

**APPROVED MINUTES OF THE MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI APRIL 9, 2024**

Be it remembered that the Planning and Zoning Commission members of the City of Starkville held a meeting on April 9, 2024, 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 Chairman Jeremiah Dumas, Ward 6; Alexis Gregory, Ward 5; Joe Fratesi, Ward 1; Vickie West, Ward 2; Kelly Prather, Ward 3; Carl Smith, Ward 4 and Tommy Verdell, Ward 7. City Planner Daniel Havelin, Assistant City Planner Lyle McCaskey, and Assistant City Attorney Jason Sharp were physically present.

Chairman Dumas opened the meeting with the Pledge of Allegiance, followed by a moment of silence and a brief welcoming of Commissioner Joe Fratesi Ward 1.

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 April 9, 2024, as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, APRIL 9, 2024
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. CONSIDERATION FOR THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF MARCH 12, 2024
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF RZ 24-01 A REQUEST TO REZONE THE FORMER BUS DEPOT LOCATED AT 220 WEST GILLESPIE STREET FROM S-E TO TN-E ZONING DISTRICT.
 - B. DISCUSSION AND CONSIDERATION OF FP 24-03 A REQUEST FOR FINAL PLAT APPROVAL FOR "CLARK GROVE SUBDIVISION PHASE 2" LOCATED ON THE EAST SIDE OF REED ROAD +/- 930 FEET NORTH OF WESTSIDE DRIVE IN A TN-N ZONING DISTRICT.
- VIII. ADJOURN

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Smith, the motion to approve the official agenda of the Planning and Zoning Commission for April 9, 2024, received unanimous approval.

V. CONSIDERATION FOR THE APPROVAL OF MINUTES

A. CONSIDERATION OF THE UNAPPROVED MINUTES OF MARCH 12, 2024

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Prather, the motion to approve the minutes of the Planning and Zoning Commission for March 12, 2024, received unanimous approval.

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. PUBLIC HEARING AND CONSIDERATION OF RZ 24-01 A REQUEST TO REZONE THE FORMER BUS DEPOT LOCATED AT 220 WEST GILLESPIE STREET FROM S-E TO TN-E ZONING DISTRICT.

City Planner Daniel Havelin presented Hagan Walker's request on behalf of Starkville Oktibbeha Consolidated School District to rezone 220 Gillespie Street from S-E to TN-E. Starkville Oktibbeha Consolidated School District is actively marketing the property for sale. The current zoning designation of S-E (Special Educational) is primarily only for educational uses. Those uses include any public or private institution providing educational services to grades PreK-12, higher education, specialized professional, or vocational training. The applicant is in the process of purchasing the property to convert the existing structure into a residence.

The Official Zoning District Map may be amended only when one or more of the following conditions prevail:

- Error. There is an error in the Code and a need to correct the error.
- Change in conditions. A change in the neighborhood has occurred to such an extent as to justify the proposed rezoning and there is a public need for the proposed rezoning.

With the sale of the property, the educational use will cease to be the primary use. Thus, a change in condition will occur with the property and within the neighborhood. The proposed zoning is the same as the surrounding property. Therefore, assuring that any future use is compatible. Thus, there is a public need to

zone the property to increase the amount of residential property in the area and event incompatible uses.

The request was noticed per Section 3.1.3.G of the Unified Development Code. 29 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 19, 2024. A sign was posted on the property in a conspicuous location. As of this date, the Planning Office has received no response to the notifications.

Chairman Dumas opened the public hearing.

Maggan Walker came forward in favor of the request and to answer any questions.

After calling for and receiving no additional comments, Chairman Dumas closed the public hearing.

After a discussion and upon the motion of Commissioner Prather, duly seconded by Commissioner West, the motion to approve RZ 24-01 received unanimous approval based on the change in condition as established in the staff report.

B. DISCUSSION AND CONSIDERATION OF FP 24-03 A REQUEST FOR FINAL PLAT APPROVAL FOR "CLARK GROVE SUBDIVISION PHASE 2" LOCATED ON THE EAST SIDE OF REED ROAD +/- 930 FEET NORTH OF WESTSIDE DRIVE IN A TN-N ZONING DISTRICT.

City Planner Daniel Havelin presented Bryan of McCarty Architects' request for a final plat for the "Clark Grove Subdivision Phase 2" subdivision on behalf of Rosedale Limited, LLC. This proposed subdivision is located directly north of PH1 of Clark Grove along Reed Road. The Preliminary Plat was approved by the Board of Aldermen on March 21, 2023. The infrastructure plan was approved by the Development Review Committee on December 5, 2023. The DRC reviewed the final plat on March 14, 2024.

The proposed subdivision is located in a TN-N zoning district. The gross acreage is +/- 0.41, with a total of 32 lots. The proposed gross density is 3.07 units per acre. All easements and dedications are provided on the final plat. Electrical service, Potable water, and sanitary sewer utility services will be provided by the City. Staff is reviewing the proposed covenants. The applicant has indicated that this subdivision is not part of any previously platted subdivision; therefore, no adversely affected parties.

There are six staff recommend conditions of approval. These conditions are similar to the conditions placed on Phase I.

1. Prior to execution of the Certificate of Final Approval by City Staff, the proposed covenants shall be revised and approved by the City Attorney and shall include the creation of a Homeowner's Association (HOA) for the long-term maintenance of common areas, private piping, stormwater management areas, and any custom signage within the subdivision along with the City's standard hold-harmless and indemnification clause.
2. Prior to execution of the Certificate of Final Approval by City Staff, an approved form of surety and the accompanying agreement for the completion of unfinished items shall be provided. The form of surety and agreement shall be reviewed by the City Attorney and determined to be acceptable. The amount of the surety shall be reviewed by the City Engineer and determined to be acceptable based on the provided cost estimate.
3. The placement of water meters by Starkville Utilities shall not take place until the release of the sanitary sewer bond.
4. The Homeowners Association (HOA) and/or Developer shall own and maintain the water system until all bonds are released. The HOA and/or Developer shall be responsible for any water leaks until all bonds are released. Responsibility for the water system shall include all water infrastructure included in the IP 23-02 Camden Green, Clark Grove Phase 2 Infrastructure Plans.
5. The Homeowners Association (HOA) and/or Developer shall own and maintain the sanitary sewer system until all bonds are released. Responsibility for the sanitary sewer system shall include all sewer infrastructure included in IP 23-02 Camden Green, Clark Grove Phase 2 Infrastructure Plans.
6. Prior to issuance of any Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) for any structure on any lot within the subdivision, the following items shall be completed or provided to City Staff:
 - a. As-built drawings signed/stamped by a licensed PE meeting City of Starkville requirements.
 - b. All required test and material reports as outlined in the Subdivision Testing requirements and Processes and the Subdivision Testing Schedule.
 - c. All required infrastructure as illustrated on the approved infrastructure plan "IP 23-02 Camden Green, Clark Grove Phase 2" has been fully completed, inspected, tested, and approved by the City of Starkville Community Development Department, Engineering Department, and Starkville Utilities.
 - d. Revise the final plat as necessary to adjust easements, public rights-of-way, lots, and/or any other items based on the final as-built infrastructure construction.

After a discussion and upon the motion of Commissioner Smith, duly seconded by Commissioner Verdell, the motion to approve FP 24-03 received unanimous approval.

VIII. ADJOURN

There came for consideration the matter of the approval of the motion to adjourn until 5:30 p.m. on May 14, 2024, 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 May 14, 2024, in the Courtroom located at 110 West Main Street, Starkville, MS, by Commissioner Gregory, duly seconded by Commissioner Smith, the motion was unanimously approved.

A handwritten signature in cursive script, reading "Jeremiah Dumas", written over a horizontal line.

Jeremiah Dumas, Commission Chair

A handwritten signature in cursive script, reading "D. Havelin", written over a horizontal line.

Daniel Havelin, City Planner