SE 20-03 passed by a vote of 3-1 with Commissioner Gregory voting against the motion.

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on May 12, 2020, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Moreland, duly seconded by Commissioner West, the motion to adjourn until 5:30 p.m. on May 12, 2020 in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner