



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, SEPTEMBER 08, 2020
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 THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF AUGUST 11, 2020
- VI. CITIZEN COMMENTS
- VII. OLD BUSINESS
 - A. DISCUSSION WITH MIKE AINSWORTH, OF THE STARKVILLE-OKTIBBEHA COUNTY SCHOOL DISTRICT, REGARDING 16TH SECTION LAND LEASES
 - B. SE 20-14 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME IN AREA A LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SAND ROAD AND LOUISVILLE STREET IN A R-N ZONING DISTRICT.
- VIII. NEW BUSINESS
 - A. FP 20-03 REQUEST FOR FINAL PLAT APPROVAL FOR "JAX CORNER" THE RECONFIGURATION AND SUBDIVIDING OF SEVERAL LOTS INTO 2 LOTS LOCATED AT 103 HIGHWAY 12 WEST IN A C ZONING DISTRICT
 - B. UE 20-02 REQUEST FOR USE EXCEPTION TO ALLOW FOR A "CAR TITLE LOAN, PAYDAY ADVANCE, OR LOAN BUSINESS" AT 210 HIGHWAY 12 WEST, SUITE H. THE PROPERTY IS LOCATED WITHIN IS A C ZONING DISTRICT WITH THE PARCEL NUMBER 102G-00-002.07
- IX. PLANNERS REPORT
- X. ADJOURN

**UNAPPROVED MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI August 11, 2020**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville held their regularly scheduled meeting on August 11, 2020 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being physically present was Michael Brooks, Chairman, Ward 4. Joining the meeting via Google Meets virtual meeting platform were Alexis Gregory, Ward 5, Jeremiah Dumas Ward 6, and Tommy Verdell Jr., Ward 7. Absent from the meeting were Kim Moreland, Ward 1, Vicki West, Ward 2, and Kelly Prather, Ward 3. Physically present attending the Commissioners were City Planner Daniel Havelin and Assistant City Planner Emily Corban. Attending the meeting via Google Meets virtual meeting platform was 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 August 11, 2020 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, AUGUST 11, 2020
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 THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF JULY 14, 2020
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. SE 20-14 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME IN AREA A LOCATED AT THE SOUTHWEST CORNER

OF THE INTERSECTION OF SAND ROAD AND LOUISVILLE STREET IN A R-N ZONING DISTRICT.

- B. SE 20-16 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME ON THE WEST SIDE OF SAND ROAD IN AREA C APPROXIMATELY 529 FEET SOUTH OF LOUISVILLE STREET IN A R-N ZONING DISTRICT.
- C. SE 20-17 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME ON THE WEST SIDE OF SAND ROAD IN AREA P APPROXIMATELY 3,927 FEET SOUTH OF LOUISVILLE STREET IN A R-N ZONING DISTRICT

VIII. PLANNERS REPORT

IX. 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 August 11, 2020 received unanimous approval.

CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF JULY 14, 2020

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Gregory, the motion to approve the minutes as amended of the Planning and Zoning Commission for July 14, 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 New Business.

NEW BUSINESS

- A. SE 20-14 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME IN AREA A LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SAND ROAD AND LOUISVILLE STREET IN A R-N ZONING DISTRICT.**

City Planner Daniel Havelin presented the Special Exception Request by Paris Gaines on behalf of Starkville Oktibbeha Consolidated School District for a Special Exception to allow for a manufactured home on the west side of Sand Road in Area A at the southwest corner of the intersection of Sand Road and Louisville Street. The Use Chart in Section 13.3 of the Unified Development Code requires a Special Exception for "Dwelling, Manufactured and Modular Home" in a Rural Neighborhood (R-N) zoning district.

Only a portion of the property is to be used for the proposed use. The applicant provided a sketch of the home site area (see attachment 3). The home site area is shown as 146' wide at the road with a total square footage of 41,880. The required minimum lot with for an R-N zone is 100 ft with a minimum of 40,000 square feet of lot area. The required setbacks are as follows: front 30 ft, rear 25 ft, and side 10 ft. There are currently no other dwellings on the home site area. The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 8 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 July 22, 2020. A sign was posted on the property in a conspicuous location.

Section 3.4.1 list 8 criteria for Special Exception approval. Section 13.3.4 of UDC also requires that the Special Exception meet the additional standards for that use. Section 13.5.8.D lists 11 additional standards for the proposed use.

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

Chairman Brooks opened the public hearing to citizen comments.

Chairman Brooks called for the applicant to come forth. Neither the applicant nor a representative of the applicant were present at the meeting.

Calling for and receiving no additional comments, Chairman Brooks closed the public hearing and opened the item up for discussion.

Commissioner Dumas stated he will not support any special exception requests to place mobile homes on a major thoroughfare such as Louisville St.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to table SE 20-14 until a more suitable parcel can be found along Sand Rd. received unanimous approval.

B. SE 20-16 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME ON THE WEST SIDE OF SAND ROAD IN AREA C APPROXIMATELY 529 FEET SOUTH OF LOUISVILLE STREET IN A R-N ZONING DISTRICT.

City Planner Daniel Havelin presented the Special Exception Request by Angela McMullen on behalf of Starkville Oktibbeha Consolidated School District for a Special Exception to allow for a manufactured home on the west side of Sand Road in Area C approximately 529 feet (0.10 miles) south of Louisville Street. The Use Chart in Section 13.3 of the Unified Development Code

requires a Special Exception for “Dwelling, Manufactured and Modular Home” in a Rural Neighborhood (R-N) zoning district.

Only a portion of the property is to be used for the proposed use. The applicant provided a sketch of the home site area (see attachment 3). The home site area is shown as 127’ wide at the road with a total square footage of 43,307. The required minimum lot with for an R-N zone is 100 ft with a minimum of 40,000 square feet of lot area. The required setbacks are as follows: front 30 ft, rear 25 ft, and side 10 ft. There are currently no other dwellings on the home site area.

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 8 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 July 22,2020. A sign was posted on the property in a conspicuous location.

Section 3.4.1 list 8 criteria for Special Exception approval. Section 13.3.4 of UDC also requires that the Special Exception meet the additional standards for that use. Section 13.5.8.D lists 11 additional standards for the proposed use.

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

Chairman Brooks opened the public hearing to citizen comments.

The Applicant, Angela McMullen, came forward to speak in favor of the request.

Calling for and receiving no additional comments, Chairman Brooks closed the public hearing and opened the item up for discussion.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to approve SE 20-16 was approved 3 to 1 with Commissioner Gregory being the dissenting vote.

C. SE 20-17 REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A MANUFACTURED HOME ON THE WEST SIDE OF SAND ROAD IN AREA P APPROXIMATELY 3,927 FEET SOUTH OF LOUISVILLE STREET IN A R-N ZONING DISTRICT.

City Planner Daniel Havelin presented the Special Exception Request by Julisa Dodd on behalf of Starkville Oktibbeha Consolidated School District for a Special Exception to allow for a manufactured home on the west side of Sand Road in Area P approximately 3,927 feet (0.74 miles) south of Louisville Street. The Use Chart in Section 13.3 of the Unified Development Code

requires a Special Exception for "Dwelling, Manufactured and Modular Home" in a Rural Neighborhood (R-N) zoning district. Only a portion of the property is to be used for the proposed use. The applicant provided a sketch of the home site area (see attachment 3).

The home site area is shown as 100' wide at the road with a total square footage of 40,000. The required minimum lot with for an R-N zone is 100 ft with a minimum of 40,000 square feet of lot area. The required setbacks are as follows: front 30 ft, rear 25 ft, and side 10 ft. There are currently no other dwellings on the home site area. The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 36 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 July 22, 2020. A sign was posted on the property in a conspicuous location.

Section 3.4.1 list 8 criteria for Special Exception approval. Section 13.3.4 of UDC also requires that the Special Exception meet the additional standards for that use. Section 13.5.8.D lists 11 additional standards for the proposed use.

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

Chairman Brooks opened the public hearing to citizen comments.

The applicant, Julisa Dodd, came forward to speak in favor of the request.

Calling for and receiving no additional comments, Chairman Brooks closed the public hearing and opened the item up for discussion.

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion to approve SE 20-17 received unanimous approval.

Planners Report

City Planner Daniel Havelin announced to the Commissioners that there would be two upcoming public hearings to amend sections of the Unified Development Code as part of a comprehensive update. He noted the amendments include but are not limited to removing conflicting text, grammatical errors, numbering errors, update to development standards chart, update to use standards chart, clarifying requirements, and modifying requirements.

After discussion amongst the Commissioners and upon the motion of Commissioner Dumas, duly seconded by Commissioner Verdell, the motion requesting that a representative from the Starkville Oktibbeha County School District or their leasing agent attend the next Planning and

Zoning meeting on September 8, 2020 to discuss leases on their 16th section land received unanimous approval.

ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on September 08, 2020, 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 Gregory, the motion to adjourn until 5:30 p.m. on September 08, 2020 in the Courtroom located at 110 West Main Street, Starkville MS, was unanimously approved.

Michael Brooks, Commission Chair

Daniel Havelin, City Planner



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)
Subject: SE 20-14 Request for Special Exception to allow for a manufactured home in Area A located at the southwest corner of the intersection of Sand Road and Louisville Street in a R-N zoning district
Date: September 8, 2020

The purpose of this report is to provide information regarding a Special Exception Request by Paris Gaines on behalf of Starkville Oktibbeha Consolidated School District for a Special Exception to allow for a manufactured home on the west side of Sand Road in Area A at the southwest corner of the intersection of Sand Road and Louisville Street. The property is located within a R-N zoning district with the parcel numbers 105C-00-007.00. Please see attachments 1- 5.

BACKGROUND INFORMATION

The applicant is seeking a Special Exception to place a manufactured home in Area A of the subject property. The Use Chart in Section 13.3 of the Unified Development Code requires a Special Exception for "Dwelling, Manufactured and Modular Home" in a Rural Neighborhood (R-N) zoning district. Only a portion of the property is to be used for the proposed use. The applicant provided a sketch of the home site area (see attachment 3). The home site area is shown as 146' wide at the road with a total square footage of 41,880. The required minimum lot with for an R-N zone is 100 ft with a minimum of 40,000 square feet of lot area. The required setbacks are as follows: front 30 ft, rear 25 ft, and side 10 ft. There are currently no other dwellings on the home site area. Section 13.3.4 of Unified Development Code also requires that the Special Exception meet the additional standards for that use. On August 11, 2020, the Planning and Zoning Commission tabled the item until the applicant could be present to answer questions about the proposed location.

CRITERIA FOR SPECIAL EXCEPTION REVIEW AND APPROVAL (Section 3.4.1.)

1. **Site suitability.** The proposed location of the structure and use has adequate space for development, adequate access to the site, fits contextually with the surrounding area, and has been properly designed for any environmental constraints.
2. **Traffic.** There is no undue nuisance or serious hazard to pedestrian or vehicular traffic in the surrounding area by the proposed structure and use.
3. **Immediate neighborhood impact.** The proposed structure and use is not detrimental, injurious, obnoxious, or offensive to other properties in the neighborhood. Negative impacts can include excessive trip generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, and inappropriate hours of operation.
4. **Availability of public services.** The proposed structure and use is adequately served by sewer, water, electricity, fire protection, police protection, and provides for any stormwater requirements.
5. **Site Plan.** A site plan shall be reviewed by the Development Review Committee prior to review by the Planning and Zoning Commission. This review shall be to determine if elements have been adequately provided on the plan. These elements can include, but are

not limited to: parking areas, loading areas, buffers, screening, landscaping, and signage. Additional approval by the Development Review Committee may be required for site plan approval after approval of a special exception.

6. **Impact on property values.** The proposed location of the structure and use will not cause or contribute to a decline in property values of surrounding properties.
7. **Consistency with Comprehensive Plan.** The proposed special exception is consistent with the goals, objectives, and policies of the Comprehensive Plan.
8. **Additional Standards.** All associated additional standards for the proposed building, sign, accessory structure, or site associated with the use have been adequately provided for on the site plan.

ADDITIONAL STANDARDS ASSOCIATED WITH THE PROPOSED USE OF "DWELLING, MANUFACTURED AND MODULAR HOME" (Section 13.5.8.D)

1. Homes shall be anchored according to International Building Code requirements.
2. Homes shall bear the FMHCCS Label or Seal of Compliance.
3. Homes shall have horizontal siding. At a minimum, the exterior siding shall consist predominantly of vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint, wood or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
4. Homes shall have a minimum of a 3/12 roof pitch with asphalt shingles.
5. All homes shall be placed on the lot in harmony with the existing site-built structures. Where no neighboring structures are available for comparison, it shall be sited with the front running parallel to the street providing access to the site.
6. The towing tongue, wheels, and hitch-axle shall be removed upon final placement of the unit.
7. All manufactured homes shall be placed on permanent masonry foundations with appropriate screening of the foundations. The foundation shall not be visible from the street or adjacent properties.
8. All manufactured homes shall have either a deck or porch with steps at each entrance constructed and installed in accordance with the standards set forth by the International Building Code. The minimum square footage of the floor of such porch or deck shall measure at least thirty-six (36) square feet.
9. No manufactured and modular home more than ten (10) years old may be relocated or moved onto any lot within the city limits of Starkville.
10. See zoning district general provisions for density requirements and other standards.
11. See zoning district base dimensional standards for location, setback, and height requirements.

ABANDONMENT OR DISCONTINUANCE (Section 3.4.3.K)

Any built structure or site associated with an approved special exception may continue with the associated use unless the use is made a nonconformity by any subsequent zoning ordinance and/or action by the Board of Aldermen. All nonconformities shall be regulated in accordance with section 3.17. If a specific time is not set as part of the approval of a special exception, the special exception shall expire within 18 months if no building permit has been issued and/or construction activities have ceased on the site. A special exception for any sign type shall expire upon the abandonment or discontinuance of the use or business. Reapplication for a special exception for sign will be required.

NOTIFICATION

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code.

1. 8 property owners of record within 160 feet of the subject property were notified directly by mail of the request.
2. A legal ad was published in the Starkville Daily News on July 22, 2020.
3. A sign was posted on the property in a conspicuous location.

RESPONSE TO NOTIFICATION

As of this date, the Planning Office has received no response from the notifications.

ANALYSIS

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

CONDITIONS OF APPROVAL

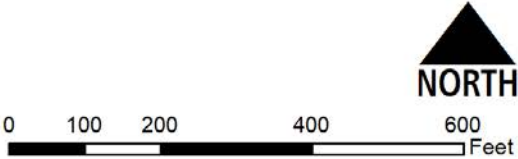
Any condition attached to the approval of a special exception by the Mayor and Board of Aldermen shall run with the land and shall be binding upon the applicants, their heirs, successors, and assigns for the duration of the use of the building, sign, accessory structure, or site (Section 3.4.3.J).

Attachment 1
SE 20-14 Aerial

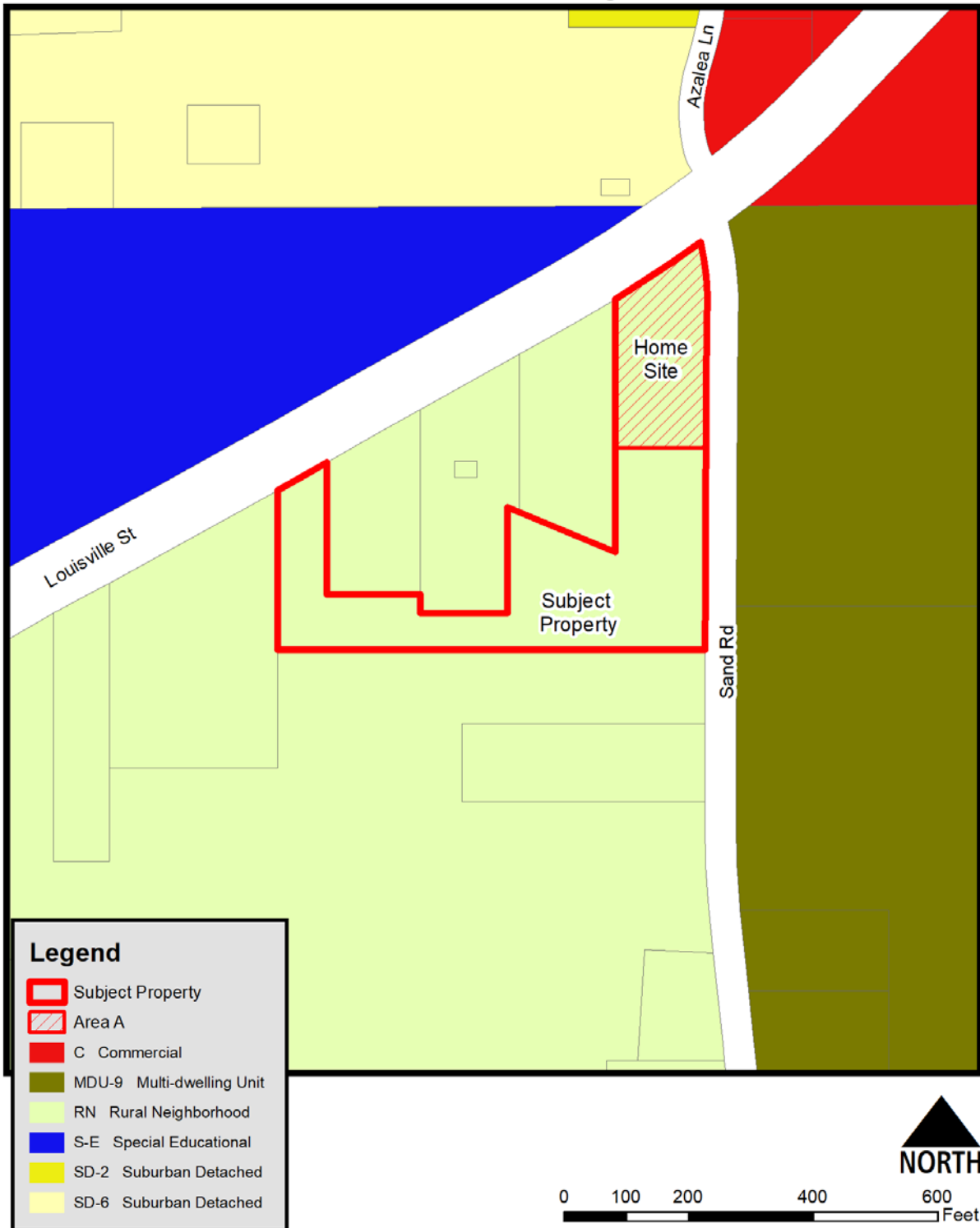


Legend

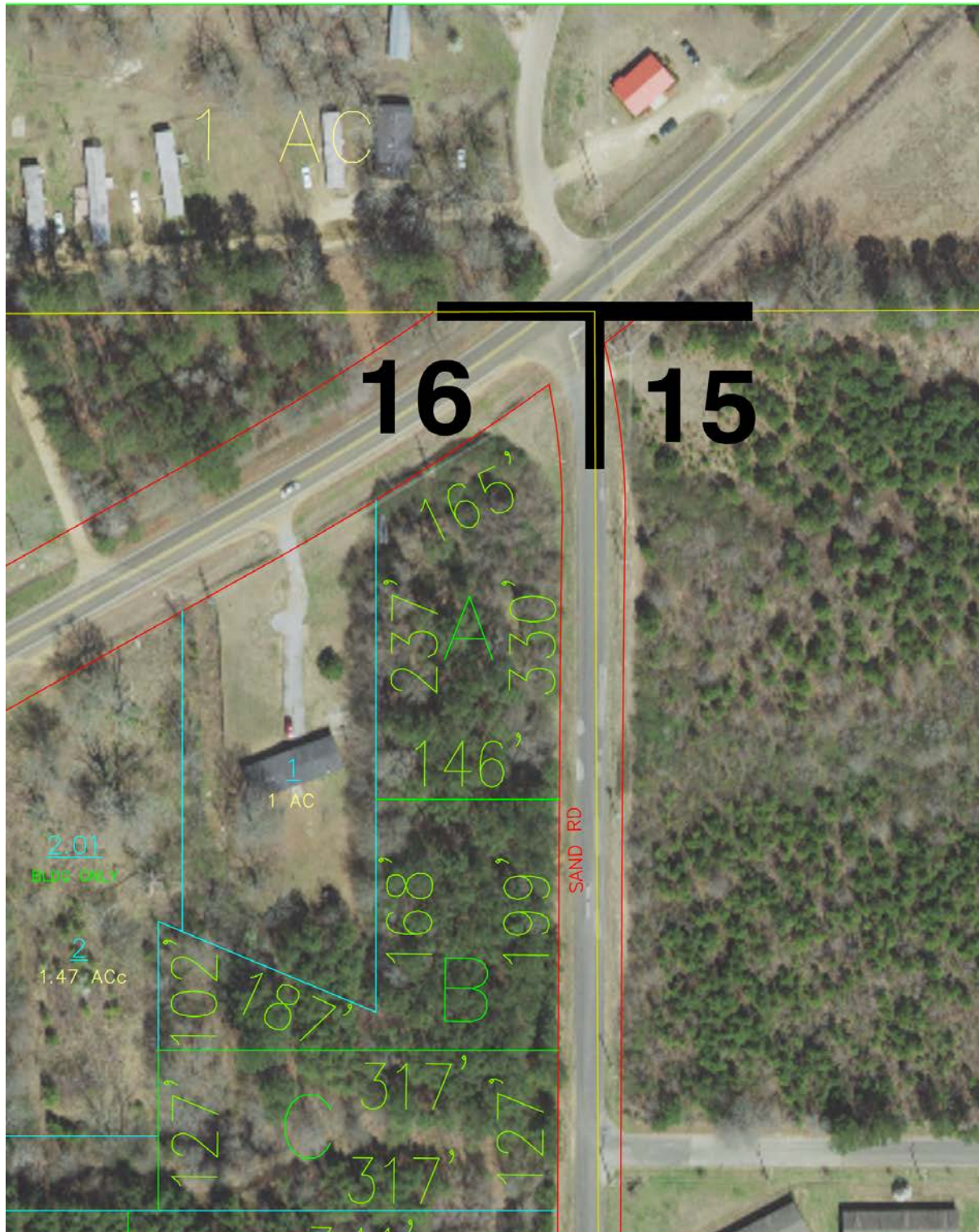
-  Subject Property
-  Area A



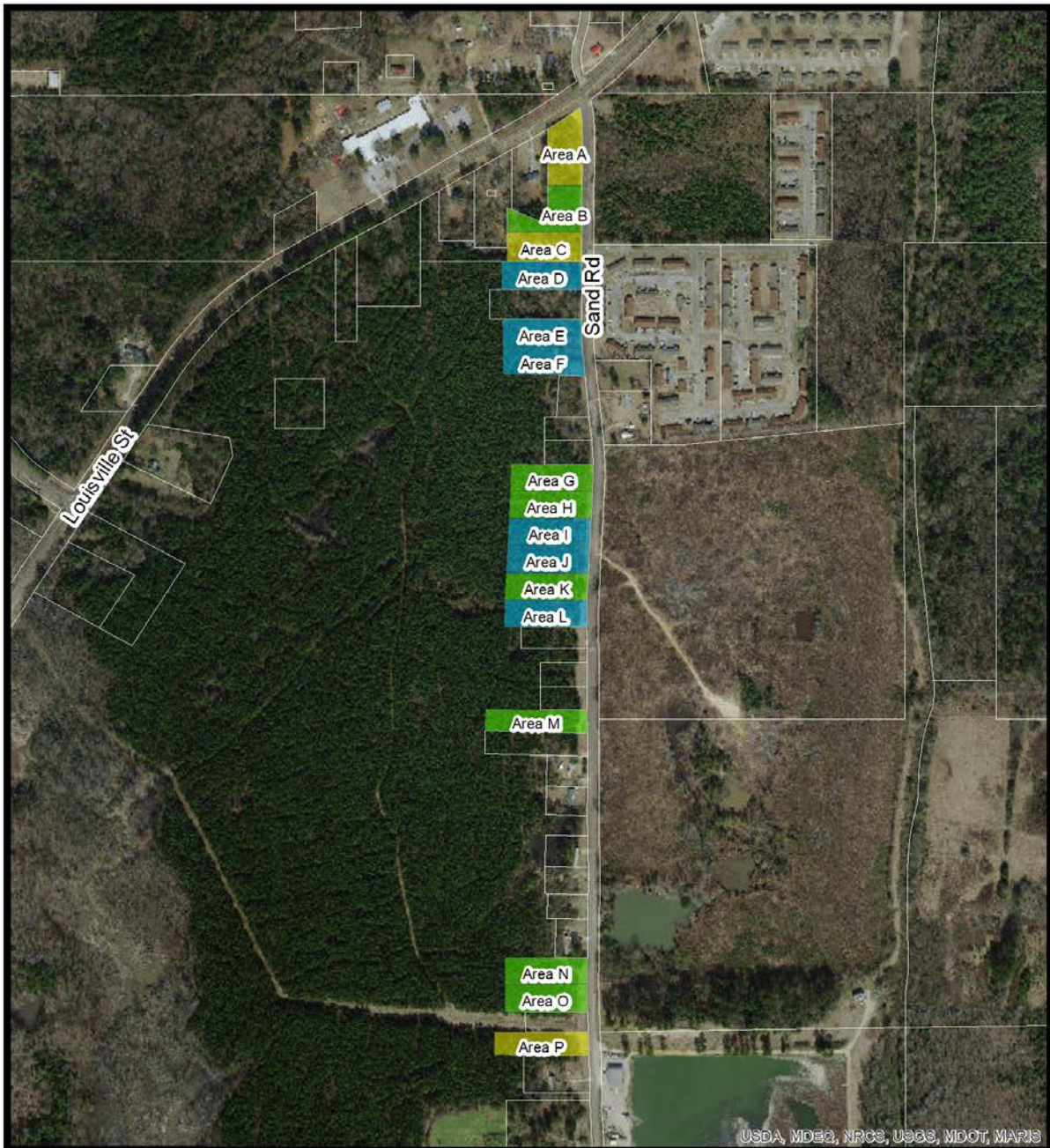
Attachment 2
SE 20-14 Zoning



Attachment 3- Map of Area A

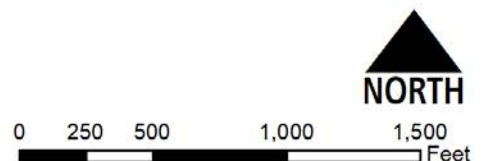


Attachment 4
Status of Lease Areas



Lease Area

- Approved
- Under Review
- Vacant



Attachment 5

Tree Clearing- TVA Transmission Line

August 18, 2020





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:	<u>FP 20-03</u> Request for Final Plat approval for "Jax Corner Subdivision" the reconfiguration and subdividing of several lots into 2 lots located at 103 Highway 12 West in a C zoning district
Date:	September 8, 2020

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of Jody Josey and 4JI LP for Final Plat approval for subdividing and reconfiguring several lots into 2 lots. The proposed subdivision is named "Jax Corner Subdivision". The total land acreage is +/- 1.84-acres in a Commercial (C) zoning district. Proposed Lot 1 is shown as having an acreage of +/- 0.74 and Lot 2 is shown as having an acreage of +/- 1.1. The subject properties are located at 113 and 103 Hwy 12 West, 720 South Jackson Street, and 15, 17, and 19 Canal Street with the parcel numbers 102H-00-019.00, 102H-00-020.00, 102H-00-020.01, 102H-00-020.02, 102H-00-025.00, 102H-00-024.00, 102H-00-023.00, 102H-00-022.00, and 102H-00-021.00. Please see attachments 1-4.

ZONING DISTRICT INFORMATION

Below is information pertaining to a Commercial Use in a C- Commercial zoning district:

Commercial Use	
A. Lot Dimensions	C
A1 Lot size (min)	*
A2 Lot width (min)	*
B. Building/Structure Setbacks	C
B1 Front setback min	20'
B2 Front setback max	N/A
B3 Side setback	10'
B4 Side setback adjacent to detached residential	50'
B5 Side setback corner lot	20'
B6 Rear setback	20'
B7 Rear setback adjacent to detached residential	50'
D. Parking Setbacks	C
D1 From primary street	5'
D2 From side street	5'
D3 From side and rear property line	5'
D4 From side rear property line adjacent to detached residential	See buffer yard requirements
E. Height	C
E1 Principle building(s) (max)	50', 4 story
E2 Accessory building(s) (max)	15', 1 story
F. Pedestrian Access	C

F1 Street-facing primary entrance along street yes

Commercial Use-Continued

F2 Sidewalk connection to street from each entrance yes

G. Mixed-Use C

G1 Residential yes, above 1st floor

G2 Industrial no

*lots must be of a sufficient size to accommodate the proposed use and meet all subsequent development standards

**see use chart and additional standards

GENERAL INFORMATION:

- The subdivision has a gross acreage of +/- 1.84 acres with a total of 2 lots.
- Proposed Lot 1 is composed of 0.7 acres. Lot 2 is composed of 1.1 acres.
- The final plat is a Class "B" 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 has not identified any adversely affected parties to the subdivision.
- All easements are provided on the Final Plat. The Applicant shall meet the requirements of the electrical service, potable water, and sanitary sewer utility services provider.

FINAL PLAT INFORMATION:

- Approval of a final plat by the Mayor and Board of Aldermen shall be denoted by the issuance of a letter of final plat approval and required signatures on the final plat. One (1) paper copy, a digital copy as a Portable Document Format (PDF), and AutoCAD file of the approved final plat shall be retained in the Planning Department's files. The final plat shall be filed with the office of the chancery clerk of Oktibbeha County within sixty (60) days or the plat shall be void. A deposit in the amount of two hundred dollars (\$200) shall be required to guarantee the return of one (1) signed copy of the final plat to the city planner.
- If the final plat approval is recommended conditionally, the conditions and reasons therefore shall be stated, and if necessary, the Planning and Zoning Commission or Mayor and Board of Aldermen may require that the subdivider submit a revised final plat.
- If denied by the Planning and Zoning Commission or the Board of Aldermen, the reasons for such action shall be stated, and if possible, recommendations should be made on the basis of which the proposed subdivision could be recommended for approval. A denied final plat may be resubmitted to the Planning and Zoning Commission and the Mayor and Board of Aldermen after the suggested changes have been made.
- Whenever a subdivider has been issued a notice of final plat approval from the Mayor and Board of Aldermen, the staff shall be authorized to execute a certificate of final plat approval on the plat upon certification by the City Clerk that the City has received both of the following:
 - o An executed development agreement for any outstanding improvements between the subdivider and the city to install the required improvements.
 - o An approved form of surety as approved by the City Attorney to complete the improvements and installations for the subdivision shall be in compliance with these

rules and regulations. Such surety shall not exceed two hundred percent (200%) of the estimated cost of the improvements.

ANALYSIS

In the opinion of the Planning Department the proposed Final Plat request could meet the criteria for final plat review and approval.

CONDITIONS OF APPROVAL

Any condition attached to the approval of a final plat by the Mayor and Board of Aldermen shall run with the land and shall be binding upon the applicants, their heirs, successors, and assigns for the duration of the subdivision. The following conditions are recommended by City Staff:

Engineering:

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.

Attachment 1
FP 20-03- Aerial



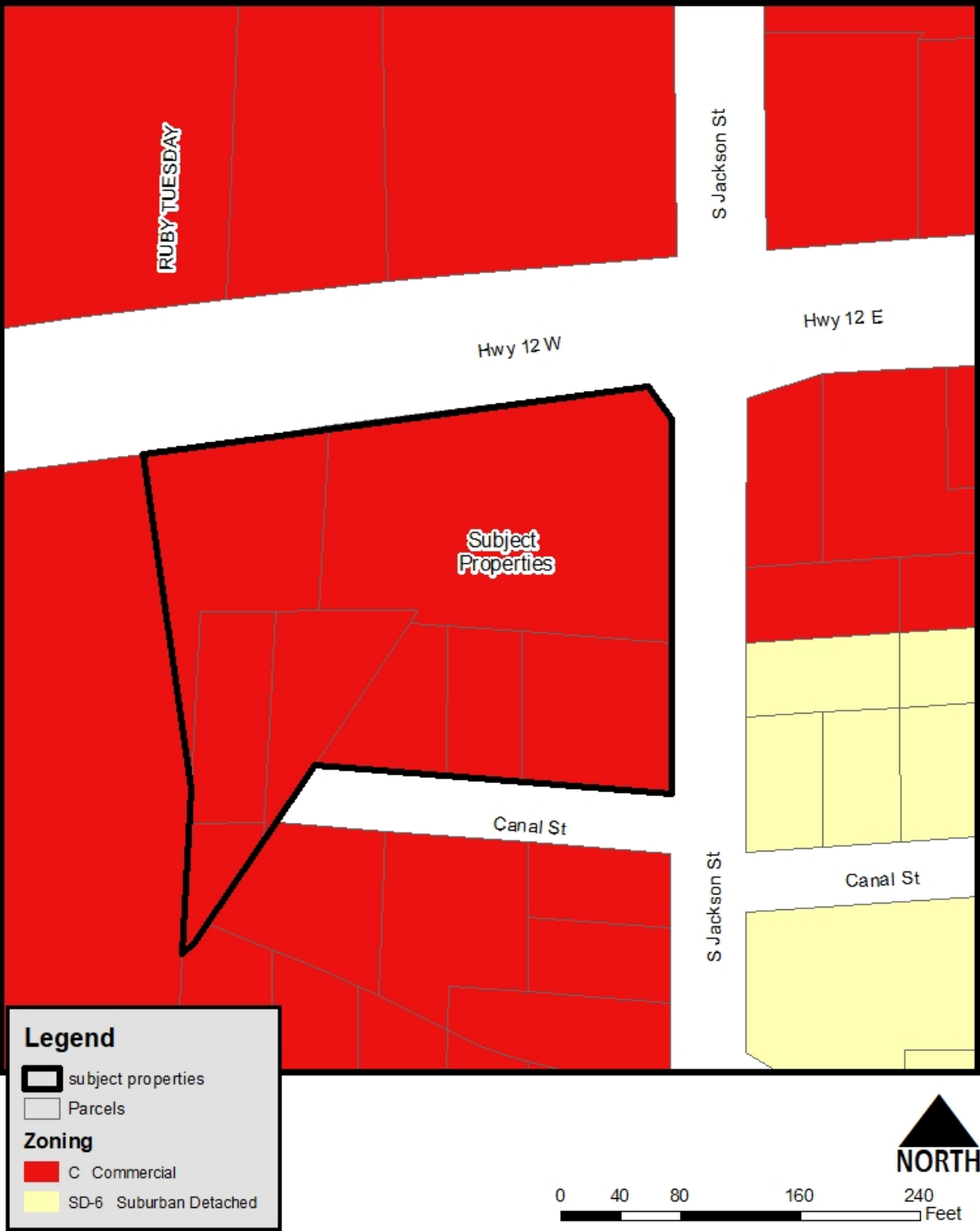
Legend

-  subject properties
-  Parcels

0 40 80 160 240 Feet

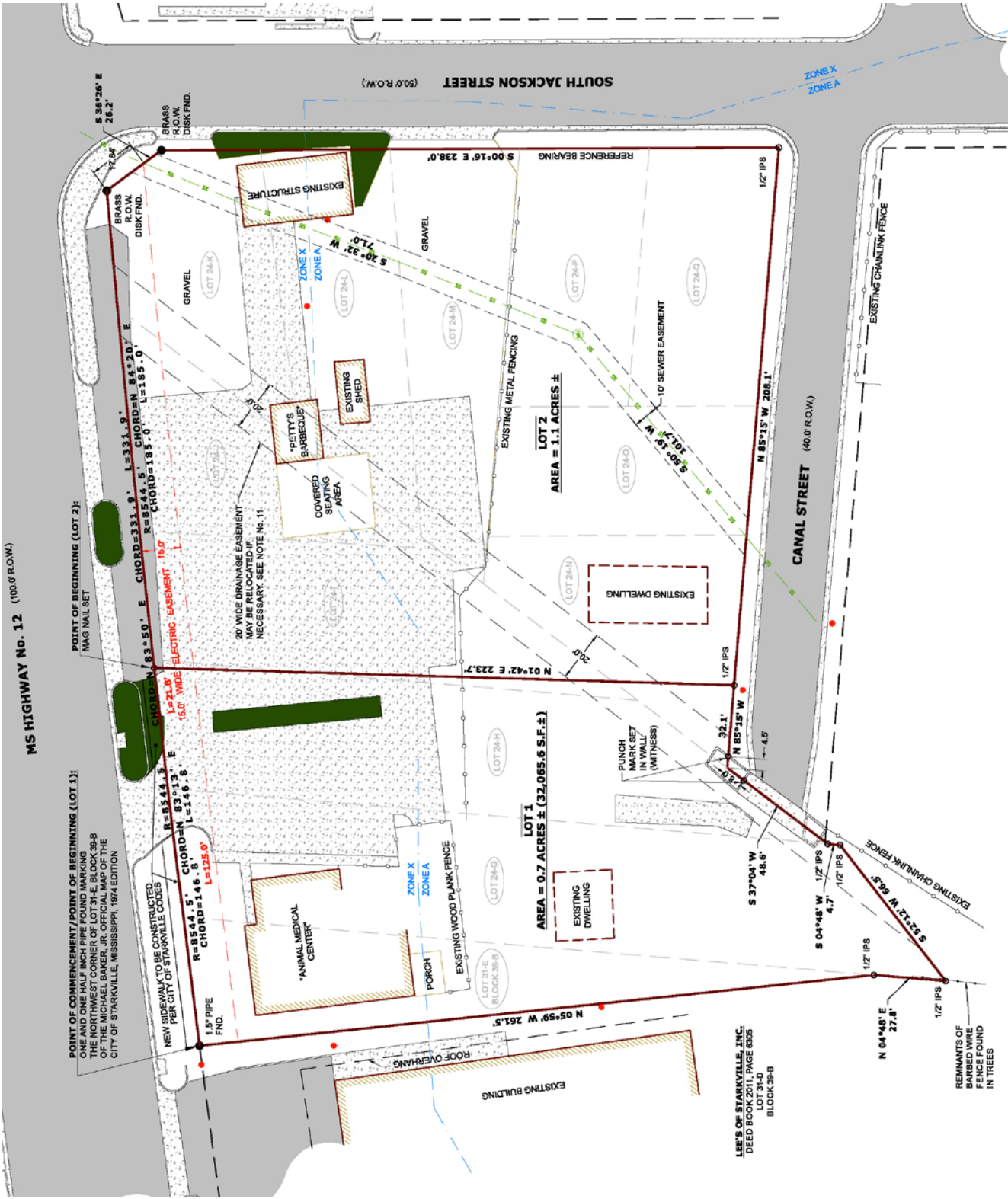


Attachment 2
FP 20-03- Zoning



[illegible]

Attachment 4- Enlarged Plat





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 Camp, Assistant City Planner (662-323-2525 ext. 3138)
Subject: UE 20-02 Request for Use Exception to allow for a "Car Title Loan, Payday Advance, or Loan Business" at 210 Highway 12 west, Suite H. The property is located within a C zoning district with the parcel number 102G-00-002.07
Date: September 8, 2020

The purpose of this report is to provide information regarding a Use Exception Request by Keith Beck of Anytime Cash Solutions, LLC on behalf of Tower Plaza LLC to allow for a "Car Title Loan, Payday Advance, or Loan Business" at 210 Highway 12 west, Suite H. The property is located within a C zoning district with the parcel number 102G-00-002.07. Please see attachments 1-2.

BACKGROUND INFORMATION

The applicant is seeking a Use Exception to operate the business Anytime Cash Solutions LLC out of suite H. The business would provide pay day loans, installment loans, and check cashing. The proposed use is classified as a "Car Title Loan, Payday Advance, or Loan Business". The Use Chart in Section 13.3.6.B of the Unified Development Code requires a Use Exception or a Special Exception for a "Car Title Loan, Payday Advance, or Loan Business" in a C zoning district. The proposed use does not require the construction of a new building or major modification to an existing building or site. Therefore, the request will be reviewed as a Use Exception. Section 3.5.1.F of Unified Development Code also requires that the Use Exception meet the additional standards for that use. There are no additional standards for the proposed use in the Unified Development Code.

CRITERIA FOR USE EXCEPTION REVIEW AND APPROVAL (Section 3.5.1.)

1. **Site and structure suitability.** The proposed location of the use has adequate space for the use such as but not limited to: parking, available utilities, pedestrian access, vehicle access, loading areas, building size, building type, etc.
2. **Traffic.** There is no undue nuisance or serious hazard to pedestrian or vehicular traffic in the surrounding area by the addition of the proposed use to the area.
3. **Immediate neighborhood impact.** The proposed use is not detrimental, injurious, obnoxious, or offensive to other properties in the neighborhood. Negative impacts can include excessive trip generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, and inappropriate hours of operation.
4. **Impact on property values.** The proposed location of the use will not cause or contribute to a decline in property values of surrounding properties.
5. **Consistency with Comprehensive Plan.** The proposed special exception is consistent with the goals, objectives, and policies of the Comprehensive Plan.
6. **Additional standards.** All associated additional standards for the proposed use have been adequately provided for on the site plan.

ABANDONMENT OR DISCONTINUANCE (Section 3.5.3.K)

If a use exception is abandoned, discontinued, or ceases for a continuous period of more than three (3) months, the use exception shall become null and void. The use exception shall only be tied to the applicant for that specific location and/or business and cannot be transferred to another entity or location without reapplication. Any use associated with an approved use exception may continue the associated use unless the use is made a nonconformity by any subsequent zoning ordinance and/or action by the Board of Aldermen.

NOTIFICATION

The request was noticed in accordance with Section 3.5.3.E of the Unified Development Code.

1. 8 property owners of record within 160 feet of the subject property were notified directly by mail of the request.
2. A legal ad was published in the Starkville Daily News on August 18, 2020.
3. A sign was posted on the property in a conspicuous location.

RESPONSE TO NOTIFICATION

As of this date, the Planning Office has received no response from the notification.

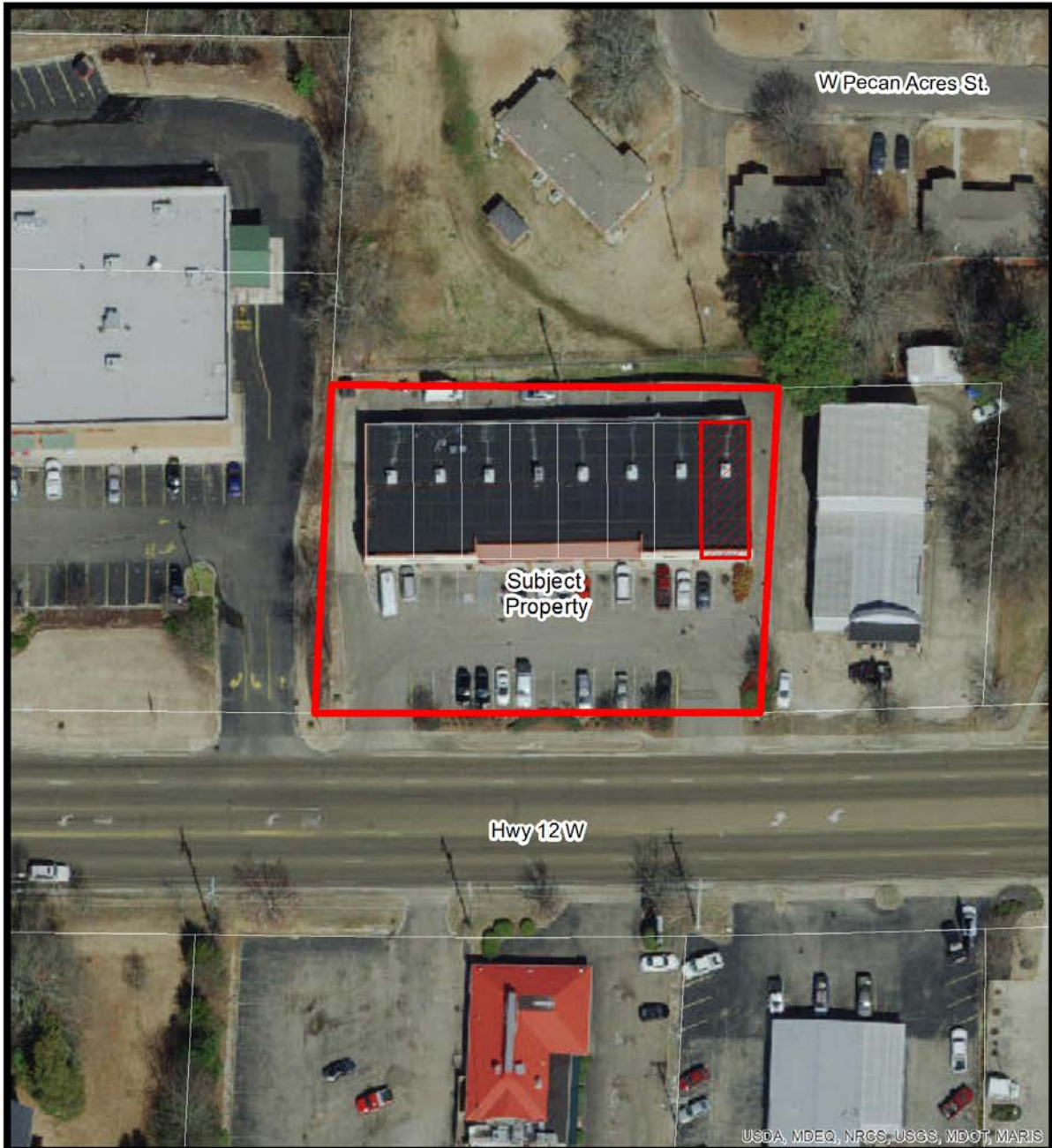
ANALYSIS

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

CONDITIONS OF APPROVAL

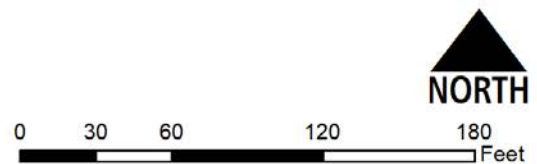
The Mayor and Board of Aldermen may attach conditions in accordance with the approval. Conditions attached to the approval of a use exception shall run for the duration of the use. Conditions for a requirement for a renewal of a use exception may be applied to approval at the discretion of the Board of Aldermen. (Section 3.5.3.J).

Attachment 1
UE 20-02 Aerial



Legend

-  Subject Property
-  Suite H



Attachment 2
UE 20-02 Zoning

