

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI DECEMBER 8, 2020**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville held their regularly scheduled meeting on December 8, 2020 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being physically present were Kim Moreland, Ward 1 and Michael Brooks, Chairman, Ward 4. Joining the meeting via the Google Meets virtual meeting platform were Vicki West, Ward 2, Alexis Gregory, Ward 5, Jeremiah Dumas, Ward 6 and Tommy Verdell Jr., Ward 7. Kelly Prather, Ward 3 was absent from the meeting. Physically present attending the Commissioners were City Planner Daniel Havelin and City Attorney Jason Sharp. Attending the meeting via Google Meets virtual meeting platform was Community Development Director Dr. Simon Kim.

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

IV. 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 December 8, 2020 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, DECEMBER 8, 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 NOVEMBER 10, 2020
- VI. **CITIZEN COMMENTS**
- VII. **NEW BUSINESS**
 - A. DISCUSSION AND CONSIDERATION OF PP 20-05 A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "ADELAIDE, PHASE III" LOCATED ON THE WEST SIDE OF ADELAIDE PHASE I AND II ON RYAN AVENUE AND BANCROFT AVENUE WITHIN A TN-N ZONING DISTRICT WITH THE PARCEL NUMBERS 105-15-007.00 AND 105-22-001.00

- B. PUBLIC HEARING AND CONSIDERATION OF SE 20-19 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A DEVIATION FROM THE REQUIREMENT TO HAVE A STREET FACING PRIMARY ENTRANCE FOR A PROPOSED CONVENIENCE STORE AT 1012 HIGHWAY 12 WEST IN A C ZONING DISTRICT WITH THE PARCEL NUMBER 103i-00-005.01
- C. PUBLIC HEARING AND CONSIDERATION SE 20-20 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN EXPANSION OF A NONCONFORMING USE IN A T5-D ZONING DISTRICT AT 105 CALDWELL STREET WITH THE PARCEL NUMBER 118P-00-218.00.
- D. DISCUSSION AND CONSIDERATION OF THE 2021 PLANNING AND ZONING COMMISSION MEETING SCHEDULE

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 December 8, 2020 received unanimous approval.

V. CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING

A. CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 10, 2020

After discussion and upon the motion of Commissioner Dumas, duly seconded by Commissioner Moreland, the motion to approve the minutes as amended of the Planning and Zoning Commission for November 10, 2020 received approval with a vote of 5-0 with Commissioner Gregory abstaining due to not being in attendance at the November 10 meeting.

VI. CITIZEN COMMENTS

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

VII. NEW BUSINESS

A. DISCUSSION AND CONSIDERATION OF PP 20-05 A REQUEST FOR PRELIMINARY PLAT APPROVAL FOR "ADELAIDE, PHASE III" LOCATED ON THE WEST SIDE OF ADELAIDE PHASE I AND II ON RYAN AVENUE AND BANCROFT AVENUE WITHIN A TN-N ZONING DISTRICT WITH THE PARCEL NUMBERS 105-15-007.00 AND 105-22-001.00

City Planner Daniel Havelin presented a request by Neel-Schaffer, Inc. on behalf of Live Adelaide, LLC for Preliminary Plat approval for subdividing a +/-16.72-acre parcel into 46 lots. The proposed subdivision is named "Adelaide Phase III" and is located in a TN-N zoning district on the west end of Bancroft Avenue directly west of Adelaide Phase I and II

The Applicant has requested a Variance from required curb width, building setback, right of way & median limits, and travel lane width. That request will be heard by the Board of Aldermen on December 15th.

The proposed development has a gross density of 2.75 units per acre. The applicant has not identified any adversely affected parties to the subdivision. 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, potable water, and sanitary sewer utility services provider.

The Applicant has provided a Traffic Impact Analysis for the entire subdivision. Staff recommended conditions #1 and #2 are based on the recommendation of this analysis.

The Applicant is currently working with appropriate government agencies to develop a regional stormwater management plan. The Applicant has provided a Stormwater Design Narrative as part of the Preliminary Plat review (attachment 6).

Chairman Brooks opened the public meeting to citizen comments.

Saunders Ramsey with Live Adelaide, LLC, came forward to answer any questions from the Commission.

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

After discussion and upon the motion to approve PP 20-05 with amended conditions by Commissioner Dumas, duly seconded by Commissioner Moreland, was approved unanimously.

1. The dedication of a minimum of 10 feet of right-of-way along South Montgomery Street shall be required to accommodate future roadway improvements and widening on all future phases of the subdivision.
2. A left turn lane on to South Montgomery Street shall be required for each entrance as shown on Attachment 6 based on the total number of constructed dwelling units within the entire subdivision. The trigger for the construction of the left turn lane shall be as follows:
 - North Site Drive at 400 dwelling units
 - Lawrence Avenue at 470 dwelling units
 - South Site Drive #1 at 550 dwelling units
 - South Site Drive #2 at 600 dwelling units
 - South Site Drive #3 at 600 dwelling units

B. PUBLIC HEARING AND CONSIDERATION OF SE 20-19 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR A DEVIATION FROM THE REQUIREMENT TO HAVE A STREET FACING PRIMARY ENTRANCE FOR A PROPOSED CONVENIENCE STORE AT 1012 HIGHWAY 12 WEST IN A C ZONING DISTRICT WITH THE PARCEL NUMBER 103i-00-005.01

This is a request by Pan American Engineer, LLC on behalf of Murphy Oil USA for a Special Exception for a deviation from the requirement to have a street facing primary entrance for a proposed convenience store. The property is currently zoned C- Commercial.

The proposed new store has two public entrances on the sides of the building adjacent to the gas pumps. Due to the proposed location of the cooler, the front of the building cannot be used as the primary entrance. Section 7.2.F1 (pg. 7-4) requires "street-facing primary entrance along street". Section 3.4.1 states that "any request to deviate from the use standard or development requirements that are non-dimensional in nature" are to reviewed as a Special Exception.

Architecture Review has commented on the proposed building. Comment #3 address the orientation of the building. The reviewer has no issue with the request.

Section 3.4.1 of the UDC list 8 criteria for review and approval of the Special Exceptions. The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code.

1. 2 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 November 18, 2020.
3. A sign was posted on the property in a conspicuous location.

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

In the opinion of the Planning Department the proposed deviation associated with the Special Exception request could meet the criteria for special exception review and approval. The majority of buildings along Highway 12 do face the street with their primary entrance. The proposed building, unlike most buildings along Highway 12, doesn't take direct access to Highway 12. It is accessed from another property. Additional architectural detailing could be added to the south elevation to enhance the appearance of the building.

Chairman Brooks opened the public hearing to citizen comments.

Ron Bordelon of Pan American Engineer, LLC 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 amongst the Commissioners.

After discussion and upon the motion to approve SE 20-19 by Commissioner Dumas, duly seconded by Commissioner Gregory, was approved unanimously.

C. PUBLIC HEARING AND CONSIDERATION SE 20-20 A REQUEST FOR SPECIAL EXCEPTION TO ALLOW FOR AN EXPANSION OF A NONCONFORMING USE IN A T5-D ZONING DISTRICT AT 105 CALDWELL STREET WITH THE PARCEL NUMBER 118P-00-218.00.

This is a request by William and Susan Strohm to allow for an expansion of a nonconforming use at 105 Caldwell Street. The property is currently zoned in a T5-D zoning district. The applicant is seeking a Special Exception to expand an existing detached dwelling.

The Use Chart in Section 13.3 of the Unified Development Code list detached dwellings as “not permitted” in a T5-D zoning district. Therefore, the existing detached dwelling is a legal nonconforming use. Section 3.17.2.A of the Unified Development Code allows for the expansion of a nonconforming use if approved as part of a special exception or use exception. Since the request involves expansion of building, the special exception process is required.

Section 3.4.1 of the UDC list 8 criteria for review and approval of the Special Exceptions. The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code.

1. 17 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 November 22, 2020.
3. A sign was posted on the property in a conspicuous location.

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

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.

William and Susan Strohm 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 amongst the Commissioners.

After discussion and upon the motion to approve SE 20-20 by Commissioner Dumas, duly seconded by Commissioner West, was approved unanimously.

D. DISCUSSION AND CONSIDERATION OF THE 2021 PLANNING AND ZONING COMMISSION MEETING SCHEDULE

There came for consideration, the matter of the approval of the 2021 Planning and Zoning Commission meeting schedule and submission deadlines.

During the discussion, Commissioner Gregory correctly pointed out that the submission deadlines and dates for the January 2022 meeting were incorrect on the schedule as presented.

After discussion and upon the motion to approve 2021 Planning and Zoning Commission meeting schedule with corrections by Commissioner Gregory, duly seconded by Commissioner Verdell, was approved unanimously.

VII. ADJOURN

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

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

Michael Brooks, Commission Chair

Daniel Havelin, City Planner