



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, May 10, 2016
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. CITIZEN COMMENTS
- VI. NEW BUSINESS
 - A. EX 16-03 Request for Exception for a nonconforming band sign at 200 South Montgomery located in a T-5 zoned with the parcel number 118P-00-365.00
 - B. FP 16-04 Request for Final Plat approval for subdividing a +/- 20.7 acre parcel into two lots. The parcel is located directly south of Starkville Christian School on Lynn Lane in an R-5 Zone with the parcel number 102O-00-004.00.
 - C. RZ 16-04 Request for Rezoning one parcel at 300 Yellow Jacket Drive from R-1 Single Family to B-1 Buffer with the parcel number 102H-00-043.00
 - D. CU 16-04 Request for a Conditional Use for a "Institutional and Health Care Facilities" on one parcel at 300 Yellow Jacket Drive currently zoned R-1 Single Family with the parcel number 102H-00-043.00
- VII. PLANNER REPORT
- VIII. ADJOURN



THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
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)
CC: Applicant: Tabor Construction & Development, Owner: The Lofts at Central Station, LLC
SUBJECT: EX 16-03 Request for Exception for a nonconforming band sign at 200 South Montgomery located in a T-5 zoned with the parcel number 118P-00-365.00
DATE: May 10, 2016

The purpose of this report is to provide information regarding the request by Tabor Construction & Development on behalf of The Lofts at Central Station, LLC for an Exception to allow a nonconforming wall sign in a T5 District. Please see attachments 1-4.

BACKGROUND INFORMATION

The applicant is requesting an Exception to allow nonconforming wall sign to be placed on the elevator tower on the north side of the Central Station building. The proposed sign will exceed the size requirement for a band sign in a T-5 zoned areas. A band sign maybe up to 90% of the width of the wall with a maximum height of 3' and maximum letter height of 18" (see attachment 4). The proposed sign is shown at 9'-6" wide and 15' tall (see attachment 3).

APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts

1.5 EXCEPTION AND VARIANCE

- (a) *There are two types of permitted deviations from the requirements of this Section:*
 - i. *Exception*
 - a. *Requests for Exception shall only be permitted as specifically indicated in this Section.*
 - b. *To apply for an Exception, the applicant shall provide the following:*
 - i. *The specific Exception(s) requested including citation from this Section and why the Exception is being sought.*
 - ii. *Maps, text, drawings and/or statistical data related to the requested Exception(s).*
 - c. *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.*
- d. *Any decision regarding an approval or denial of an Exception shall state, in writing, the reasons for the approval or denial.*
- e. *If the Planning and Zoning Commission denies any requested Exception, the applicant may appeal the decision to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall review the application de novo.*
- ii. *Dimensional Variance*
 - a. *A Dimensional Variance shall be processed pursuant to Chapter 2 - Administration, Article VI - Board of Adjustments & Appeals, Section 2 - 176 Variances and the Board of Adjustments & Appeals of the City of Starkville's Code of Ordinances.*
- (b) *Exceptions shall be advertised and noticed in the same fashion as conditional uses in the City's Code of Ordinances in accordance with Appendix A, Article VI, Section 1.*

APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts

1.2 INTENT

- (a) *Regulations on buildings equitably balance the rights of individual property owners and the interests of the community as a whole.*
- (b) *Infrastructure, landscape and buildings shape the public realm, the spatial definition of which can be understood as a continuum from weak to strong.*
- (c) *Transect Districts organize the individual characteristics of infrastructure, landscape and buildings into distinct physical environments, with the overall character of each differing from one another.*
- (d) *Distinct physical environments provide a choice in living arrangement for citizens with differing physical, social, and emotional needs.*
- (e) *Mixed Uses within Transect Districts and individual buildings provides access to daily needs within close proximity to dwellings so that residents may choose to work, recreate, and shop within walking distance to their home.*

1.3 TRANSECT DISTRICTS

- (a) *The following Transect Districts are established under the provisions of this Section and are illustrated on Table 1:*
 - i) *T1 District - Reserved for Future*
 - ii) *T2 District - Reserved for Future*
 - iii) *T3 District - Reserved for Future*
 - iv) *T4 District*
 - v) *T5 District*
 - vi) *T6 District*
 - vii) *Civic District*

- (b) *The T1 District consists of land approximating a wilderness condition, including land unsuitable for development due to topography, hydrology, or vegetation.*
- (c) *The T2 District consists of sparsely settled lands in open or cultivated states with little spatial definition, if any.*
- (d) *The T3 District consists of lightly settled lands and is primarily residential in character, where deep setbacks and limited Lot coverage creates only a minimal level of spatial definition of outdoor spaces.*
- (e) *The T4 District consists of moderately settled lands, is primarily residential in character, but permits an appropriate level of Mixed Use. Moderate setbacks and Lot coverage by buildings creates an increased sense of spatial definition.*
- (f) *The T5 District consists of heavily settled lands and is primarily Mixed-Use in character. Shallow setbacks, high Lot coverage, and multi-level buildings creates strong spatial definition of outdoor spaces.*
- (g) *The T6 District consists of the most intensely settled lands and is mixed-use in character. Multi-storied buildings positioned at the front Lot Line, no Setbacks, and maximum Lot coverage by buildings creates the strongest definition of outdoor space of all Districts.*
- (h) *The Civic District consists of open spaces and public buildings dedicated to arts, culture, education, recreation, local government, and/or municipal parking Uses that serve as necessary components of any community.*

APPENDIX A – ZONING, ARTICLE VII. – DISTRICT REGULATIONS, Sec. T. – Transect districts

2.8 SIGNAGE

- (a) *Signage shall be designed according to Table 8 and specific types permitted as indicated for each Sub-District.*
- (b) *Address Signs shall be made easily visible through the use of colors or materials that contrast with their background and shall be attached to the Facade or Principal Entrance of the unit they identify. Address Signs may be attached to a mailbox by Exception.*
- (c) *Awning Signage shall be limited to no more than seventy percent (70%) of the Valance of the awning or the vertical portion of a dome awning. The height of the Valance shall not exceed twelve (12) inches. Awning Signs shall contain only the business name, logo, and/or street address.*
- (d) *One (1) Band Sign limited to 90% of the width of the building Facade shall be permitted for each building with a Commercial Use. Information shall consist only of the name and/or logo of the business.*
- (e) *Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story.*
- (f) *One (1) Blade Sign shall be permitted for each business if the Facade is no more than five (5) feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to four (4) feet, shall clear the Sidewalk by at least eight (8)*

feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or logo of the business.

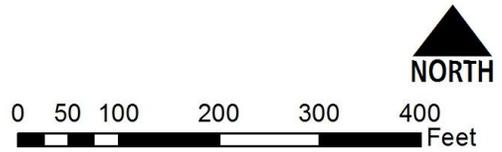
- (g) Marquees shall be located only above the Principal Entrance of a building, shall provide a minimum clearance of ten (10) feet, and may Encroach the Public Frontage to within two (2) feet of the Curb. Message Boards shall be permitted as part of Marquees.*
- (h) One (1) Nameplate per address limited to three (3) square feet and consisting of either a panel or individual letters applied to a building wall, may be attached to a building wall within ten (10) feet of a Principal Entrance.*
- (i) Outdoor Display Cases shall not exceed six (6) square feet and may be internally illuminated.*
- (j) One (1) freestanding, double-sided, temporary Sidewalk Sign may be placed within the Parking Strip of the Public Frontage for each business. Sidewalk Signs shall be removed at the close of business each day.*
- (k) Window signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays. Window signs may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages.*

50 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 April 18th 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 against this request. Three letters of support from other tenant/property owners within the building were also received.

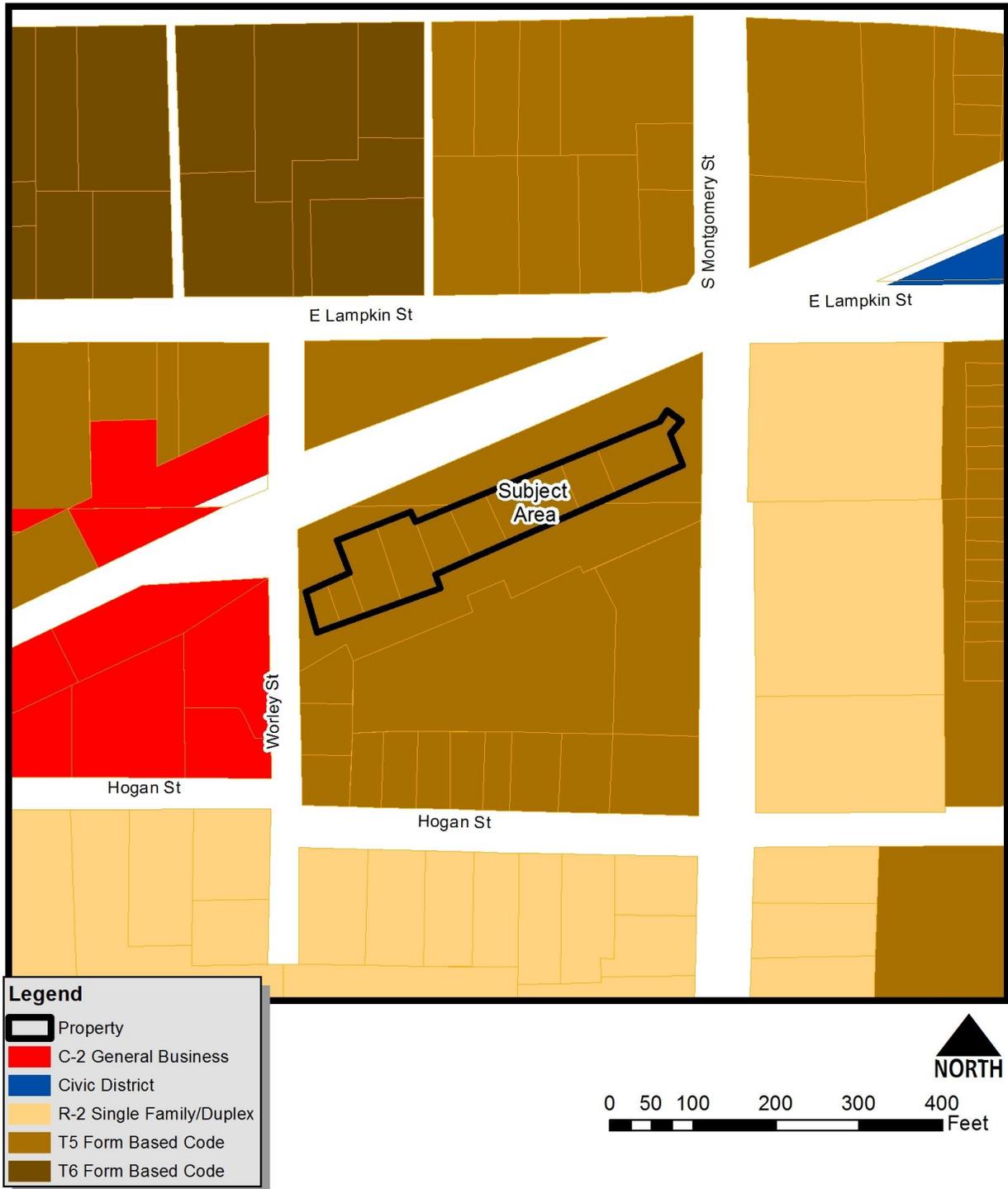
Attachment 1
EX 16-03 Aerial



Legend
 Property



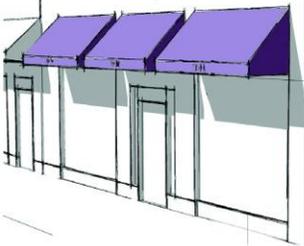
Attachment 2
EX 16-03 Zoning



Attachment 3- Proposed Sign Rendering



Attachment 4

TABLE 8. SIGN STANDARDS																				
	T4	T5	T6	SPECIFICATIONS																
<p>Address Sign</p> 	■	■	■	<table border="1"> <tr><td>Quantity</td><td>1 per address</td></tr> <tr><td>Area</td><td>2 sf max</td></tr> <tr><td>Width</td><td>24 in max</td></tr> <tr><td>Height</td><td>12 in max</td></tr> <tr><td>Depth / Projection</td><td>3 in max</td></tr> <tr><td>Clearance</td><td>4.5 ft min</td></tr> <tr><td>Apex</td><td>N/A</td></tr> <tr><td>Letter Height</td><td>6 in max</td></tr> </table>	Quantity	1 per address	Area	2 sf max	Width	24 in max	Height	12 in max	Depth / Projection	3 in max	Clearance	4.5 ft min	Apex	N/A	Letter Height	6 in max
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Apex	N/A																			
Letter Height	6 in max																			
<p>Awning and Sign</p> 	■	■	■	<table border="1"> <tr><td>Quantity</td><td>1 per window</td></tr> <tr><td>Area</td><td>N/A</td></tr> <tr><td>Width</td><td>width of Awning</td></tr> <tr><td>Height</td><td>N/A</td></tr> <tr><td>Depth / Projection</td><td>4 ft min</td></tr> <tr><td>Clearance</td><td>8 ft max</td></tr> <tr><td>Apex</td><td>N/A</td></tr> <tr><td>Letter Height</td><td>5 in min, 10 in max</td></tr> </table>	Quantity	1 per window	Area	N/A	Width	width of Awning	Height	N/A	Depth / Projection	4 ft min	Clearance	8 ft max	Apex	N/A	Letter Height	5 in min, 10 in max
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<p>Band Sign</p> 	□	■	■	<table border="1"> <tr><td>Quantity</td><td>1, 2 for corner building</td></tr> <tr><td>Area</td><td>1.5 sq ft per linear ft of Facade</td></tr> <tr><td>Width</td><td>90% of width of Facade max</td></tr> <tr><td>Height</td><td>3 ft max</td></tr> <tr><td>Depth / Projection</td><td>7 in max</td></tr> <tr><td>Clearance</td><td>7 ft max</td></tr> <tr><td>Apex</td><td>N/A</td></tr> <tr><td>Letter Height</td><td>18 in max</td></tr> </table>	Quantity	1, 2 for corner building	Area	1.5 sq ft per linear ft of Facade	Width	90% of width of Facade max	Height	3 ft max	Depth / Projection	7 in max	Clearance	7 ft max	Apex	N/A	Letter Height	18 in max
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Apex	N/A																			
Letter Height	18 in max																			
<p>Blade Sign</p> 	■	■	■	<table border="1"> <tr><td>Quantity</td><td>1 per Facade, 2 max</td></tr> <tr><td>Area</td><td>T3: 4 sq ft; T4 & T5: 6 sq ft</td></tr> <tr><td>Width</td><td>4 ft max</td></tr> <tr><td>Height</td><td>4 ft max</td></tr> <tr><td>Depth / Projection</td><td>4 ft max</td></tr> <tr><td>Clearance</td><td>8 ft min</td></tr> <tr><td>Apex</td><td>N/A</td></tr> <tr><td>Letter Height</td><td>8 in max</td></tr> </table>	Quantity	1 per Facade, 2 max	Area	T3: 4 sq ft; T4 & T5: 6 sq ft	Width	4 ft max	Height	4 ft max	Depth / Projection	4 ft max	Clearance	8 ft min	Apex	N/A	Letter Height	8 in max
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Apex	N/A																			
Letter Height	8 in max																			
<p>Marquee and Sign</p> 	■	■		<table border="1"> <tr><td>Quantity</td><td>1 per business</td></tr> <tr><td>Area</td><td>N/A</td></tr> <tr><td>Width</td><td>width of entrance plus 4' o.c.</td></tr> <tr><td>Height</td><td>50% Story height max</td></tr> <tr><td>Depth / Projection</td><td>4 ft min, 10 ft max</td></tr> <tr><td>Clearance</td><td>N/A</td></tr> <tr><td>Apex</td><td>N/A</td></tr> <tr><td>Letter Height</td><td>3 ft min</td></tr> </table>	Quantity	1 per business	Area	N/A	Width	width of entrance plus 4' o.c.	Height	50% Story height max	Depth / Projection	4 ft min, 10 ft max	Clearance	N/A	Apex	N/A	Letter Height	3 ft min
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Apex	N/A																			
Letter Height	3 ft min																			

- By Right
- By Exception

Attachment 5- Letter of Support

February 16, 2016

Planning & Zoning Commission
City of Starkville, Mississippi
101 E. Lampkin Street
Starkville, MS 39759

Dear Commissioners:

Please accept this letter as my complete support of Tabor's proposed sign installation on the elevator shaft of Central Station. If you have any questions, please do not hesitate to contact me.

Sincerely,



Beardtown Bikes
Printed Name: Jan Morgan
Company Name: Beardtown Bikes
Phone Number: 662-324-1200

Attachment 6- Letter of Support

Jeremy Tabor

From: John Bean [jbean@eatwithus.com]
Sent: Tuesday, April 12, 2016 11:15 AM
To: Jeremy Tabor
Subject: Re: sign approval

Jeremy, thanks for the kind words about Bulldog Burger. I am fine with the sign you are proposing. If you need more that this email, let me know and I will get it out ASAP. Thanks,

John T. Bean
President, Eat With Us Group
jbean@eatwithus.com
B: 662-327-6982
C: 662-574-1580
F: 662-327-1672
EatWithUs.com

On Apr 11, 2016, at 4:10 PM, Jeremy Tabor <tabor100@bellsouth.net> wrote:

John,

I'm finally taking the time to get a formal sign for Tabor on the building. Attached is a scaled rendering of size and location. I wanted the others owners consent before installation. I have gotten consent from Cyndi and Mark at Something Southern and Jan Morgan at Boardtown Bikes. If agreeable to you can you send me a email back. I will then have to get a variance with the city since we have the new sign ordinance. Congrats on the new Bulldog Burger, Building looks great and the food is awesome!!

Thanks,

Jeremy

Jeremy S. Tabor, President / CEO
Tabor Construction & Development
200 S. Montgomery, Suite 201
Starkville, MS 39759
662.324.0506 (o)
662.323.8087 (f)
662.295.3817 (c)
www.tabordevelopment.com
www.certifiedprofessionalbuilder.com
<image001.jpg>

<Shaft Overlay 2.jpg>

Attachment 7- Letter of Support

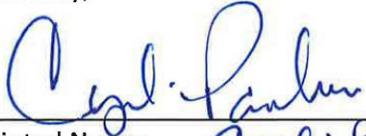
February 16, 2016

Planning & Zoning Commission
City of Starkville, Mississippi
101 E. Lampkin Street
Starkville, MS 39759

Dear Commissioners:

Please accept this letter as my complete support of Tabor's proposed sign installation on the elevator shaft of Central Station. If you have any questions, please do not hesitate to contact me.

Sincerely,



Printed Name: Cyndi Parkes
Company Name: Something Southern
Phone Number: 662-320-8485



THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
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)
CC: Applicant: Jason Pepper, Owner: Ruth Vickers Living Trust
SUBJECT: FP 16-04 Request for Final Plat approval for subdividing a +/- 20.7 acre parcel into two lots. The parcel is located directly south of Starkville Christian School on Lynn Lane in an R-5 Zone with the parcel number 102O-00-004.00.
DATE: May 10, 2016

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of Ruth Vickers Living Trust for Final Plat approval for subdividing one +/- 20.7 acres parcel into two lot of +/-15.7 acres and +/- 5.0 acres located directly behind Starkville Christian School and directly east of the softball fields at the Sportsplex on Lynn Lane in an R-5 Multi-Family, High-Density zone. This request is part of a proposed purchase by Starkville Christian School for future expansion. If the lot subdivision is approved, the +/- 5.0 acre lot will be aggregated into the School's parcel. The Board of Aldermen approved the Preliminary Plat request on April 19, 2016. All future development plans for the property will require Site Plan Approval from the Development Review Committee. Please see attachments 1-5.

Below is information pertaining to R-5 Multi-Family, High-Density zone

Sec. G. - R-5 residential zoning regulations.

These [R-5 residential] districts are intended to be composed mainly of multifamily dwellings, although a wide range of dwelling types is also permitted. Mobile homes, mobile home parks, and mobile home subdivisions are also permitted under certain special conditions. Appropriate supporting facilities to accommodate higher density multifamily districts are permitted and the character of this residential district is protected by requiring certain yard and area standards to be met. [The following regulations apply to R-5 districts:]

1. *See chart for permitted uses.*
2. *See chart for uses which may be permitted as a special exception.*
3. *Required lot area and width, yards, building areas and height for residences:*
 - a) *Minimum lot area, per unit: 1,800 square feet.*
 - b) *Minimum lot width at building line:*

Single-family and multifamily dwelling of less than eight units: 50 feet.

Townhouse dwelling: 16 feet.

Multifamily dwelling of eight units or more: 100 feet.

- c) Minimum depth of front yard: 25 feet.*
- d) Minimum width of side yard: 5 feet.*
- e) Minimum depth of rear yard: 20 feet.*
- f) Maximum height of structure: 45 feet.*

Mobile homes on individual lots shall comply with the provisions of article VII, section E. Mobile home parks and mobile home subdivisions shall comply with provisions of article VII, section H.

- 4. Off-street parking requirements: See article VII of this ordinance for requirements for other uses.*
- 5. All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.*
 - a) The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade.*
 - b) The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.*
 - c) The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.*
- 6. All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period of no longer than twelve months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

(Ord. No. 2007-5, § 1, 4-17-07; Ord. No. 2014-5, 9-16-14).

PLAT PROPOSAL

General Information

The subdivision has a gross acreage of +/-20.7 acres with a total of 2 lots. Lot 1 has the proposed acreage of +/-15.7 acres. Lot 2 has the proposed acreage of +/-5.0 acres

Easements and Dedications

No easements or dedications required.

Findings and Comments

Utility connections from Lynn Lane will be available for the +/- 5 acre lot through the existing Starkville Christian School. It is unknown if the +/- 15 acre lot currently has or will have available utilities.

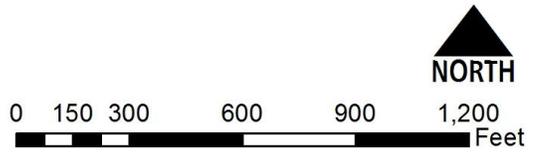
Recommended Conditions

1. Lot 2 shall be aggregated into the existing lot of Starkville Christian School within 6 months of approval.

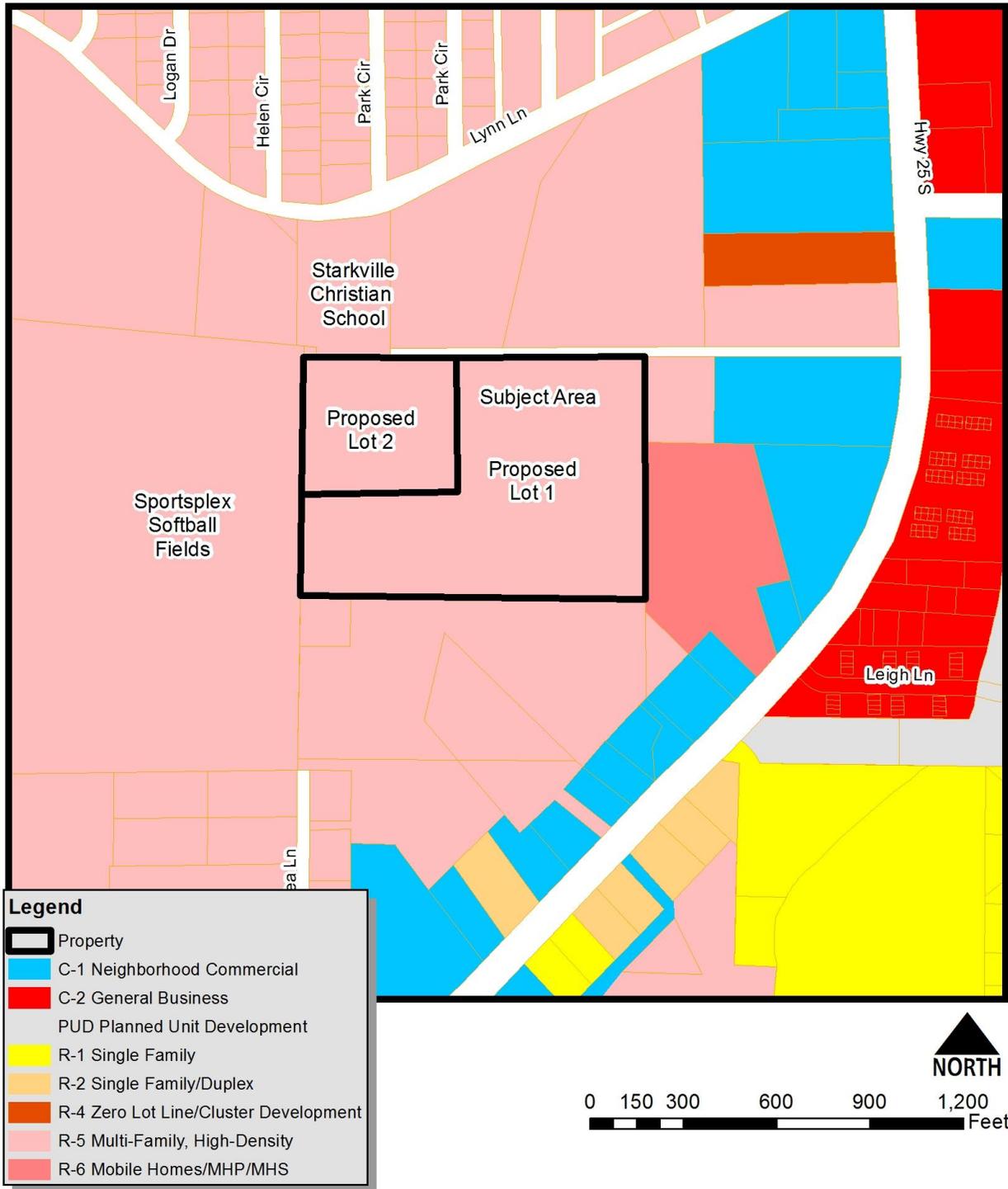
Attachment 1
FP 16-04 Aerial



Legend
 Property



Attachment 2
FP 16-04 Zoning



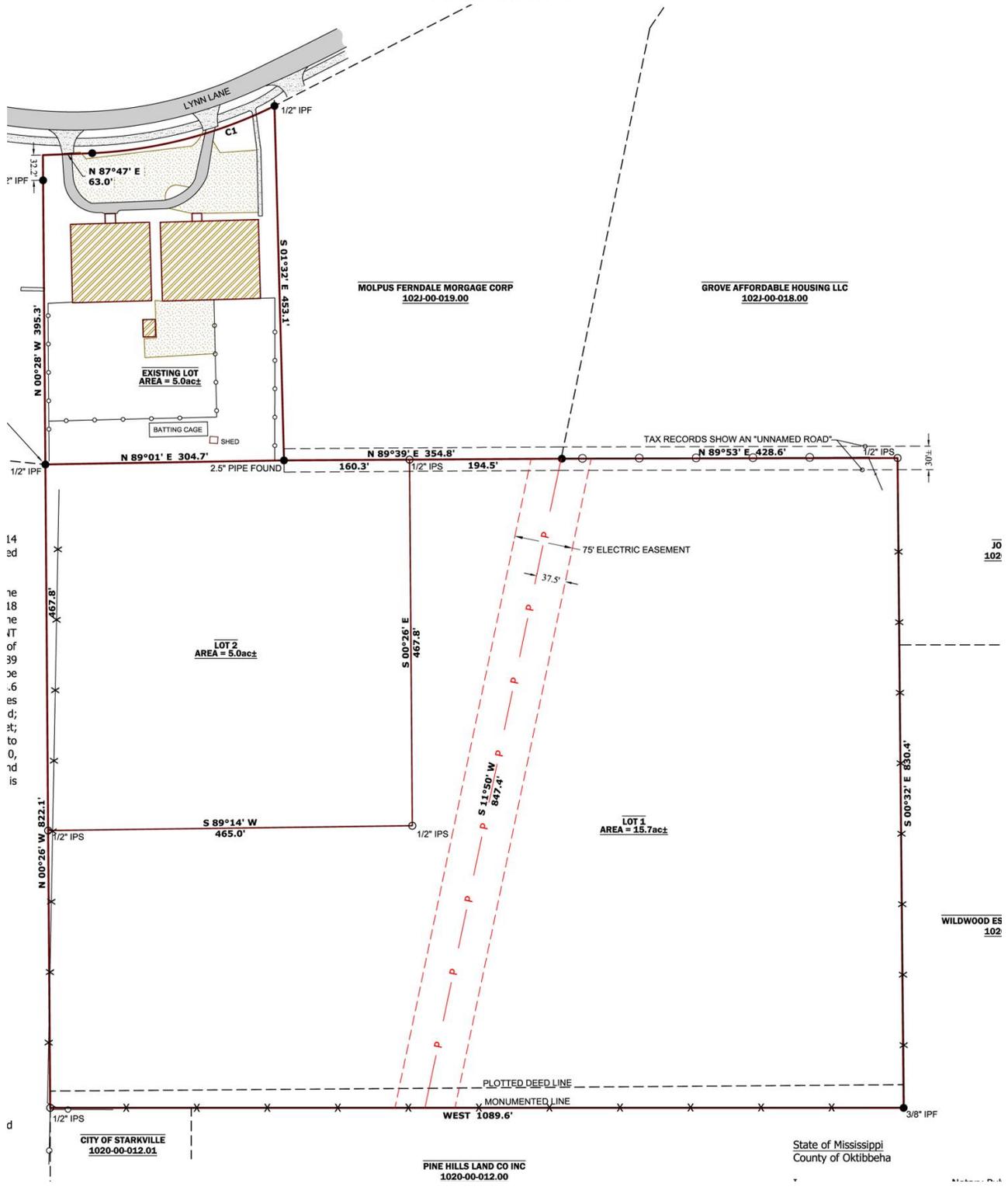
Attachment 3



Attachment 4



Attachment 5





THE CITY OF STARKVILLE
 COMMUNITY DEVELOPMENT DEPT
 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)
CC: Applicant: Wendi Woods/ CCCRC, INC Owner: Estate of Betty Josey/David Josey
SUBJECT: RZ 16-04 Request for Rezoning one parcel at 300 Yellow Jacket Drive from R-1 Single Family to B-1 Buffer with the parcel number 102H-00-043.00
DATE: May 10, 2016

The purpose of this report is to provide information regarding the request by Wendi Woods on behalf of the Estate of Betty Josey/David Josey to rezone one parcel located at 300 Yellow Jacket Drive from R-1 Single Family to B-1 Buffer. Please see attachments 1-12.

BACKGROUND INFORMATION

The earliest zoning map (1960's-1970's Map) that staff has available, 1982, 2000 and 2013 zoning map illustrates the subject property as being zoned R-1 Single Family. The applicants is in the process of purchase the property to open Christian Changes Counseling and Recovery Center, which would require a Conditional Use approval. The current zoning, R-1, does not allow for a Conditional Use for an "Institutional and Health Care Facilities". A B-1 zoning classification would allow for the option of applying for Conditional Use. The applicant is currently planning to operate the business out of the exist residence on the property.

Zoning Change Subject Property				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
102H-00-043.00	R-1	R-1	R-1	R-1
Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	R-1	R-3	R-3	B-1
East	R-1	R-1	R-1	R-1
South	R-1	R-1	R-1	R-3A
West	R-1	R-1	R-1	R-1
Zoning and land uses adjacent to the subject property				
Direction	Zoning	Current Use		
North	B-1	Commercial- Self Storage		
East	R-1	Single-Family		
South	R-3A	Single-Family		
West	R-1	Starkville High School		

NOTIFICATION

44 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 April 18th 2016 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received two phone calls and four letters against the request (see attachment 9-12). Five letters supporting this request were included in the Applicant's Statement (see attachment 13).

REZONING REQUEST

The subject rezoning requests are from R-1 to B-1. Differences between zones are:

Current Zoning District

Sec. C. - R-1 residence zoning district regulations.

These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 districts:]

1. *See chart for permitted uses.*
2. *See chart for uses which may be permitted as a special exception.*
3. *Required lot area and width, yards, building areas and height for residences:*
 - (a) *Minimum lot area: 10,000 square feet.*
 - (b) *Minimum lot width at the building line: 75 feet.*
 - (c) *Minimum depth of front yard: 30 feet.*
 - (d) *Minimum depth of rear yard: 35 feet.*
 - (e) *Minimum width of each side yard: Ten feet.*
 - (f) *Maximum height of structure: 45 feet.*
4. *Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

Proposed Zoning District.

Sec. J. - B-1 buffer district regulations.

These [B-1 buffer] districts are intended to be composed mainly of compatible mixed commercial and residential uses. Although usually located between residential and commercial areas, these districts may in some instances be freestanding in residential areas. Limited commercial uses are permitted that can in this district be compatible with nearby residential uses. The character of the district is protected by requiring that certain yard and area requirements be met. [The following regulations apply to B-1 districts:]

1. *See chart for uses permitted.*
2. *See chart for uses that may be permitted as an exception.*

3. *Minimum lot size: Residence uses shall meet the minimum standards that are least restrictive for the type residential use proposed in the residential districts listing. There is no minimum lot size for commercial uses except that other yard and parking requirements of the ordinance be met.*
4. *Required lot area and width, yards, building areas and heights for buffer districts:*
 - a) *Minimum depth of front yard: 25 feet.*
 - b) *Minimum width of side yard: Five feet.*
 - c) *Minimum depth of rear yard: 20 feet.*
 - d) *Maximum height of structure: 45 feet.*
5. *Off-street parking requirements: Off-street parking is as required in article VIII of this ordinance.*
6. *All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.*
 - a) *The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade.*
 - b) *The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.*
 - c) *The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.*
7. *All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period of no longer than 12 months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

(Ord. No. 2014-2, 9-16-14)

STATE REZONING CRITERIA

Per Title 17, Chapter 1, of the Mississippi Code of 1972, as amended, and Appendix A, Article IV, Section A, of the City of Starkville Code of Ordinances, the Official Zoning Map may be amended only when one or more of the following conditions prevail:

1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
 - No error

2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.
 - There has been five Rezoning since 2014 within ½ mile of the subject property.
 1. The property directly south of Sonic Drive In restaurant on Vine Street was rezoning from R-1 to B-1 in June of 2014.
 2. The Cottages at Starkville Station was rezoned from R-5 to R-4A in June of 2014
 3. The subdivision now known as Bent Brook Ridge was rezoned from R-1 to R-3A in February of 2014
 4. The former site of a mobile home park directly south of Starkville High School was rezoned from R-6 to R-5 in December of 2014
 5. Riddle Run development on Lynn Lane was rezoned from R-1 to R-3 in July of 2015

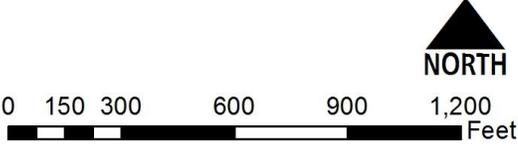
REQUESTED CONDITIONS

1. Landscape Buffer, with dimensions stated in the City ordinance, will be required along the property line of adjacent lower intensity uses.
2. Multi-Family will not be permitted as a future use.
3. Boarding/Rooming House will not be permitted as a future use.
4. Mobile Homes will not be permitted as a future use.
5. Any future lighting related to the properties use, shall be shield from adjacent residential properties.

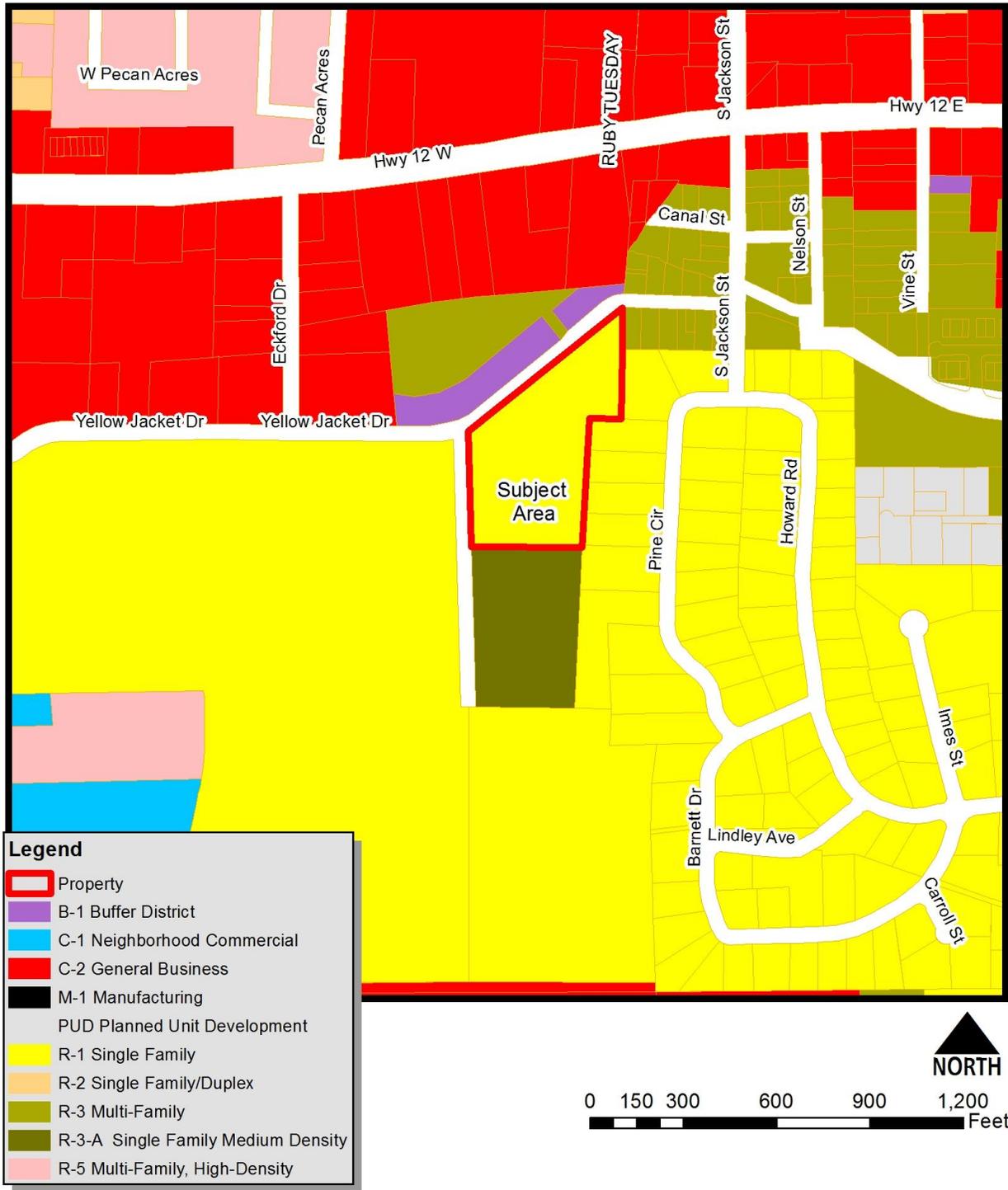
Attachment 1
CU16-05 and RZ 16-05 Aerial



Legend
[Red Outline] Property



Attachment 2
 CU16-05 and RZ 16-05 Zoning



Attachment 3



Adjacent property to the north

Attachment 4



Adjacent property to the west

Attachment 5



Adjacent property to the west

Attachment 6



Adjacent property to the south

Attachment 7



Attachment 8



Attachment 9- Letter Against

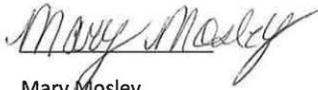
Mary Mosley
2038 West Reed Road
Starkville, MS 39759

April 18, 2016

To Whom It May Concern:

I received notification of the proposed rezoning of rz-16-04 and CU 16-04 of 300 Yellow Jacket Drive.

I object to this proposed rezoning.



Mary Mosley



Attachment 10- Letter Against Page 1



SPRUILL PROPERTY MANAGEMENT, LLC

D. Lynn Spruill, owner Lydia Quarles, owner
Donna Barnes, property manager
Sandra Sistrunk, office manager

1016F Louisville Street
Starkville, MS 39759
Phone: 662-323-5234
Fax: 662-323-5256
E-mail: spruillc@bellsouth.net

Planning and Zoning Commission
City of Starkville
110 West Main Street
Starkville, MS 39759

Commission Members:

I am writing to express my concerns regarding the proposed rezoning and conditional use that has been applied for by Wendie Woods of Christian Changes for parcel number 102H-00-043.00 located at 300 Yellowjacket Drive.

As a property owner across the street with a large number of residents who are dependent on me to provide them a safe and comfortable environment, I am concerned about the change in zoning that would accommodate this conditional use.

The services provided by Ms. Woods are admirable and necessary, but they are not compatible with the residential nature of the surrounding areas. The new housing development behind the proposed use and the long standing residential subdivision that is immediately to the southeast will also potentially be impacted by this incompatible use.

The opportunity for this use through the rezoning and the conditional use request is even more concerning for their proximity to our high school. Though Ms. Woods may not be doing any kind of in-patient services, the frequent counseling sessions that no doubt will be part of any troubled patient's treatment will cause them to become familiar and comfortable in a neighborhood environment that is vulnerable to such troubled individuals as might be seeking the services of a counselor for addiction, abuse, personality disorder, anger management, etc.

I have attached a copy of Ms. Woods' website page about the full level of services she provides. The ones listed above are only a few of the services that she offers that are most troubling for a residential neighborhood environment.

I appreciate Ms. Woods need to grow, but her business needs to find an area that will not be in such a vulnerable position relative to her client list and her services.

Thank you for allowing me to provide you the concerns that I have regarding this change in zoning and the conditional use available following such a rezoning.

Regards,

A handwritten signature in black ink, appearing to read 'D. Spruill', written in a cursive style.

D. Lynn Spruill



MENU

Services Provided

Wendie Woods, Executive Director of Christian Changes Counseling & Recovery Center, and her staff of trained, supervised, and licensed professionals provide individual, group, couples, and family counseling for children, adolescents, adults and the elderly in the following areas:

- Depression and Anxiety
- Parenting and Family Issues
- Addictions: alcohol/drug abuse, gambling, etc.
- Addictions aftercare services
- Crisis, Trauma, & Abuse Issues
- Panic Attacks and Phobias
- Relationship/Marital Problems
- Bipolar Disorder
- Borderline Personality Disorder
- Anger Management
- Grief and Loss
- Work, Education, and Career Issues
- Stress Management
- Conflict Resolution
- Business Consulting
- Organizational Improvements
- General Life Management/Coaching

The listing above does not imply nor indicate a specialty or expertise in any of these areas. Specialties and Certifications are identified on the 'About Me' page. Ms. Woods nor her staff do not profess or claim to be an expert in any area of the counseling field and will not attest to such expertise in a court of law.

Wendie Woods, NCC, LPC-S, RPT-S

☎ (662) 338-1880

♀ Christian Changes Counseling & Recovery Center

309 E. Lampkin Street

Starkville, MS 39759

USA

Attachment 11- Letter Against

Bent Brook Ridge LLC
and
Sky Lake Construction LLC
PO Box 488
Nesbit, MS 38651
662-429-9900

5/2/2016

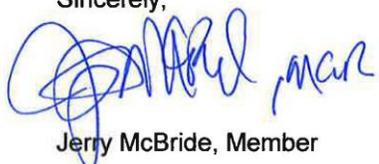
The City of Starkville
110 West Main Street
Starkville, MS 39759

To Whom It May Concern

We purchased 25 lots from Garden Properties LLC in the fall of last year and have sold 2 lots and have 2 presales at the present time in Bent Brook Ridge subdivision. We are opposed to the B1 rezoning of the property belonging to Josie estate on our northern boundary. This zoning is open ended and could lead to other uses. Even though we support Christian based treatment centers, we are opposed to them being located next to our neighborhood as well as the Starkville City High School.

We would like to have an opportunity to appear and be heard at the Board meeting on May 10, 2016.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry McBride", with a stylized flourish at the end.

Jerry McBride, Member

Attachment 12- Letter Against

Daniel Havelin

From: Kristen Dechert <kristen.dechert@gmail.com>
Sent: Thursday, May 05, 2016 9:17 AM
To: Daniel Havelin
Cc: Jason Walker
Subject: Response to Rezoning/Conditional Use Requests at 300 Yellowjacket Rd.

Dear Daniel,

We ask you to not recommend this rezoning and the P&Z committee to deny the request for rezoning and conditional use. The permitted and conditional allowances of the B-1 are too great a risk for the area to justify the rezoning. The property is bordered on all sides by R-1 and R-3A properties, meaning it is bordered mostly by residential homes. If rezoned and conditional use allowed, the potential new owner of the property would greatly change the conditions of the area, first by operating a business, which will require a parking lot, commercial lighting, and other changes that are significantly different than what is in the neighborhoods surrounding the parcel.

More importantly though, this rezoning would allow for a dramatic change in housing options that the owner or any future owners could put on the property, including apartment buildings, mobile homes, assisted living facilities, and fraternity/sorority homes. Further, a number of commercial and manufacturing operations would also be an option, such as parking lots, car dealerships, conference centers, and warehouses.

Rezoning the parcel is simply too risky and is not in the best interests of the area or of Starkville in general. It would directly impact our quality of life, in the Pleasant Acres neighborhood, and it would also directly impact the Bent Brook development, Starkville High School, and the residents along Yellowjacket Rd.

There was so much time and energy spent on the rezoning of Bent Brook to R-3A; to now rezone the neighboring property to something even further removed from its current use and intent is to actively work against the best interests of this area of town. We urge you to please recommend to the committee this property remain in its R-1 zone, and we urge the committee to vote against the rezoning and the conditional use request.

Thank you for your consideration,
Ed and Kristen Dechert
809 Pine Cir.
662.617.0343=

Attachment 13- Applicant Statement

Prepared by:

Brown & Langston, PLLC
Attorneys at Law
124 E. Main St.
Starkville, MS 39759
(662) 320-9111
MS Bar No. 10453, 104175, & 105036

Return to:

Brown & Langston, PLLC
124 E. Main St.
Starkville, MS 39759

April 26, 2016

Buddy Sanders
Community Development Director
City of Starkville
101 East Main Street
Starkville, MS 39759

RE: Wendie Woods of Christian Changes Counseling & Recovery Center, Rezoning –
4.98 acres in the Southwest Corner of Section 3, Township 18, Range 14 East,
Oktibbeha County, Mississippi.

Dear Mr. Sanders:

BACKGROUND

Wendie Woods, the Executive Director of Christian Changes Counseling & Recovery Center, has contracted to purchase the subject property from David Josey, James J. Josey, Stephanie Ramsey, and Joel D. Josey, the heirs of the *Estate of Betty V. Josey*. The current owners have given Wendie Woods authorization to pursue rezoning. The subject property has been developed and is currently vacant.

AREA

The subject property is one lot, being 4.98 acres, located at 300 Yellow Jacket Drive in Starkville Mississippi. The lot is currently zoned as R-1 Residential Zoning. Property to the North is zoned B-1, R-1, and C-2; the B-1 property consists of storage units, the R-1 property is residential in use, and the C-2 property is a large section of commercial businesses located off of Highway 12 in Starkville. Property to the South is zoned R-1, and is residential in use. Property to the East is R-1, and is residential in use. Property to the West is zoned R-1, with the property being Starkville High School (allowed as a conditional use). *See Exhibit A.*

REZONING REQUEST

Wendie Woods requests that the subject property be rezoned. A change in conditions in the existing area and the planning area justify the appropriateness of the change in zoning being requested. It is presumed that the zoning of a community is well planned and designed to be

permanent. However, the information herein will provide clear and convincing evidence for the approval of Wendie Woods' rezoning application.

The subject property is currently zoned as R-1 Residential Zoning. Wendie Woods requests the property be rezoned to a B-1 Buffer Zone. Rezoning of the property will meet the changing needs of the surrounding area, by creating a transition between commercial and residential land uses in the vicinity.

Rezoning the subject property to a B-1 zoning district would give Wendie Woods the opportunity to explore both residential and limited commercial uses for the subject property, as allowed under the City of Starkville's Permitted and Conditional Use Chart. The City of Starkville's Code of Ordinances specifies that the purpose of a B-1 zoning district is to provide a suitable transition between surrounding commercial and residential uses.

Regulations for R-1 and B-1 zones are differentiated under the City of Starkville's Code of Ordinances, Appendix A, Article VII, Sections C and J, shown below.

Current Zoning District:

R-1: Sec. C. - R-1 residence zoning district regulations.

These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 districts:]

1. See chart for permitted uses.
2. See chart for uses which may be permitted as a special exception.
3. Required lot area and width, yards, building areas and height for residences:
 - (a) Minimum lot area: 10,000 square feet.
 - (b) Minimum lot width at the building line: 75 feet.
 - (c) Minimum depth of front yard: 30 feet.
 - (d) Minimum depth of rear yard: 35 feet.
 - (e) Minimum width of each side yard: Ten feet.
 - (f) Maximum height of structure: 45 feet.
4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.

Requested Zoning District:

B - 1: Sec. J. - B - 1 buffer district regulations.

These [B-1 buffer] districts are intended to be composed mainly of compatible mixed commercial and residential uses. Although usually located between residential and commercial areas, these districts may in some instances be freestanding in residential areas. Limited commercial uses are permitted that can in this district be compatible with nearby residential uses. The character of the district is protected by requiring that certain yard and area requirements be met. [The following regulations apply to B-1 districts:]

1. See chart for uses permitted.
2. See chart for uses that may be permitted as an exception.

3. Minimum lot size: Residence uses shall meet the minimum standards that are least restrictive for the type residential use proposed in the residential districts listing. There is no minimum lot size for commercial uses except that other yard and parking requirements of the ordinance be met.
4. Required lot area and width, yards, building areas and heights for buffer districts:
 - (a) Minimum depth of front yard: 25 feet.
 - (b) Minimum width of side yard: Five feet.
 - (c) Minimum depth of rear yard: 20 feet.
 - (d) Maximum height of structure: 45 feet.
5. Off-street parking requirements: Off-street parking is as required in article VIII of this ordinance.

STATE REZONING CRITERIA

An amendment to the official zoning map of Starkville may occur when there is manifest error in the ordinance and/or if there has been a change in the conditions of an existing area, as depicted in Title 17, Chapter 1, of the Mississippi Code of 1972, amended, and Appendix A, Article IV, Section A of the City of Starkville's Code of Ordinances. At this time, no definitive evidence of an error in either the ordinance or zoning map can be provided. Therefore, Wendie Woods requests that the subject property be rezoned based on changed or changing conditions in the existing area, or in the planning area generally.

The area surrounding the subject property is in need of a Buffer Zone that can serve as a transition between the surrounding commercial and residential properties. Changing the ordinance and allowing the property to be rezoned would further Starkville's desire for orderly and harmonious growth, as set forth below.

PAST REZONING

Recent zoning changes in the surrounding area include:

- 2007: Restaurant located at the intersection of Yellow Jacket and Eckford Drive: rezoned R-3 to C-2.
- 2000-2012: Jacket Mini Storage located on Yellow Jacket Drive: rezoned from R-3 to B-1 (This property is located directly in front of the subject property.)
- 2014: Garden Properties, LLC: rezoned R-1 to R-3A.
- 2014: Cottages at Starkville Station, LLC: rezoned R-5 to R-4A.
- 2015: Jeremy Tabor's property located at 712 South Montgomery was rezoned from R-1 to R-3.

CHANGED CONDITIONS

The most notable change in area conditions occurred when Jacket Mini-Storage, located immediately North and adjacent to the subject property, was rezoned from R-3 to B-1. Jacket

Mini-Storage was rezoned to a B-1 Buffer Zone based on a change in the neighborhood and a public need for the rezoning. The evidence and set of facts considered in rezoning Jacket Mini-Storage are similar to the facts and evidence that support Wendie Woods' request to rezone the subject property and are detailed herein.

The area surrounding the subject property has changed drastically over the years. The restaurant located a mere 500 feet from the subject property, at the intersection of Yellow Jacket Drive and Eckford Drive, was rezoned from R-3 to a C-2 Commercial Zone. The High School, located immediately West and adjacent to the subject property, is zoned R-1 and has been granted the conditional use of being an educational facility. *See Exhibit B.*

As evidenced by the Jacket Mini-Storage zoning change, the City has recognized the need to create a buffer zone between the abutting commercial and residential uses along Yellow Jacket Drive. Recent construction and zoning changes demonstrate that Yellow Jacket Drive and surrounding areas are being developed as a mixed use of residential and commercial properties.

BUILDING TYPE

The subject property already complies with all B-1 Buffer Zone regulations. The character of the district is protected and maintained by the subject property meeting the yard and area requirements. Wendie Woods intends to use the subject property for commercial use, which has no minimum lot size requirements. Furthermore, the depth of the subject property's front yard is over twenty-five feet; the width of side yard is over five feet; the depth of the rear yard is over twenty feet; and the height of the structure is less than forty-five feet. *See Exhibit C.*

Moreover, the building façade of the subject property also complies with B-1 regulations. *See Exhibit D.* The building located on the subject property has a white brick façade and a paved driveway with a parking area. Specific off-street parking regulations must be determined by the board of adjustments and appeals as required in Article VIII, Section J of the City of Starkville's Code of Ordinances.

LAND USE COMPATIBILITY

The subject property would serve as an ideal buffer zone, by creating a transition that will make this area a compatible mix of commercial and residential uses. B-1 zoning would not only expand the possible uses of the land, but also provide a compatible buffer for the existing R-1, B-1, and C-2 zoning and other land uses in the vicinity. *See Exhibit A.*

The parcel located directly across from the subject property is a B-1 Buffer Zone, which further proves that this particular location is an ideal transitional area. Even though a B-1 Buffer Zone would allow the construction of multifamily, three and four family, and two family housing, or mobile home development, Wendie Woods intends to use the residence located on the subject property as a Christian counseling center. The proposed use of the subject property will provide a natural transition between the commercial and residential properties surrounding it. *See Exhibit E.*

ORDERLY DEVELOPMENT

Any development proposal for the subject property would be required to conform to the City's land development regulations and would require review by the City's Development Review Committee prior to the commencement of any construction activities. Thus, rezoning from R-1 to B-1 would simply expand the list of permitted and conditional uses in which Wendie Woods may apply.

EFFECT ON SURROUNDING AREA

The City of Starkville's Code of Ordinances intends for a B-1 Buffer Zone to be a natural buffer between surrounding commercial properties and residential properties. It offers a natural progression from commercial to residential properties, with no foreseeable downside for either commercial or residential property owners.

Being rezoned to a B-1 Buffer Zone would not only allow for single-family residences but also allow for limited commercial use of the subject property. Wendie Woods intends to use the property for Christian counseling services, which is compatible with both the residential and commercial characteristics of the area. Providing private Christian counseling out of the beautiful antebellum building located on the subject property would provide an easy transition for the property's residential neighbors.

The subject property is located on Yellow Jacket Drive in Starkville, which serves as the access road to a high school, dog grooming business, restaurant, mini storage buildings, houses, and apartment buildings. The intended use of the subject property, as a private Christian counseling center, will not have any negative effects on the traffic flow. Wendie Woods plans to use the subject property in a manner that is cohesive with the neighborhood and surrounding area. *See Exhibit B.*

ECONOMIC EFFECTS

Wendie Woods does not intend to use the subject property as her homestead. Commercial use of the property eliminates the opportunity for homestead exemption, which significantly increases the taxable value of the subject property and adds to the City's tax base. With homestead exemption, the property taxes are estimated to be \$4,468.34; however, the taxes would increase to the estimated amount of \$7,152.51 if the property is taxed without homestead. The inability to apply for homestead raises the taxable value by about \$2,684.17. Additionally, jobs and revenue will be created for the local community once Wendie Woods is permitted to use the property for Christian counseling services.

CONCLUSION

The need for a transitional zone in this area makes the change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth. The subject

property is currently zoned R-1, which prevents Wendie Woods from utilizing the commercial potential of the property. The subject property should be rezoned to allow Wendie Woods the opportunity for both residential and limited commercial use of the property.

The subject property is surrounded by B-1, R-1, and C-2 zones. The use of a B-1 Buffer Zone in this area would provide a logical transition between the surrounding commercial and residential properties. Furthermore, the availability of limited commercial use would allow Wendie Woods the opportunity for the practical and effective use of the property's unique location and facade.

This letter, along with the information presented at the public hearing, will show that the change in area conditions has created the need for a transitional zone in this area. Therefore, I respectfully request, on behalf of my client, that the property located at 300 Yellow Jacket Drive be rezoned from R-1 Residential Zoning to a B-1 Buffer Zone.

Yours truly,

Brown & Langston, PLLC

Enclosures

Exhibit A

Zoning Map – 300 Yellow Jacket Drive – Surrounding Area

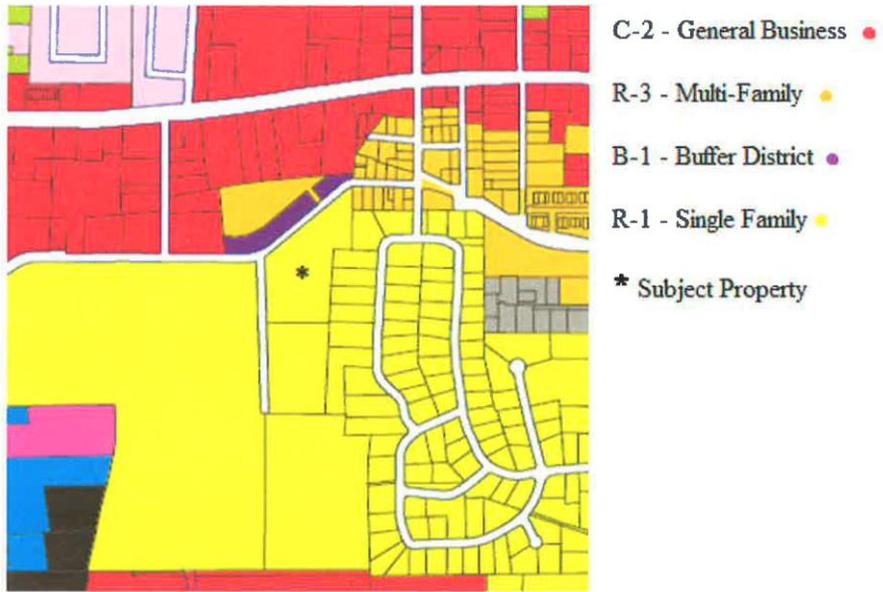


Exhibit B

Area Conditions – Mixed Use – Commercial & Residential

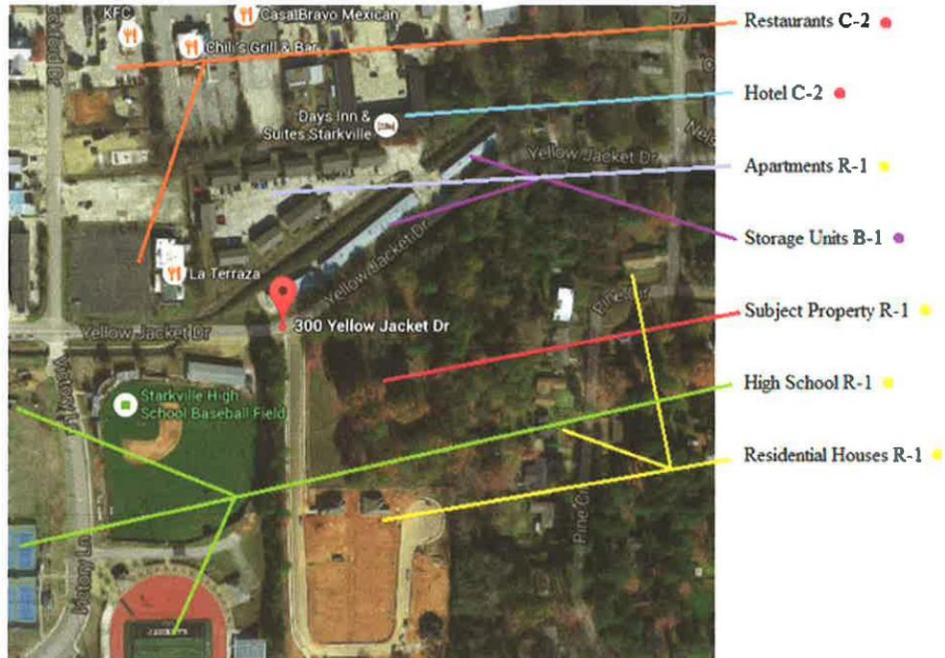


Exhibit C

Subject Property – Aerial Photo – Meets B-1 Regulations



Lot Size: 4.98 acres

No Minimum Lot Size for Commercial Uses

Minimum Depth of Front Yard: 25 Feet

Minimum Width of Side Yard: 5 Feet

Minimum Depth of Rear Yard: 20 Feet

Minimum Height of Structure: 45 Feet

Exhibit D

Subject Property – Meets B-1 Regulations



Neutral color (white) brick façade

Paved driveway and parking area (parking is not pictured, located to the right of building)



Exhibit E

Transitional Road – Commercial to Residential



Restaurant

Starkville High School



Jacket Mini-Storage

Subject Property



Jacket Mini-Storage

Residential Houses

EXHIBIT F

Community Letters of Support

May 10, 2016

Planning & Zoning Commission
City of Starkville
110 West Main Street
Starkville, MS 39759

RE: Wendie Woods RZ 16-04, CU 16-04

Dear Planning & Zoning Commission,

I am writing on behalf of our family and home of almost fifty years at 300 Yellow Jacket Drive. Our parents have been deceased for several years and all but one of us four siblings lives out of town. We finally came to grips last year with letting the home go and placing it on the market.

When the home was built (1968), there was virtually nothing developed between it and Hwy 12. And, other than Starkville High School, very little was built to the west. Pleasant Acres had already been developed.

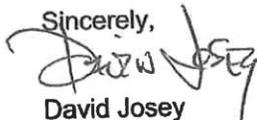
The last projects developed in the immediate area were behind us and in front us. More recently was the Bent Brook development adjoining our property to its south side. A couple decades ago, the storage facility was built to the north, facing the very front side of our home.

The storage facility occurred many administrations ago and never should have been built. It has been a significant hindrance in appealing to the homebuyer market. Any local realtor would attest to that. Since the home was placed on the market six months ago, the majority of interest has been from residential developers. It has been shown only twice to true homebuyers.

Over the past few years, Pleasant Acres neighbors have contacted us. They knew Mom and Dad were both deceased and were curious as to our plans for the property. They were clearly and rightfully concerned with the trees which have buffered and shaded our properties for decades. We appreciate and respect those concerns.

Our family prefers that the home and trees remain. They are meaningful to the area. We are very encouraged by Wendie's interest in acquiring the home and using it as a counseling ministry. She too wants to keep the serene nature of the property and has no intentions of interfering with the current landscape.

Sincerely,



David Josey

5/2/2016

Print

Subject: Planning and Zoning Letter of Support
From: Martha Malone (malo3259@bellsouth.net)
To: woods@christianchanges.com;
Date: Sunday, May 1, 2016 8:48 PM

Hey Wendie,

Sorry I am sending this in an email, (Printer Problems) But I hope you can use this as I am completely in support of your purchase of the Josey property for use as a counseling site.

To the Starkville Planning and Zoning Commission and the Starkville Board of Aldermen:

My name is Martha Malone and I own the property, 802 Pine Circle, located east of 300 Yellow Jacket Drive, Starkville, MS 39759.

I have been notified and am aware of the applications (RZ 16-04 and CU 16-04) submitted by Wendie Woods for rezoning from R-1 to B-1 and the conditional use for her business, Christian Changes Counseling to be located at 300 Yellow Jacket Drive upon purchase of said property.

I absolutely have no objections to the passing and approval of these requests (RZ 16-04 and CU 16-04) and I support MS. Woods in her plans to keep the Josey home and property in its pristine condition while not only serving the citizens of Starkville but also helping to increase the tax revenue for our city.

Sincerely,

Martha Malone

4558 Longview-Adaton Road
Starkville, Mississippi 39759

City of Starkville Board of Aldermen
City of Starkville Board of Planning and Zoning Commission
Starkville, Mississippi 39759

Re: RZ 16-04 and CU 16-04

Dear Members of the Boards:

I would like to ask that you deeply consider the rezoning and conditional use of the RZ 16-04 and CU 16-04 requests as submitted by Ms. Wendie Woods of *Christian Changes Counseling and Recovery Center* as use for her business to be located at 300 Yellow Jacket Drive, Starkville, Mississippi, upon purchase of the property.

Ms. Woods has a wonderful center already established as a part of the Starkville Community, she serves the residents not only of Starkville but of the surrounding area, and many of her clients have benefitted from the Christian counseling and recovery services she has provided for them.

From my understanding, her business is currently in demand of a larger facility for her clients, and this property would serve as a very central location for those in need of the services Christian Changes offers.

I humbly ask that you vote to re-zone and approve the conditional use of this area so that Christian Changes Counseling can continue to grow and be a very vital asset to those in need.

Thank you for your consideration!


Wendy D. Brewer

THE BREWER COMPANIES, LLC.

662-268-8621 Phone
662-268-8651 Fax
332 Highway 12 West
Starkville, Mississippi 39759

City of Starkville Board of Aldermen
City of Starkville Board of Planning and Zoning Commission
Starkville, Mississippi 39759

Re: RZ 16-04 and CU 16-04

Dear Members of the Board of Aldermen and Starkville Planning and Zoning Commission:

I ask that you consider the rezoning and conditional use of the RZ 16-04 and CU 16-04 requests as submitted by Ms. Wendie Woods of ***Christian Changes Counseling and Recovery Center*** as use for her business to be located at 300 Yellow Jacket Drive, Starkville, Mississippi, upon purchase of the property. At one point, I owned the property which connects to the 300 Yellow Jacket Drive property, and I can vouch for the difficulties regarding rezoning.

Ms. Wendie Woods has a business where she already serves the Starkville Community, and other surrounding communities, and I commend her for her dedication and willingness to build and grow her business as a tool to help others.

Please consider the re-zoning and conditional use of this property this area so that Christian Changes Counseling can continue under the direction of Ms. Woods.

Thank you,



Frank Brewer



THE CITY OF STARKVILLE
COMMUNITY DEVELOPMENT DEPT
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)
CC: Applicant: Wendi Woods/ CCCRC, INC Owner: Estate of Betty Josey/David Josey
SUBJECT: CU 16-04 Request for a Conditional Use for a “Institutional and Health Care Facilities” on one parcel at 300 Yellow Jacket Drive currently zoned R-1 Single Family with the parcel number 102H-00-043.00
DATE: May 10, 2016

The purpose of this report is to provide information regarding the request by Wendi Woods on behalf of the Estate of Betty Josey/David Josey for an “Institutional and Health Care Facilities” Conditional Use on one parcel currently zoned R-1 Single Family, but has applied for a rezoning to B-1 Buffer District. The parcels is located at 300 Yellow Jacket Drive. Please see attachments 1-13

BACKGROUND INFORMATION

The applicant is in the process of purchase the property to open Christian Changes Counseling and Recovery Center, which would require a Conditional Use approval. The current zoning, R-1, does not allow for a Conditional Use for an “Institutional and Health Care Facilities”. A B-1 zoning classification would allow for the option of applying for Conditional Use. The applicant is currently planning to operate the business out of the existing residential building on the property.

Scale and intensity of use.

The applicant is proposing to use the existing house for the Counseling Center, therefore no change in scale. The intensity of use would increase from its current single family residential use.

On- or off-site improvement needs.

No known on or off-site improvements being proposed at this time.

On-site amenities proposed to enhance the site.

No amenities proposed as part of this request

Site issues.

No know site issues would be created by this request

The table below provides the zoning and land uses adjacent to the subject property:

Direction	Zoning	Current Use
North	B-1	Commercial- Self Storage
East	R-1	Single-Family
South	R-3A	Single-Family
West	R-1	Starkville High School

44 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 April 18th 2016 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received two phone calls and four letters against the request (see attachment 9-12). Five letters supporting this request were included in the Applicant's Statement (see attachment 13).

ANALYSIS

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

Land use compatibility.

The property to the north is used as commercial, self-storage. There are residential areas to the east and south. The property to the west is the Starkville High School campus.

Sufficient site size and adequate site specifications to accommodate the proposed use.

The site is adequately sized to accommodate the proposed use.

Proper use of mitigative techniques.

None proposed

Hazardous waste.

No hazardous wastes or materials would be generated, used or stored at the site.

Compliance with applicable laws and ordinances.

Building permits shall be required prior to start of any future construction.

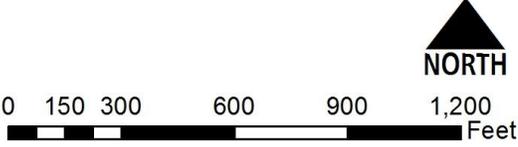
REQUESTED CONDITIONS

1. Services offered for the requested use shall be limited to outpatient services only.

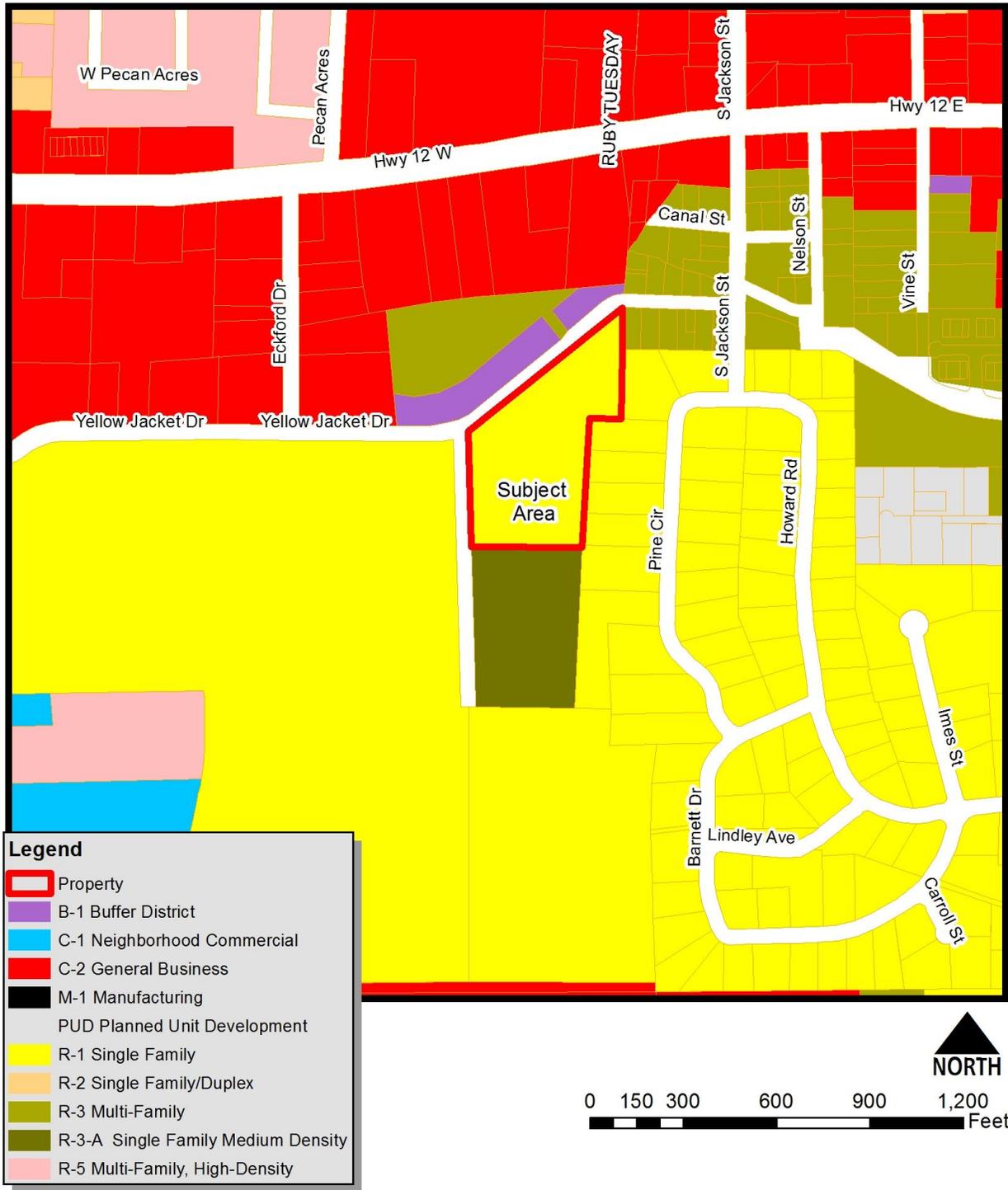
Attachment 1
CU16-05 and RZ 16-05 Aerial



Legend
[Red Outline] Property



Attachment 2
 CU16-05 and RZ 16-05 Zoning



Attachment 3



Adjacent property to the north

Attachment 4



Adjacent property to the west

Attachment 5



Adjacent property to the west

Attachment 6



Adjacent property to the south

Attachment 7



Attachment 8



Attachment 9- Letter Against

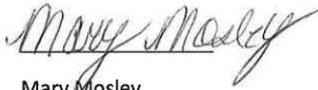
Mary Mosley
2038 West Reed Road
Starkville, MS 39759

April 18, 2016

To Whom It May Concern:

I received notification of the proposed rezoning of rz-16-04 and CU 16-04 of 300 Yellow Jacket Drive.

I object to this proposed rezoning.



Mary Mosley



Attachment 10- Letter Against Page 1



SPRUILL PROPERTY MANAGEMENT, LLC

D. Lynn Spruill, owner Lydia Quarles, owner
Donna Barnes, property manager
Sandra Sistrunk, office manager

1016F Louisville Street
Starkville, MS 39759
Phone: 662-323-5234
Fax: 662-323-5256
E-mail: spruillc@bellsouth.net

Planning and Zoning Commission
City of Starkville
110 West Main Street
Starkville, MS 39759

Commission Members:

I am writing to express my concerns regarding the proposed rezoning and conditional use that has been applied for by Wendie Woods of Christian Changes for parcel number 102H-00-043.00 located at 300 Yellowjacket Drive.

As a property owner across the street with a large number of residents who are dependent on me to provide them a safe and comfortable environment, I am concerned about the change in zoning that would accommodate this conditional use.

The services provided by Ms. Woods are admirable and necessary, but they are not compatible with the residential nature of the surrounding areas. The new housing development behind the proposed use and the long standing residential subdivision that is immediately to the southeast will also potentially be impacted by this incompatible use.

The opportunity for this use through the rezoning and the conditional use request is even more concerning for their proximity to our high school. Though Ms. Woods may not be doing any kind of in-patient services, the frequent counseling sessions that no doubt will be part of any troubled patient's treatment will cause them to become familiar and comfortable in a neighborhood environment that is vulnerable to such troubled individuals as might be seeking the services of a counselor for addiction, abuse, personality disorder, anger management, etc.

I have attached a copy of Ms. Woods' website page about the full level of services she provides. The ones listed above are only a few of the services that she offers that are most troubling for a residential neighborhood environment.

I appreciate Ms. Woods need to grow, but her business needs to find an area that will not be in such a vulnerable position relative to her client list and her services.

Thank you for allowing me to provide you the concerns that I have regarding this change in zoning and the conditional use available following such a rezoning.

Regards,

A handwritten signature in black ink, appearing to read 'D. Spruill', written in a cursive style.

D. Lynn Spruill



MENU

Services Provided

Wendie Woods, Executive Director of Christian Changes Counseling & Recovery Center, and her staff of trained, supervised, and licensed professionals provide individual, group, couples, and family counseling for children, adolescents, adults and the elderly in the following areas:

- Depression and Anxiety
- Parenting and Family Issues
- Addictions: alcohol/drug abuse, gambling, etc.
- Addictions aftercare services
- Crisis, Trauma, & Abuse Issues
- Panic Attacks and Phobias
- Relationship/Marital Problems
- Bipolar Disorder
- Borderline Personality Disorder
- Anger Management
- Grief and Loss
- Work, Education, and Career Issues
- Stress Management
- Conflict Resolution
- Business Consulting
- Organizational Improvements
- General Life Management/Coaching

The listing above does not imply nor indicate a specialty or expertise in any of these areas. Specialties and Certifications are identified on the 'About Me' page. Ms. Woods nor her staff do not profess or claim to be an expert in any area of the counseling field and will not attest to such expertise in a court of law.

Wendie Woods, NCC, LPC-S, RPT-S

☎ (662) 338-1880

♀ Christian Changes Counseling & Recovery Center

309 E. Lampkin Street

Starkville, MS 39759

USA

Attachment 11- Letter Against

Bent Brook Ridge LLC
and
Sky Lake Construction LLC
PO Box 488
Nesbit, MS 38651
662-429-9900

5/2/2016

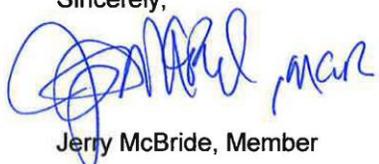
The City of Starkville
110 West Main Street
Starkville, MS 39759

To Whom It May Concern

We purchased 25 lots from Garden Properties LLC in the fall of last year and have sold 2 lots and have 2 presales at the present time in Bent Brook Ridge subdivision. We are opposed to the B1 rezoning of the property belonging to Josie estate on our northern boundary. This zoning is open ended and could lead to other uses. Even though we support Christian based treatment centers, we are opposed to them being located next to our neighborhood as well as the Starkville City High School.

We would like to have an opportunity to appear and be heard at the Board meeting on May 10, 2016.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry McBride", with a stylized flourish at the end.

Jerry McBride, Member

Attachment 12- Letter Against

Daniel Havelin

From: Kristen Dechert <kristen.dechert@gmail.com>
Sent: Thursday, May 05, 2016 9:17 AM
To: Daniel Havelin
Cc: Jason Walker
Subject: Response to Rezoning/Conditional Use Requests at 300 Yellowjacket Rd.

Dear Daniel,

We ask you to not recommend this rezoning and the P&Z committee to deny the request for rezoning and conditional use. The permitted and conditional allowances of the B-1 are too great a risk for the area to justify the rezoning. The property is bordered on all sides by R-1 and R-3A properties, meaning it is bordered mostly by residential homes. If rezoned and conditional use allowed, the potential new owner of the property would greatly change the conditions of the area, first by operating a business, which will require a parking lot, commercial lighting, and other changes that are significantly different than what is in the neighborhoods surrounding the parcel.

More importantly though, this rezoning would allow for a dramatic change in housing options that the owner or any future owners could put on the property, including apartment buildings, mobile homes, assisted living facilities, and fraternity/sorority homes. Further, a number of commercial and manufacturing operations would also be an option, such as parking lots, car dealerships, conference centers, and warehouses.

Rezoning the parcel is simply too risky and is not in the best interests of the area or of Starkville in general. It would directly impact our quality of life, in the Pleasant Acres neighborhood, and it would also directly impact the Bent Brook development, Starkville High School, and the residents along Yellowjacket Rd.

There was so much time and energy spent on the rezoning of Bent Brook to R-3A; to now rezone the neighboring property to something even further removed from its current use and intent is to actively work against the best interests of this area of town. We urge you to please recommend to the committee this property remain in its R-1 zone, and we urge the committee to vote against the rezoning and the conditional use request.

Thank you for your consideration,
Ed and Kristen Dechert
809 Pine Cir.
662.617.0343=

Attachment 13- Applicant Statement

Prepared by:

Brown & Langston, PLLC
Attorneys at Law
124 E. Main St.
Starkville, MS 39759
(662) 320-9111
MS Bar No. 10453, 104175, & 105036

Return to:

Brown & Langston, PLLC
124 E. Main St.
Starkville, MS 39759

April 26, 2016

Buddy Sanders
Community Development Director
City of Starkville
101 East Main Street
Starkville, MS 39759

RE: Wendie Woods of Christian Changes Counseling & Recovery Center, Rezoning –
4.98 acres in the Southwest Corner of Section 3, Township 18, Range 14 East,
Oktibbeha County, Mississippi.

Dear Mr. Sanders:

BACKGROUND

Wendie Woods, the Executive Director of Christian Changes Counseling & Recovery Center, has contracted to purchase the subject property from David Josey, James J. Josey, Stephanie Ramsey, and Joel D. Josey, the heirs of the *Estate of Betty V. Josey*. The current owners have given Wendie Woods authorization to pursue rezoning. The subject property has been developed and is currently vacant.

AREA

The subject property is one lot, being 4.98 acres, located at 300 Yellow Jacket Drive in Starkville Mississippi. The lot is currently zoned as R-1 Residential Zoning. Property to the North is zoned B-1, R-1, and C-2; the B-1 property consists of storage units, the R-1 property is residential in use, and the C-2 property is a large section of commercial businesses located off of Highway 12 in Starkville. Property to the South is zoned R-1, and is residential in use. Property to the East is R-1, and is residential in use. Property to the West is zoned R-1, with the property being Starkville High School (allowed as a conditional use). *See Exhibit A.*

REZONING REQUEST

Wendie Woods requests that the subject property be rezoned. A change in conditions in the existing area and the planning area justify the appropriateness of the change in zoning being requested. It is presumed that the zoning of a community is well planned and designed to be

permanent. However, the information herein will provide clear and convincing evidence for the approval of Wendie Woods' rezoning application.

The subject property is currently zoned as R-1 Residential Zoning. Wendie Woods requests the property be rezoned to a B-1 Buffer Zone. Rezoning of the property will meet the changing needs of the surrounding area, by creating a transition between commercial and residential land uses in the vicinity.

Rezoning the subject property to a B-1 zoning district would give Wendie Woods the opportunity to explore both residential and limited commercial uses for the subject property, as allowed under the City of Starkville's Permitted and Conditional Use Chart. The City of Starkville's Code of Ordinances specifies that the purpose of a B-1 zoning district is to provide a suitable transition between surrounding commercial and residential uses.

Regulations for R-1 and B-1 zones are differentiated under the City of Starkville's Code of Ordinances, Appendix A, Article VII, Sections C and J, shown below.

Current Zoning District:

R-1: Sec. C. - R-1 residence zoning district regulations.

These [R-1 residential] districts are intended to be composed mainly of single-family residential properties along with appropriate neighborhood facilities, with their character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-1 districts:]

1. See chart for permitted uses.
2. See chart for uses which may be permitted as a special exception.
3. Required lot area and width, yards, building areas and height for residences:
 - (a) Minimum lot area: 10,000 square feet.
 - (b) Minimum lot width at the building line: 75 feet.
 - (c) Minimum depth of front yard: 30 feet.
 - (d) Minimum depth of rear yard: 35 feet.
 - (e) Minimum width of each side yard: Ten feet.
 - (f) Maximum height of structure: 45 feet.
4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.

Requested Zoning District:

B - 1: Sec. J. - B - 1 buffer district regulations.

These [B-1 buffer] districts are intended to be composed mainly of compatible mixed commercial and residential uses. Although usually located between residential and commercial areas, these districts may in some instances be freestanding in residential areas. Limited commercial uses are permitted that can in this district be compatible with nearby residential uses. The character of the district is protected by requiring that certain yard and area requirements be met. [The following regulations apply to B-1 districts:]

1. See chart for uses permitted.
2. See chart for uses that may be permitted as an exception.

3. Minimum lot size: Residence uses shall meet the minimum standards that are least restrictive for the type residential use proposed in the residential districts listing. There is no minimum lot size for commercial uses except that other yard and parking requirements of the ordinance be met.
4. Required lot area and width, yards, building areas and heights for buffer districts:
 - (a) Minimum depth of front yard: 25 feet.
 - (b) Minimum width of side yard: Five feet.
 - (c) Minimum depth of rear yard: 20 feet.
 - (d) Maximum height of structure: 45 feet.
5. Off-street parking requirements: Off-street parking is as required in article VIII of this ordinance.

STATE REZONING CRITERIA

An amendment to the official zoning map of Starkville may occur when there is manifest error in the ordinance and/or if there has been a change in the conditions of an existing area, as depicted in Title 17, Chapter 1, of the Mississippi Code of 1972, amended, and Appendix A, Article IV, Section A of the City of Starkville's Code of Ordinances. At this time, no definitive evidence of an error in either the ordinance or zoning map can be provided. Therefore, Wendie Woods requests that the subject property be rezoned based on changed or changing conditions in the existing area, or in the planning area generally.

The area surrounding the subject property is in need of a Buffer Zone that can serve as a transition between the surrounding commercial and residential properties. Changing the ordinance and allowing the property to be rezoned would further Starkville's desire for orderly and harmonious growth, as set forth below.

PAST REZONING

Recent zoning changes in the surrounding area include:

- 2007: Restaurant located at the intersection of Yellow Jacket and Eckford Drive: rezoned R-3 to C-2.
- 2000-2012: Jacket Mini Storage located on Yellow Jacket Drive: rezoned from R-3 to B-1 (This property is located directly in front of the subject property.)
- 2014: Garden Properties, LLC: rezoned R-1 to R-3A.
- 2014: Cottages at Starkville Station, LLC: rezoned R-5 to R-4A.
- 2015: Jeremy Tabor's property located at 712 South Montgomery was rezoned from R-1 to R-3.

CHANGED CONDITIONS

The most notable change in area conditions occurred when Jacket Mini-Storage, located immediately North and adjacent to the subject property, was rezoned from R-3 to B-1. Jacket

Mini-Storage was rezoned to a B-1 Buffer Zone based on a change in the neighborhood and a public need for the rezoning. The evidence and set of facts considered in rezoning Jacket Mini-Storage are similar to the facts and evidence that support Wendie Woods' request to rezone the subject property and are detailed herein.

The area surrounding the subject property has changed drastically over the years. The restaurant located a mere 500 feet from the subject property, at the intersection of Yellow Jacket Drive and Eckford Drive, was rezoned from R-3 to a C-2 Commercial Zone. The High School, located immediately West and adjacent to the subject property, is zoned R-1 and has been granted the conditional use of being an educational facility. *See Exhibit B.*

As evidenced by the Jacket Mini-Storage zoning change, the City has recognized the need to create a buffer zone between the abutting commercial and residential uses along Yellow Jacket Drive. Recent construction and zoning changes demonstrate that Yellow Jacket Drive and surrounding areas are being developed as a mixed use of residential and commercial properties.

BUILDING TYPE

The subject property already complies with all B-1 Buffer Zone regulations. The character of the district is protected and maintained by the subject property meeting the yard and area requirements. Wendie Woods intends to use the subject property for commercial use, which has no minimum lot size requirements. Furthermore, the depth of the subject property's front yard is over twenty-five feet; the width of side yard is over five feet; the depth of the rear yard is over twenty feet; and the height of the structure is less than forty-five feet. *See Exhibit C.*

Moreover, the building façade of the subject property also complies with B-1 regulations. *See Exhibit D.* The building located on the subject property has a white brick façade and a paved driveway with a parking area. Specific off-street parking regulations must be determined by the board of adjustments and appeals as required in Article VIII, Section J of the City of Starkville's Code of Ordinances.

LAND USE COMPATIBILITY

The subject property would serve as an ideal buffer zone, by creating a transition that will make this area a compatible mix of commercial and residential uses. B-1 zoning would not only expand the possible uses of the land, but also provide a compatible buffer for the existing R-1, B-1, and C-2 zoning and other land uses in the vicinity. *See Exhibit A.*

The parcel located directly across from the subject property is a B-1 Buffer Zone, which further proves that this particular location is an ideal transitional area. Even though a B-1 Buffer Zone would allow the construction of multifamily, three and four family, and two family housing, or mobile home development, Wendie Woods intends to use the residence located on the subject property as a Christian counseling center. The proposed use of the subject property will provide a natural transition between the commercial and residential properties surrounding it. *See Exhibit E.*

ORDERLY DEVELOPMENT

Any development proposal for the subject property would be required to conform to the City's land development regulations and would require review by the City's Development Review Committee prior to the commencement of any construction activities. Thus, rezoning from R-1 to B-1 would simply expand the list of permitted and conditional uses in which Wendie Woods may apply.

EFFECT ON SURROUNDING AREA

The City of Starkville's Code of Ordinances intends for a B-1 Buffer Zone to be a natural buffer between surrounding commercial properties and residential properties. It offers a natural progression from commercial to residential properties, with no foreseeable downside for either commercial or residential property owners.

Being rezoned to a B-1 Buffer Zone would not only allow for single-family residences but also allow for limited commercial use of the subject property. Wendie Woods intends to use the property for Christian counseling services, which is compatible with both the residential and commercial characteristics of the area. Providing private Christian counseling out of the beautiful antebellum building located on the subject property would provide an easy transition for the property's residential neighbors.

The subject property is located on Yellow Jacket Drive in Starkville, which serves as the access road to a high school, dog grooming business, restaurant, mini storage buildings, houses, and apartment buildings. The intended use of the subject property, as a private Christian counseling center, will not have any negative effects on the traffic flow. Wendie Woods plans to use the subject property in a manner that is cohesive with the neighborhood and surrounding area. *See Exhibit B.*

ECONOMIC EFFECTS

Wendie Woods does not intend to use the subject property as her homestead. Commercial use of the property eliminates the opportunity for homestead exemption, which significantly increases the taxable value of the subject property and adds to the City's tax base. With homestead exemption, the property taxes are estimated to be \$4,468.34; however, the taxes would increase to the estimated amount of \$7,152.51 if the property is taxed without homestead. The inability to apply for homestead raises the taxable value by about \$2,684.17. Additionally, jobs and revenue will be created for the local community once Wendie Woods is permitted to use the property for Christian counseling services.

CONCLUSION

The need for a transitional zone in this area makes the change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth. The subject

property is currently zoned R-1, which prevents Wendie Woods from utilizing the commercial potential of the property. The subject property should be rezoned to allow Wendie Woods the opportunity for both residential and limited commercial use of the property.

The subject property is surrounded by B-1, R-1, and C-2 zones. The use of a B-1 Buffer Zone in this area would provide a logical transition between the surrounding commercial and residential properties. Furthermore, the availability of limited commercial use would allow Wendie Woods the opportunity for the practical and effective use of the property's unique location and facade.

This letter, along with the information presented at the public hearing, will show that the change in area conditions has created the need for a transitional zone in this area. Therefore, I respectfully request, on behalf of my client, that the property located at 300 Yellow Jacket Drive be rezoned from R-1 Residential Zoning to a B-1 Buffer Zone.

Yours truly,

Brown & Langston, PLLC

Enclosures

Exhibit A

Zoning Map – 300 Yellow Jacket Drive – Surrounding Area

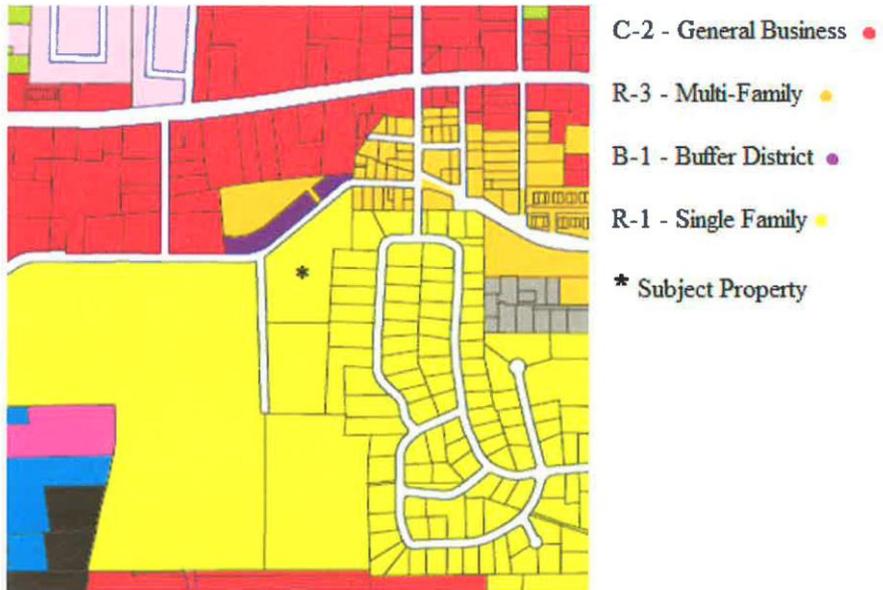


Exhibit B

Area Conditions – Mixed Use – Commercial & Residential

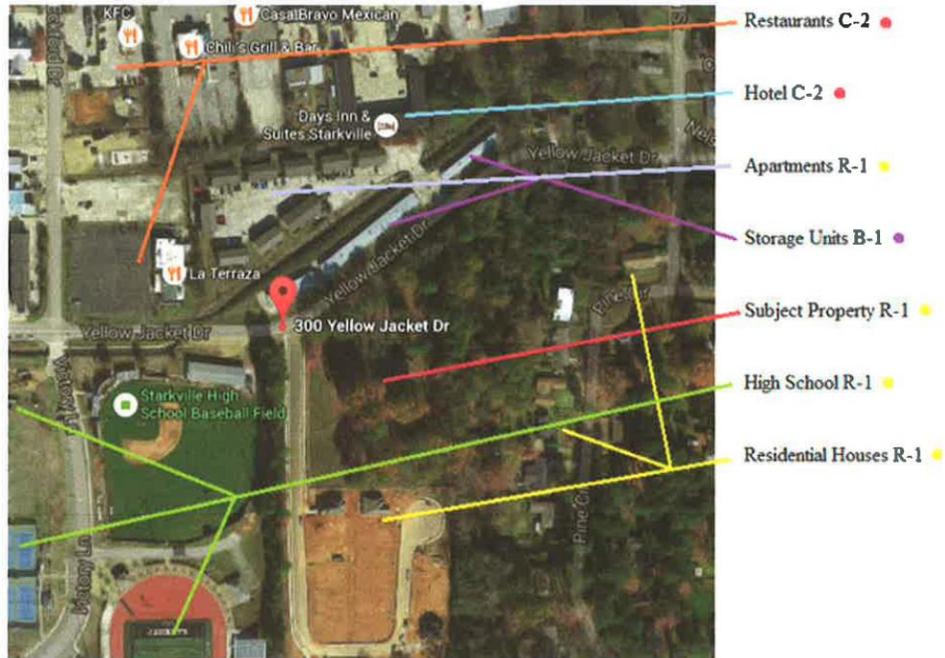


Exhibit C

Subject Property – Aerial Photo – Meets B-1 Regulations



Lot Size: 4.98 acres

No Minimum Lot Size for Commercial Uses

Minimum Depth of Front Yard: 25 Feet

Minimum Width of Side Yard: 5 Feet

Minimum Depth of Rear Yard: 20 Feet

Minimum Height of Structure: 45 Feet

Exhibit D

Subject Property – Meets B-1 Regulations



Neutral color (white) brick façade

Paved driveway and parking area (parking is not pictured, located to the right of building)



Exhibit E

Transitional Road – Commercial to Residential



Restaurant

Starkville High School



Jacket Mini-Storage

Subject Property



Jacket Mini-Storage

Residential Houses

EXHIBIT F

Community Letters of Support

May 10, 2016

Planning & Zoning Commission
City of Starkville
110 West Main Street
Starkville, MS 39759

RE: Wendie Woods RZ 16-04, CU 16-04

Dear Planning & Zoning Commission,

I am writing on behalf of our family and home of almost fifty years at 300 Yellow Jacket Drive. Our parents have been deceased for several years and all but one of us four siblings lives out of town. We finally came to grips last year with letting the home go and placing it on the market.

When the home was built (1968), there was virtually nothing developed between it and Hwy 12. And, other than Starkville High School, very little was built to the west. Pleasant Acres had already been developed.

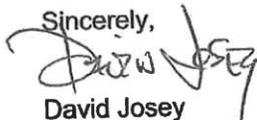
The last projects developed in the immediate area were behind us and in front us. More recently was the Bent Brook development adjoining our property to its south side. A couple decades ago, the storage facility was built to the north, facing the very front side of our home.

The storage facility occurred many administrations ago and never should have been built. It has been a significant hindrance in appealing to the homebuyer market. Any local realtor would attest to that. Since the home was placed on the market six months ago, the majority of interest has been from residential developers. It has been shown only twice to true homebuyers.

Over the past few years, Pleasant Acres neighbors have contacted us. They knew Mom and Dad were both deceased and were curious as to our plans for the property. They were clearly and rightfully concerned with the trees which have buffered and shaded our properties for decades. We appreciate and respect those concerns.

Our family prefers that the home and trees remain. They are meaningful to the area. We are very encouraged by Wendie's interest in acquiring the home and using it as a counseling ministry. She too wants to keep the serene nature of the property and has no intentions of interfering with the current landscape.

Sincerely,



David Josey

5/2/2016

Print

Subject: Planning and Zoning Letter of Support
From: Martha Malone (malo3259@bellsouth.net)
To: woods@christianchanges.com;
Date: Sunday, May 1, 2016 8:48 PM

Hey Wendie,

Sorry I am sending this in an email, (Printer Problems) But I hope you can use this as I am completely in support of your purchase of the Josey property for use as a counseling site.

To the Starkville Planning and Zoning Commission and the Starkville Board of Aldermen:

My name is Martha Malone and I own the property, 802 Pine Circle, located east of 300 Yellow Jacket Drive, Starkville, MS 39759.

I have been notified and am aware of the applications (RZ 16-04 and CU 16-04) submitted by Wendie Woods for rezoning from R-1 to B-1 and the conditional use for her business, Christian Changes Counseling to be located at 300 Yellow Jacket Drive upon purchase of said property.

I absolutely have no objections to the passing and approval of these requests (RZ 16-04 and CU 16-04) and I support MS. Woods in her plans to keep the Josey home and property in its pristine condition while not only serving the citizens of Starkville but also helping to increase the tax revenue for our city.

Sincerely,

Martha Malone

4558 Longview-Adaton Road
Starkville, Mississippi 39759

City of Starkville Board of Aldermen
City of Starkville Board of Planning and Zoning Commission
Starkville, Mississippi 39759

Re: RZ 16-04 and CU 16-04

Dear Members of the Boards:

I would like to ask that you deeply consider the rezoning and conditional use of the RZ 16-04 and CU 16-04 requests as submitted by Ms. Wendie Woods of *Christian Changes Counseling and Recovery Center* as use for her business to be located at 300 Yellow Jacket Drive, Starkville, Mississippi, upon purchase of the property.

Ms. Woods has a wonderful center already established as a part of the Starkville Community, she serves the residents not only of Starkville but of the surrounding area, and many of her clients have benefitted from the Christian counseling and recovery services she has provided for them.

From my understanding, her business is currently in demand of a larger facility for her clients, and this property would serve as a very central location for those in need of the services Christian Changes offers.

I humbly ask that you vote to re-zone and approve the conditional use of this area so that Christian Changes Counseling can continue to grow and be a very vital asset to those in need.

Thank you for your consideration!



Wendy D. Brewer

THE BREWER COMPANIES, LLC.

662-268-8621 Phone
662-268-8651 Fax
332 Highway 12 West
Starkville, Mississippi 39759

City of Starkville Board of Aldermen
City of Starkville Board of Planning and Zoning Commission
Starkville, Mississippi 39759

Re: RZ 16-04 and CU 16-04

Dear Members of the Board of Aldermen and Starkville Planning and Zoning Commission:

I ask that you consider the rezoning and conditional use of the RZ 16-04 and CU 16-04 requests as submitted by Ms. Wendie Woods of ***Christian Changes Counseling and Recovery Center*** as use for her business to be located at 300 Yellow Jacket Drive, Starkville, Mississippi, upon purchase of the property. At one point, I owned the property which connects to the 300 Yellow Jacket Drive property, and I can vouch for the difficulties regarding rezoning.

Ms. Wendie Woods has a business where she already serves the Starkville Community, and other surrounding communities, and I commend her for her dedication and willingness to build and grow her business as a tool to help others.

Please consider the re-zoning and conditional use of this property this area so that Christian Changes Counseling can continue under the direction of Ms. Woods.

Thank you,



Frank Brewer