



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, AUGUST 9, 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. CONSIDERATION FOR APPROVAL OF MINUTES
 - A. Consideration of the Unapproved minutes for February 9, 2016
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. CU 16-05 Request for Conditional Use to allow a wireless communication tower in a C-2 zone located at 602.5 Martin Luther King Jr Drive West with the parcel number 118N-00-0097.03
 - B. PP 16-10 Request for Preliminary Plat approval for a four lot subdivision of a 32.13 acre parcel on the south side of Lynn Lane just north of Starkville Academy in an C-2 zone with the parent parcel number 102I-00-013.00
 - C. PP 16-13 Request for Preliminary Plat approval subdividing and replatting four parcels into five lots located on the north side of Hwy 12 West between Stark Road and Crossgate Street with the parcel numbers 103I-00-003, 103I-00-003.1, 103I-00-004 and 103H-00-016
 - D. FP 16-09 Request for Final Plat approval subdividing and replatting four parcels into five lots located on the north side of Hwy 12 West between Stark Road and Crossgate Street with the parcel numbers 103I-00-003, 103I-00-003.1, 103I-00-004 and 103H-00-016
 - E. RZ 16-07 Request to Rezone a portion of Lot #1 of the Bay Meadows Subdivision located on Rose Perkins Drive from a split zone of R-1/C-1 to B-1 with the property # 117C-00-145.00
- VIII. PLANNER'S REPORT
 - A. Discussion with Buddy Sanders about creating a regularly scheduled work session prior to Commission meetings.
 - B. Update on status of Minutes for Commission
- IX. ADJOURN

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
City of Starkville, Mississippi February 9, 2016**

Be it remembered, that, the members of the Planning and Zoning Commission of the City of Starkville, met in their regularly scheduled meeting on February 9, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Commissioners Jason Camp, Ward 1, Jim McReynolds, Ward 2, Tom Walker, Ward 3, Patrick Miller, Ward 5, Ira Loveless, Ward 6, and John Moore, Ward 7. Attending the Commissioners were Community Development Director Buddy Sanders, City Planner Daniel Havelin, City Attorney Chris Latimer, and Recording Secretary Bill Green.

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

1. A MOTION TO APPROVE THE OFFICIAL AGENDA AS PRESENTED

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of December 8, 2015 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, February 9, 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
 - A. Consideration of the unapproved November 10, 2015 minutes
- V. CONSIDERATION FOR APPROVAL OF MINUTES
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS

- A. **CU 16-01** Request for Conditional Use to operate a “Vehicular Sales & Service” business on two parcels zoned C-1 Neighborhood Commercial with the parcel numbers 102G-00-160.01 and 102G-00-160.00
- B. **PP 16-01** Request for Preliminary Plat for an 18 lot subdivision named Adelaide Phase I located on the west side of South Montgomery Street directly north of The Claiborne at Adelaide retirement community in a R-4a (pending) zone with the parent parcel numbers 105 -15-007.00 and 105 -22-001.00
- C. **PP 16-03** Request for Preliminary Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01
- D. **FP 16-02** Request for Final Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01
- E. **PP 16-04** Request for Preliminary Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03
- F. **FP 16-03** Request for Final Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03
- G. **RZ 16-02** Request for Rezoning one parcel at 99 Hartness Street from R-3 to T-5 with the parcel number 117M-00-195.00
- H. **RZ 16-03** Request for Rezoning one parcel on the north side of Garrard Road +/-750 feet west of Old West Point Road from R-1 to R-3A with the parcel number 117C-00-036.01

VIII. PLANNER REPORT

- A. Copies of the Draft of the Starkville Comprehensive Plan will be distributed to Commissioners for review and comments.

IX. ADJOURN

X.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner McReynolds, the motion to approve the Official Agenda of the Planning and Zoning Commission for February 9, 2016, as presented, received unanimous approval.

CITIZEN COMMENTS

None

PUBLIC HEARING

After discussion of the requested CU 16-01, a request for conditional use to operate a “Vehicular Sales & Service” business on two parcels zoned C-1, Neighborhood Commercial with the parcel numbers 102G-00-160.01 and 102G-00-160.00., the Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Louis Sharp, spoke in support of the request.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

2. A MOTION TO APPROVE CU 16-01 REQUEST FOR CONDITIONAL USE TO OPERATE A “VEHICULAR SALES & SERVICE” BUSINESS ON TWO PARCELS ZONED C-1 NEIGHBORHOOD COMMERCIAL WITH THE PARCEL NUMBERS 102G-00-160.01 AND 102G-00-160.00

There came for consideration, the matter of the approval of the motion to approve CU 16-01, a request for conditional use to operate a “Vehicular Sales & Service” business on two parcels zoned C-1, Neighborhood Commercial with the parcel numbers 102G-00-160.01 and 102G-00-160.00.

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Camp, the motion to approve CU 16-01, a request for conditional use to operate a “Vehicular Sales & Service” business on two parcels zoned C-1, Neighborhood Commercial with the parcel numbers 102G-00-160.01 and 102G-00-160.00, was unanimously approved with staff recommendations:

- All signage shall be compliant with current sign ordinance.

PUBLIC HEARING

After discussion of the requested PP 16-01, a request for Preliminary Plat for an 18 lot subdivision named Adelaide Phase I located on the west side of South Montgomery Street directly north of The Claiborne at Adelaide retirement community in a R-4a (pending) zone with the parent parcel numbers 105 -15-007.00 and 105 -22-001.00, the Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Saunders Ramsey, spoke in support of the request.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

3. A MOTION TO APPROVE PP 16-01, A REQUEST FOR PRELIMINARY PLAT FOR AN 18 LOT SUBDIVISION NAMED ADELAIDE PHASE I LOCATED ON THE WEST SIDE OF SOUTH MONTGOMERY STREET DIRECTLY NORTH OF THE CLAIBORNE AT ADELAIDE RETIREMENT COMMUNITY IN A R-4A (PENDING) ZONE WITH THE PARENT PARCEL NUMBERS 105 -15-007.00 AND 105 -22-001.00.

There came for consideration, the matter of the approval of the motion to approve pp 16-01, a request for preliminary plat for an 18 lot subdivision named Adelaide phase I located on the west side of South Montgomery Street directly north of the Claiborne at Adelaide retirement community in a r-4a (pending) zone with the parent parcel numbers 105 -15-007.00 and 105 -22-001.00.

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner McReynolds, the motion to approve pp 16-01, a request for preliminary plat for an 18 lot subdivision named Adelaide phase I located on the west side of South Montgomery Street directly north of the Claiborne at Adelaide retirement community in a r-4a (pending) zone with the parent parcel numbers 105 -15-007.00 and 105 -22-001.00, was unanimously approved.

PUBLIC HEARING

After discussion of the requested PP 16-03 and FP 16-02, a request for Preliminary and Final Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01, the Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Jason Pepper, spoke in support of the request.

Michael Kraker, spoke in favor of the request.

Lucy Senter, voiced her concern regarding the bridge near the intersection of Garrard Road and Old West Point road and the increase of the traffic.

Maggie Wood, voiced her concern regarding an increase in the traffic specifically once the car dealership opens.

John Moore spoke in reference to the bridge and the dealership, noting that, most individuals visiting the dealership would be using the by-pass and that the local residents who are already affiliated with the area will continue to travel in that area and that, an increase in traffic is not likely and therefore the "danger" level is not likely to increase either.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

4. A MOTION TO APPROVE PP 16-03 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR AN 11 LOT SUBDIVISION NAMED EAST CREEK SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF GARRARD ROAD AND OLD WEST POINT ROAD IN A B-1 ZONE WITH THE PARENT PARCEL NUMBER 117C-00-036.01

There came for consideration, the matter of the approval of the motion to approve PP 16-03 Request for Preliminary Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.0.

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Moore, the motion to approve PP 16-03 Request for Preliminary Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01, was unanimously approved.

- The planning and zoning commission noted for the record, that, the city (city engineer) should review the bridge near the intersection of Garrard road and old west point road and determine if the increase of the traffic in the area would decrease to the detriment of the citizenry as a result of the car dealership's presence.

5. A MOTION APPROVE FP 16-02 REQUEST FOR FINAL PLAT APPROVAL FOR AN 11 LOT SUBDIVISION NAMED EAST CREEK SUBDIVISION LOCATED ON THE NORTHWEST CORNER OF GARRARD ROAD AND OLD WEST POINT ROAD IN A B-1 ZONE WITH THE PARENT PARCEL NUMBER 117C-00-036.01

There came for consideration, the matter of the approval of the motion to approve FP 16-02 Request for Final Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01.

After discussion and upon the motion of Commissioner Walker, duly seconded by Commissioner Miller, the motion to approve FP 16-02 Request for Final Plat approval for an 11 lot subdivision named East Creek Subdivision located on the northwest corner of Garrard Road and Old West Point Road in a B-1 zone with the parent parcel number 117C-00-036.01, was unanimously approved.

PUBLIC HEARING

After discussion of the requested PP 16-04 request for preliminary plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of highway 12 west in an r-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03, the Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

No comments were received.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

6. A MOTION TO APPROVE PP 16-04 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A 4 LOT SUBDIVISION ON THE WEST SIDE OF BLUEFIELD ROAD +/-0.4 MILES SOUTH OF HIGHWAY 12 WEST IN AN R-1 ZONE WITH THE PARENT PARCEL NUMBERS 104-18-001.00 AND 104-18-001.03

There came for consideration, the matter of the approval of the motion to approve PP 16-04 Request for Preliminary Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03.

After discussion and upon the motion of Commissioner Camp ,duly seconded by Commissioner Moore, the motion to approve PP 16-04 Request for Preliminary Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of

Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03, was unanimously approved.

7. A MOTION APPROVE FP 16-03 REQUEST FOR FINAL PLAT APPROVAL FOR A 4 LOT SUBDIVISION ON THE WEST SIDE OF BLUEFIELD ROAD +/-0.4 MILES SOUTH OF HIGHWAY 12 WEST IN AN R-1 ZONE WITH THE PARENT PARCEL NUMBERS 104-18-001.00 AND 104-18- 001.03

There came for consideration, the matter of the approval of the motion to approve FP 16-03 Request for Final Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03.

After discussion and upon the motion of Commissioner Camp ,duly seconded by Commissioner Moore, the motion to approve FP 16-03 Request for Final Plat approval for a 4 lot subdivision on the west side of Bluefield Road +/-0.4 miles south of Highway 12 West in an R-1 zone with the parent parcel numbers 104-18-001.00 and 104-18-001.03, was unanimously approved.

- *The audio and video went black at this point in the meeting, as a result, the following information was taken from the notes of Recording Secretary Bill Green.*

PUBLIC HEARING

After discussion of the RZ 16-02 request for rezoning one parcel at 99 Hartness street from r-3 to t-5 with the parcel number 117m-00-195.00, the commission chair opened a public hearing and called for comments regarding the above request, comments were received from the following individuals:

Jerome Tabor, and Joe Savage addressed the Commission et al regarding parking concerns associated with the project.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

8. A MOTION TO APPROVE RZ 16-02 REQUEST FOR REZONING ONE PARCEL AT 99 HARTNESS STREET FROM R-3 TO T-5 WITH THE PARCEL NUMBER 117M-00-195.00.

There came for consideration, the matter of the approval of the motion to approve RZ 16-02 request for rezoning one parcel at 99 Hartness street from r-3 to t-5 with the parcel number 117m-00-195.00.

After discussion and upon the motion of Commissioner Camp ,duly seconded by Commissioner Walker, RZ 16-02 request for rezoning one parcel at 99 Hartness street from r-3 to t-5 with the parcel number 117m-00-195.00, was unanimously approved.

PUBLIC HEARING

After discussion of the RZ 16-03 request for rezoning one parcel on the north side of Garrard road +/-750 feet west of old west point road from r-1 to r-3a with the parcel number 117c-00-036.01 the commission chair opened a public hearing and called for comments regarding the above request, comments were received from the following individuals:

Michael Kraker addressed the Commission et al regarding his concerns associated with the size of the cottages of the project.

- *Commissioner Mc Reynolds left the meeting.*

Deb Middleton addressed the Commission et al regarding his concerns associated with the liability of the pond associated with the project.

Deb Middleton addressed the Commission et al regarding his concerns associated with the liability of the pond associated with the project.

Calling for and hearing no further comments. The Commission Chair closed the Public hearing portion of the meeting.

9. A MOTION APPROVE RZ 16-03 REQUEST FOR REZONING ONE PARCEL ON THE NORTH SIDE OF GARRARD ROAD +/-750 FEET WEST OF OLD WEST POINT ROAD FROM R-1 TO R-3A WITH THE PARCEL NUMBER 117C-00-036.01

There came for consideration, the matter of the approval of the motion to approve RZ 16-03 Request for Rezoning one parcel on the north side of Garrard Road +/-750 feet west of Old West Point Road from R-1 to R-3A with the parcel number 117C-00-036.01

After discussion and upon the motion of Commissioner Camp ,duly seconded by Commissioner Walker, the motion to approve RZ 16-03 Request for Rezoning one parcel on the north side of Garrard Road +/-750 feet west of Old West Point Road from R-1 to R-3A with the parcel number 117C-00-036.01, was unanimously approved by those members present and voting.

10. A MOTION TO ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on April 12, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Camp, duly seconded by Commissioner Miller, the motion to adjourn until 5:30 p.m. on April12, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.



THE CITY OF STARKVILLE
PLANNING & ZONING COMMISSION
CITY HALL, 101 E. LAMPKIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission
FROM: Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
CC: Applicant: GST Capital Partners, LLC
SUBJECT: CU 16-05: Conditional Use request to allow a wireless communication tower in a C-2 zone located at 602.5 Martin Luther King Jr Drive West with the parcel number 118N-00-0097.03
DATE: August 1, 2016

The purpose of this report is to provide information regarding the request by GST Capital Partners, LLC to approve a Conditional Use to allow a 150' wireless communication tower. The Parcel is located at 602.5 Martin Luther King Jr Drive West. The subject property to be leased is approximately 1.51-acres of land within a C-2 (General Business) zoning district.

BACKGROUND INFORMATION

The applicant is proposing the placement of a communication tower/facility on the subject property located at 602.5 Martin Luther King Jr Drive West. The subject property to be leased is approximately 1.51-acres of land within a C-2 (General Business) zoning district. The subject site area is currently undeveloped/vacant land and located directly off Martin Luther King Jr Drive West. The proposed tower will be a 150-foot monopole design within a 75' x 75' enclosed compound that will connect to an existing gravel access drive. The facility will be unmanned and will accommodate three carriers.

CELL TOWER ANALYSIS

Ordinance #2001-02 provides the following to consider in determining whether to issue the conditional use permit, although the Mayor and Board of Aldermen may waive or reduce the burden on the applicant of one or more of these criteria, if, in the sole discretion of the Governing Authority, the goals of the Ordinance are better served thereby:

1. Height of the proposed tower or antenna.
The proposed height of the communication tower is a one hundred and fifty (150) feet monopole tower while the proposed facility will be secured within a fenced 75' x 75' compound.

2. Proximity of the tower to residential structures and residential district boundaries.
The proposed tower is located approximately 200 feet from a residential structure

3. Technical or engineering requirements limiting placement of the tower in other areas in order to provide coverage.
There are no existing structures within a one-mile radius of the proposed location that will accommodate the applicants' needs

- Nature of uses on adjacent and nearby properties.

Direction	Zoning	Current Use
North	C-2	Church
East	C-2	Single Family Residential
South	C-2	Single Family Residential
West	R-5	Multi-Family

- Surrounding topography, tree coverage and foliage.
The property is a large parcel of undeveloped land in a heavily wooded area
- Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
- Availability of suitable existing towers and other structures.

Other Factors to Consider

To avoid interference with established public safety telecommunications, GST Capital Partners, LLC will only operate in compliance with FCC licensed spectrum, which will eliminate any possibility of interference with the antennas from any television, radio, or emergency systems-see attached professional engineer stamped letter. An aeronautical study was completed and revealed that the structure of the communication tower does not exceed obstruction standards and will not be a hazard to air navigation-see attached FAA letter.

The applicant went before the Board of Adjustments and Appeals on July 27, 2016 requesting two variances: to grant a 250’ foot setback distance in lieu of the required 300-foot setback distance adjacent to a residential property and a +- 380-foot radius in lieu of the required 2,640-foot radius from a residential district. The Board of Adjustments and Appeals made the recommendation of approval for the request.

Sixteen 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 Monday, July 25, 2016 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received one letter against the conditional use request.

CONDITIONAL USE 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 applicant believes that the subject property will adequately accommodate the coverage capacity needs of its growing consumer base. The applicant intends to maintain the undeveloped character of the property. There will be no trade or

manufacturing activity associated with the facility's presence which in turn will not alter the normal traffic flow within the area.

2. **Sufficient site size and adequate site specifications to accommodate the proposed use.** The subject property is approximately 1.51-acres of land in size with sufficient area available to provide for the secured fenced 75'x75' compound and connected 12' wide driveway for vehicular and utility access from Abernathy Drive.
3. **Proper use of mitigative techniques.** The construction of the wireless tower/facility site will be in compliance with all local, state and federal codes and requirements, which include, but are not limited to the FAA and FCC. The tower structure and site compound will also be constructed to allow for the co-location of three (3) additional wireless providers.
4. **Hazardous waste.** No hazardous wastes or materials would be generated, used or stored at the site.
5. **Compliance with applicable laws and ordinances.** The construction of the tower/facility will require adherence to all adopted City ordinances as well as adopted building and fire codes. An FAA Determination of No Hazard and State Historic Preservation Office letter has been issued.

CONCLUSIONS

Upon review of the proposed conditional use application, the Planning & Zoning Commission's recommendation for approval to grant the Conditional Use to allow a wireless communication tower/facility in a C-2 (General Business) zoning district located 602.5 Martin Luther King Jr. Drive West would be based on the findings of fact and conclusions of this staff report dated August 1, 2016, and the following conditions:

1. The applicant shall submit a complete site plan package with landscaping of the 75' x 75' equipment compound to the City's Development Review Committee and receive approval within one-hundred-eighty (180) days of approval of the conditional use request by the Mayor and Board of Aldermen.
2. The applicant shall gain approval by the City's Mayor and Board of Alderman of the Board of Adjustments & Appeals recommendation for approval of (2) two variances requested to grant a 250-foot setback distance in lieu of the required 300-foot setback distance and a +-380-foot setback radius in lieu of the required 2,640-foot radius from a residential district
3. The applicant shall obtain a building permit (for tower and antenna) and begin construction within ninety (90) days of the approval of the site plan by the City's Development Review Committee.

Attachment 1
CU 16-05 Aerial

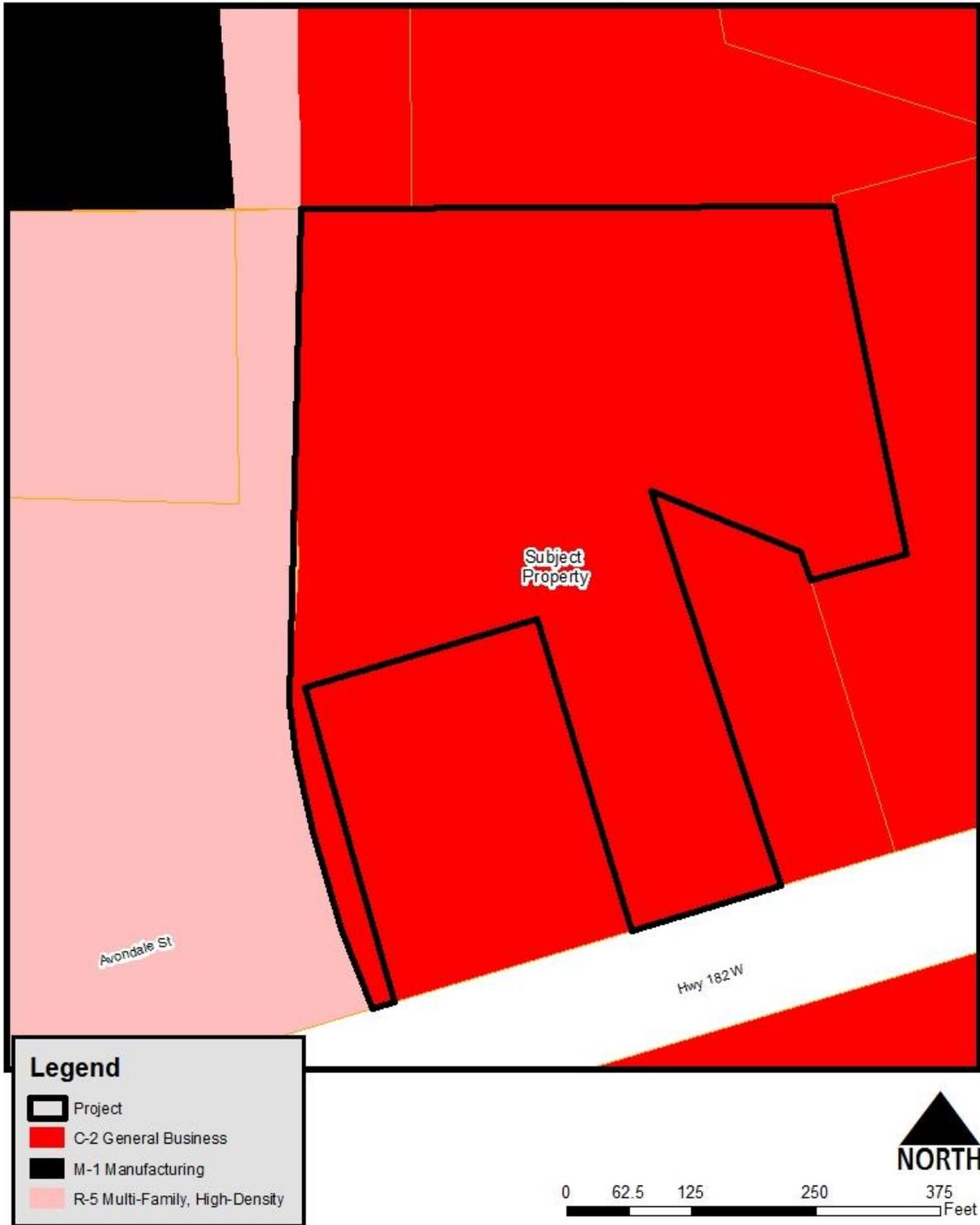


Legend

 Project



Attachment 2
CU 16-05 Zoning



Attachment 4



Date: 8/06/2016

**City of Starkville
Planning & Zoning
City Hall, 101 E. Lampkin Street
Starkville, MS 39759**

Re: MS2015007 Mini
150' Communication Tower
602.5 Dr. Martin Luther King Jr. Drive West
Starkville, MS 37959

We are proposing a 150' communication tower at 602.5 Dr. Martin Luther King Jr. Drive West in Starkville, Mississippi. This 150' communication tower will accommodate three carriers and the enclosed compound will hold the associated equipment for all three carriers and will not have any lighting. The district that the tower will be located is zoned C-2 which allows for a communication tower. There are no existing structures within a one mile radius of the proposed location that will accommodate our needs. We will allow colocation of any carrier that meets reasonable terms and conditions. The estimate cost of the communication compound is \$200,000.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John Bean', written over a light blue horizontal line.

John Bean
President
GST Capital Partners, LLC

Attachment 5



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2015-ASO-15697-OE

Issued Date: 12/01/2015

John Bean
Gulf South Tower
650 Olive Street
Shreveport, LA 71101

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole MS20157 MINI
Location:	Starkville, MS
Latitude:	33-27-55.22N NAD 83
Longitude:	88-50-00.76W
Heights:	294 feet site elevation (SE) 150 feet above ground level (AGL) 444 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 06/01/2017 unless:

- the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (718) 553-2611. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASO-15697-OE.

Signature Control No: 266745482-273911604
Angelique Eersteling
Technician

(DNE)

Attachment 6



UNITED STATES OF AMERICA FEDERAL COMMUNICATIONS COMMISSION ANTENNA STRUCTURE REGISTRATION



OWNER: GST Capital Partners, LLC

FCC Registration Number (FRN): 0024372476

ATTN: John Bean GST Capital Partners, LLC 330 Marshall Street, Suite 300 Shreveport, LA 71101	Antenna Structure Registration Number <p style="text-align: center;">1298512</p> Issue Date <p style="text-align: center;">02/29/2016</p>			
Location of Antenna Structure 612 Dr. Martin Luther King Jr. Drive West Starkville, MS 39769 County: OKTIBBEHA	Ground Elevation (AMSL) <p style="text-align: right;">89.6 meters</p> Overall Height Above Ground (AGL) <p style="text-align: right;">45.7 meters</p>			
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Latitude 33- 27- 54.7 N</td> <td style="width: 33%;">Longitude 088- 50- 01.1 W</td> <td style="width: 33%;">NAD83</td> </tr> </table>	Latitude 33- 27- 54.7 N	Longitude 088- 50- 01.1 W	NAD83	Overall Height Above Mean Sea Level (AMSL) <p style="text-align: right;">135.3 meters</p>
Latitude 33- 27- 54.7 N	Longitude 088- 50- 01.1 W	NAD83		
Center of Array Coordinates <p style="text-align: center;">N/A</p>	Type of Structure MTOWER Monopole			
Painting and Lighting Requirements: FAA Chapters NONE Conditions:				

This registration is effective upon completion of the described antenna structure and notification to the Commission. **YOU MUST NOTIFY THE COMMISSION WITHIN 24 HOURS OF COMPLETION OF CONSTRUCTION OR CANCELLATION OF YOUR PROJECT, please file FCC Form 854.** To file electronically, connect to the antenna structure registration system by pointing your web browser to <http://wireless.fcc.gov/antenna>. Electronic filing is recommended. You may also file manually by submitting a paper copy of FCC Form 854. Use purpose code "NT" for notification of completion of construction; use purpose code "CA" to cancel your registration.

The Antenna Structure Registration is not an authorization to construct radio facilities or transmit radio signals. It is necessary that all radio equipment on this structure be covered by a valid FCC license or construction permit.

You must immediately provide a copy of this Registration to all tenant licensees and permittees sited on the structure described on this Registration (although not required, you may want to use Certified Mail to obtain proof of receipt), and *display* your Registration Number at the site. See reverse for important information about the Commission's Antenna Structure Registration rules.

You must comply with all applicable FCC obstruction marking and lighting requirements, as set forth in Part 17 of the Commission's Rules (47 C.F.R. Part 17). These rules include, but are not limited to:

Posting the Registration Number: The Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials used to display the Registration Number must be weather-resistant and of sufficient size to be easily seen at the base of the antenna structure. Exceptions exist for certain historic structures. See 47 C.F.R. 17.4(g)-(h).

Inspecting lights and equipment: The obstruction lighting must be observed at least every 24 hours in order to detect any outages or malfunctions. Lighting equipment, indicators, and associated devices must be inspected at least once every three months.

Reporting outages and malfunctions: When any top steady-burning light or a flashing light (in any position) burns out or malfunctions, the outage must be reported to the nearest FAA Flight Service Station, unless corrected within 30 minutes. The FAA must again be notified when the light is restored. The owner must also maintain a log of these outages and malfunctions.

Maintaining assigned painting: The antenna structure must be repainted as often as necessary to maintain good visibility.

Complying with environmental rules: If you certified that grant of this registration would not have a significant environmental impact, you must nevertheless maintain all pertinent records and be ready to provide documentation supporting this certification and compliance with the rules, in the event that such information is requested by the Commission pursuant to 47 C.F.R. 1.1307(d).

Updating information: The owner must notify the FCC of proposed modifications to this structure; of any change in ownership; or, within 30 days of dismantlement of the structure.

You can find additional information at [\[insert link\]](#) or by calling (877) 480-3201 (TTY 717-338-2824).

Attachment 7

MISSISSIPPI DEPARTMENT of ARCHIVES AND HISTORY



HISTORIC PRESERVATION
Jim Woodrick, director
PO Box 571, Jackson, MS 39205-0571
601-576-6940 • Fax 601-576-6955
mdah.state.ms.us

March 25, 2016

Mr. Simon R. List
Sitech Consulting
9000 Breeland Way
Raleigh, NC 27613

RE: Balloon test and visual effects assessment for the proposed Starkville cellular tower, MS-2015, TCNS #131881 MDAH Project Log #03-058-16 (01-100-16, 12-078-15), Report 16-0002, Oktibbeha County

Dear Mr. List:

We have reviewed the balloon test and visual effects assessment, received March 10, 2016, for the above referenced undertaking, pursuant to our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. After reviewing the information provided, we would concur that the proposed tower will not have an adverse visual effect on historic properties listed or eligible for listing in the National Register of Historic Places. As such, we have no objection to the undertaking.

There remains the possibility that unrecorded cultural resources may be encountered during the project. Should this occur, we would appreciate your contacting this office in order that we may offer appropriate comments under 36 CFR 800.13.

If you need more information, please let me know.

Sincerely,

Greg Williamson
Review and Compliance Officer

FOR: Katie Blount
State Historic Preservation Officer

Board of Trustees: Kane Ditto, president / E. Jackson Garner, vice president / Reuben V. Anderson / Nancy Carpenter / Valencia Hall
Betsey Hamilton / Web Heidelberg / Hilda Cope Povall / Roland Weeks / Department director: Katie Blount

Attachment 8 Letter AGAINST

July 21, 2016

RE: GST Capital Partners Request for Variance (VA 16-06)

Dear Mr. Havelin:

Thank you for making sure that members reviewing this request for a variance will have access to my letter as part of public testimony. I wanted to attend this meeting to speak to this issue, but I have been advised by my physician to avoid stressful situations that could increase my blood pressure and thus place my health at risk.

I object to this request for variance strenuously. Our property has belonged intact to my family for many years. No matter where I went in life, I always considered myself a Starkvillian, so I was very happy to move here in 2003 with my husband when we retired. We expected to enjoy the property for many years in pristine condition. Our investment in the property included a complete remodeling and adding an addition to our family home.

I absolutely protest this communication tower being built as proposed. Its addition will significantly reduce the enjoyment I get from my property, as I will be forced to gaze upon its unlovely shape every time I step out of my house. I very much value the residential look and feel of my property, and this would be an eyesore. We would not have spent so much money on the property had we thought it could be modified in such a way. Surely the beauty of a person's property should be respected in our town. Denying variances such as this one will ensure that Starkville maintains the look and feel we all love and cherish. That alone is reason enough to deny this request.

Further, however, please take careful note that this variance requests "a +-380 foot radius in lieu of the required 2,640-foot radius." On its face, this is an unreasonable request and should be enough to deny this request. Asking for such a variance practically obviates the intent of the requirement and cannot be seen as reasonable. No one wants such a structure overlooking their residential property, and especially not one 2,400 feet closer than required.

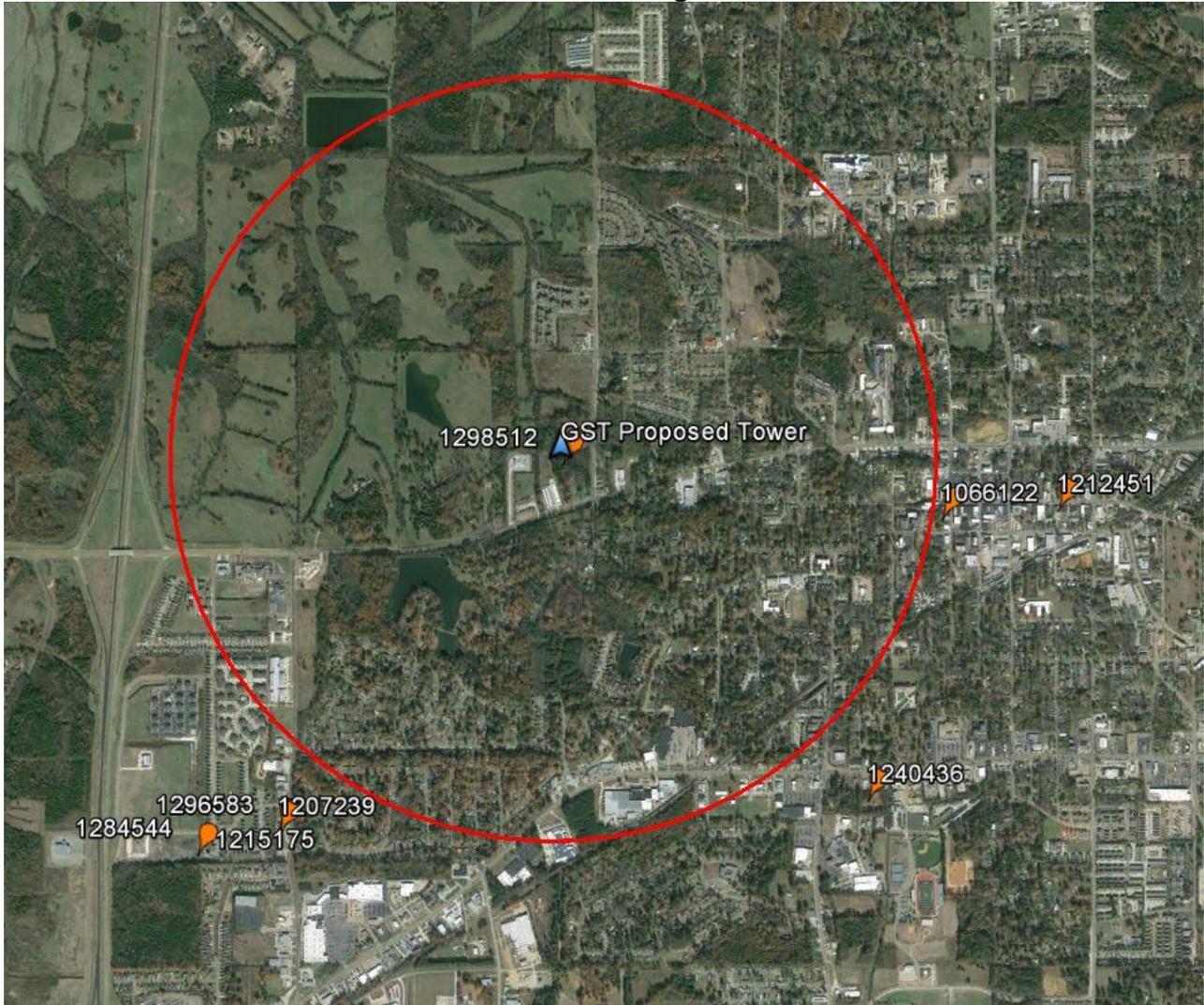
I respectfully urge you in the strongest possible terms to deny this request for variance. In the long run, this variance would be detrimental to our property value. It would significantly decrease our enjoyment of the property, and the request for 2,400 feet in variance from the requirements is not in line with the spirit of the zoning rules.

Respectfully submitted,



Jane Ellen Kendall
600 Dr. Martin Luther King Jr Dr W
Starkville, MS 39759
Phone: 662-268-4667

Attachment 9
Location of Existing Towers





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: Owner: 4J-I LP
SUBJECT: PP 16-10 Request for Preliminary Plat approval for a four lot subdivision of a 32.13-acre parcel on the south side of Lynn Lane and the north side of Academy Road directly north and east of Starkville Academy in an C-2 zone with the parent parcel number 102I-00-013.00
DATE: August 9, 2016

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by 4J-I LP for Preliminary approval for 4 lot subdivision on Lynn Lane. The Subdivision consist of 4 lots on +/- 32.13 acres in a C-2 zone. Please see attachments 1-6.

Below is information pertaining to C-2 General Business District

Sec. L. - C-2 business (general business) zoning district regulations.

These [C-2 general business] districts are intended to be composed of the wide range of commercial goods and services to support community needs. Under special conditions some light industrial and distribution uses are also permitted. Usually located along arterial streets or near the intersection of two or more arterials, these districts are usually large and within convenient driving distance of the entire community. The district regulations provide for certain minimum yard and area standards to be met to assure adequate open space and compatibility with surrounding districts. [The following regulations apply in the C-2 districts:]

- 1. See chart for uses permitted.*
- 2. See chart for uses which may be permitted as an exception.*
- 3. Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.*
- 4. Minimum yard size: Front, 20 feet; rear, 20 feet; side, a total of 20 feet, but one side shall be sufficient in width to provide vehicular access to the rear. On any lot [in] which the side lot line adjoins a residential district, the side yard on that side shall not be less than required by the residential district.*

5. *Maximum height of building or structures: 45 feet.*
6. *Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
7. *Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
8. *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.*
9. *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 on 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.*

PLAT PROPOSAL

General Information

The subdivision has a gross acreage of +/-32.13 acres with a total of 4 lots. The western side of the proposed lot 1 is located in a Zone AE flood area.

Easements and Dedications

Existing and proposed easements are shown on the plat.

Findings and Comments

Water will need to be provided to all lots. Infrastructure drawings approved by the Development Review Committee are required prior to the installation of any utilities. Lot 4 will require sidewalks to be built on the south side to City standards. Lot 4 and Lot 3 will be required to have a sidewalk located along the private drive serving Starkville Academy. The sidewalk can be located within the lot the drive is located or on Lot 4 and Lot3. An easement is required for the sidewalk per City Ordinance.

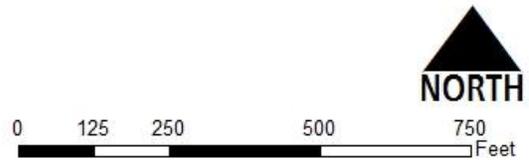
REQUESTED CONDITIONS

1. Any sidewalks not completed by the time of Final Plat consideration, shall be required to have a bond of 150% of the estimated cost of construction in place prior to consideration.
2. A letter from the Applicant to the City Engineer addressing the handling of all future stormwater requirements (lot by lot detention or regional detention) shall be accepted prior to Final Plat approval. If the lot-by-lot approach is selected, the applicant understands and will communicate to all future lot owners that mitigation of excess stormwater will be required no matter the lot size. If a regional approach is selected, the applicant will be required to provide the engineering calculations and construction plans for the facility as a part of the infrastructure drawings.

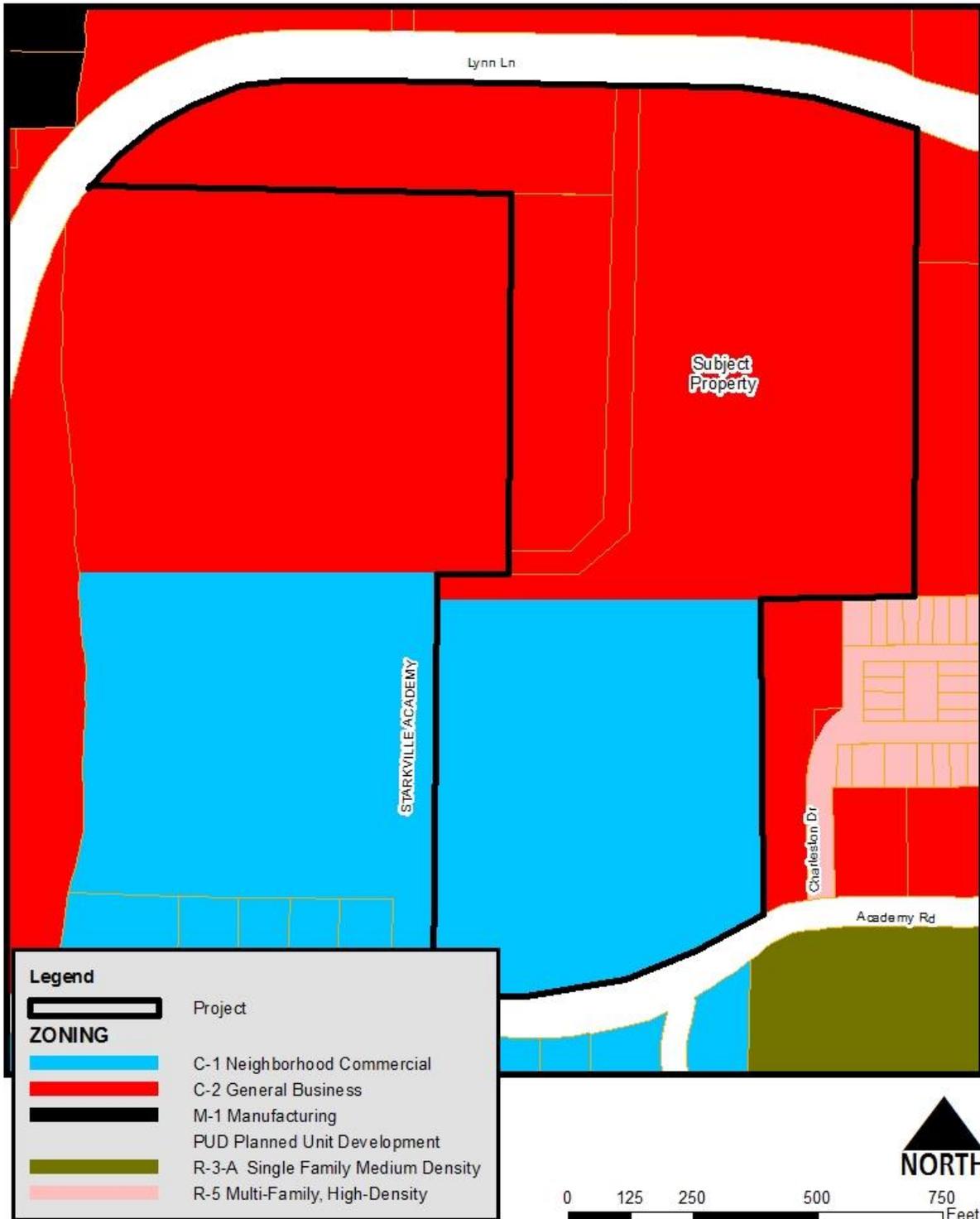
Attachment 1
PP 16-10 Aerial View



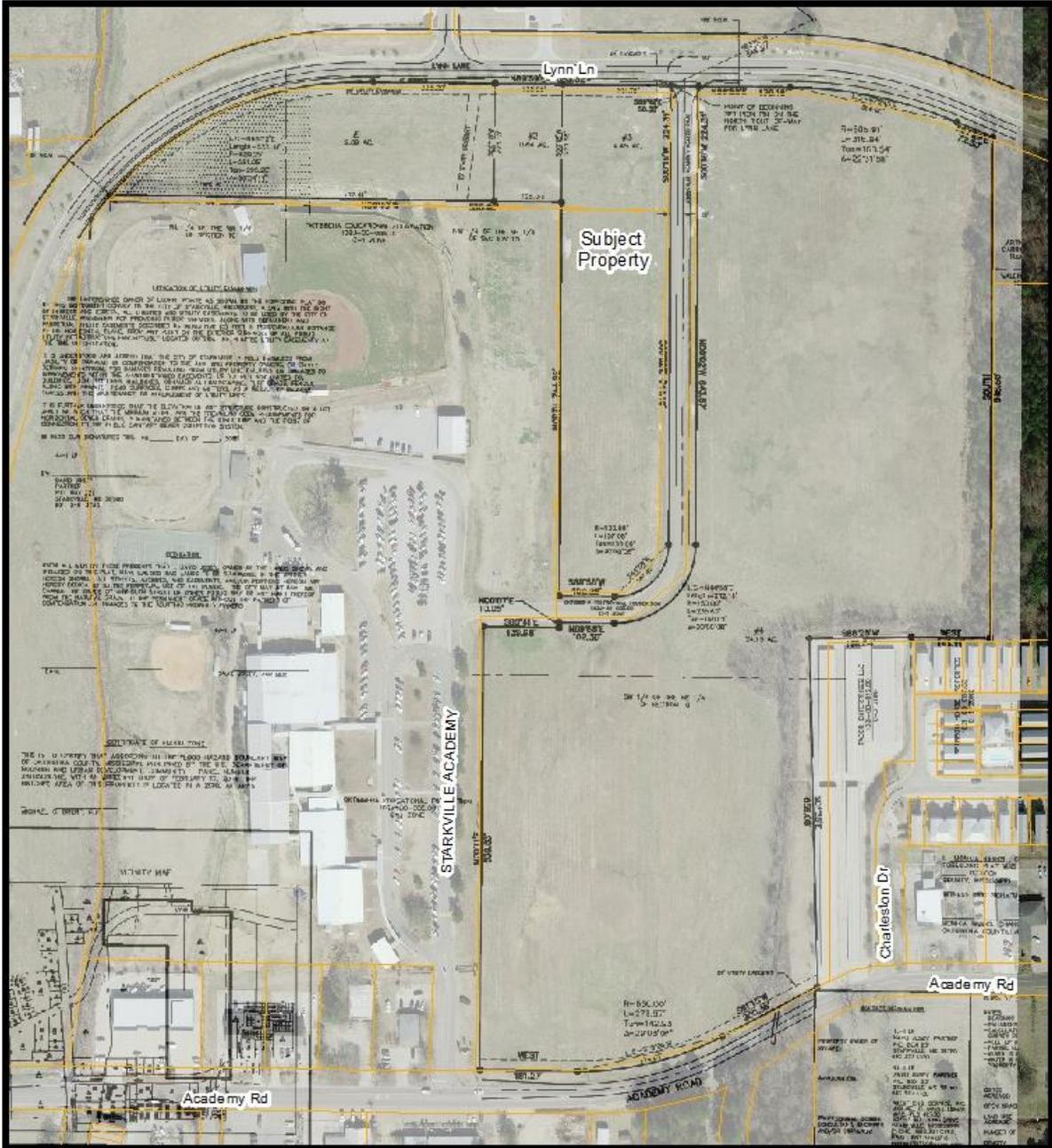
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Attachment 2
PP 16-10 Zoning



Attachment 3 PP 16-10 Plat Overlay



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Attachment 5



Attachment 6





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: Mike Rozier Construction, LLC
SUBJECT: PP 16-13 and FP 16-09 Request for Preliminary Plat and Final Plat approval subdividing and replatting four parcels into five lots located on the north side of Hwy 12 West between Stark Road and Crossgate Street with the parcel numbers 103I-00-003, 103I-00-003.1, 103I-00-004 and 103H-00-016
DATE: August 9, 2016

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Jason Pepper on behalf of Mike Rozier Construction, LLC for approval of a Preliminary Plat and Final Plat for subdividing and replatting four parcels into five lots. The parcels are located on the north side of Hwy 12 West between Stark Road and Crossgate Street. The eastern part of parcel 103I-00-003.01 and part of parcel 103I-00-004.00 (the existing drive between Sweet Peppers and AT&T) will be dedicated to the City as right-of-way for a new road connecting Hwy 12 to Hollywood Boulevard. The southern part of 103I-00-003.00 that contains the current AT&T store and parking will be added to the remaining eastern portion of 103I-00-004.00 to create Lot 2. The southwest corner of parcel 103I-00-003.00 will become Lot 5. The eastern side parcel 103I-00-003.00 and the southern portion of parcel 103H-00-016 will become Lot 1. The remainder of parcel 103I-00-003.00 will be dedicated as right-of-way for the proposed road. The northwest portion of parcel 103H-00-016 will become Lot 4. The remainder of parcel 103H-00-016 will be dedicated as right-of-way for the proposed road. All parcels are currently zoned C-2 General Business. The applicant has attended a DRC for Infrastructure Plan review on August 4, 2016. They received comments following the meeting. The Applicant will resubmit plan set with cost estimate and bond in the amount of 200% of estimated cost for infrastructure prior to consideration for Final Plat by Board of Aldermen. Please see attachments 1-5.

Below is information pertaining to C-2 General Business

Sec. L. - C-2 business (general business) zoning district regulations.

These [C-2 general business] districts are intended to be composed of the wide range of commercial goods and services to support community needs. Under special conditions some light industrial and distribution uses are also permitted. Usually located along arterial streets or near the intersection of two or more arterials, these districts are usually large and within convenient driving distance of the entire community. The district regulations provide for certain minimum yard and area standards to be met to assure adequate open

space and compatibility with surrounding districts. [The following regulations apply in the C-2 districts:]

1. See chart for uses permitted.
2. See chart for uses which may be permitted as an exception.
3. *Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.*
4. *Minimum yard size: Front, 20 feet; rear, 20 feet; side, a total of 20 feet, but one side shall be sufficient in width to provide vehicular access to the rear. On any lot [in] which the side lot line adjoins a residential district, the side yard on that side shall not be less than required by the residential district.*
5. *Maximum height of building or structures: 45 feet.*
6. *Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
7. *Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
8. *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.*
9. *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 on 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. 2014-4, 9-16-14)

PLAT PROPOSAL

General Information

The subdivision has a gross acreage of +/-13.3 acres with a total of 5 lots.

Easements and Dedications

One street with a varying right of way with of a minimum width of 50' will be dedicated as part of this plat. Utility easements are shown on the plat.

Findings and Comments

All utility connections are currently available.

Is this lot a part of a previously platted subdivision? If so, were letters of authorization provided by adversely affect property owners adjacent to the parcel.

All parties that would be considered adversely affect property owners were involved in previous sales of subject property and therefore have been determined to not be adversely affect.

CONCLUSIONS

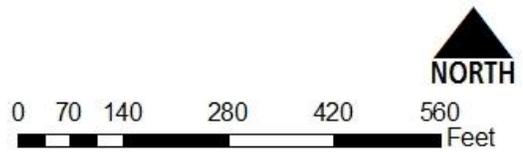
If the Planning and Zoning Commission decides to approve the Applicant's request for a preliminary plat and Final Plat for a lot subdivision, Staff request the following condition:

1. When infrastructure plans have been approved for construction, a pre-construction conference shall be held with appropriate city staff prior to the commencement of any construction activities at the site.
2. Bond in the amount of 200% of the engineering cost estimate which will be based on an approved set of infrastructure plans. The bond must meet the standards set forth in the City of Starkville's subdivision ordinance and must meet the City Attorney's approval. The bond is to be approved and executed prior to the case going before the Board of Aldermen for Final Plat approval.
3. When required improvements are complete the applicant shall provide "as-built" drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, sidewalks, etc.) in "AutoCAD" format as well as a paper copy that is signed and sealed by a licensed professional engineer, indicating that the improvements were installed under his/her responsible direction and that the improvements conform to the approved construction plans, specifications and the City's ordinances.

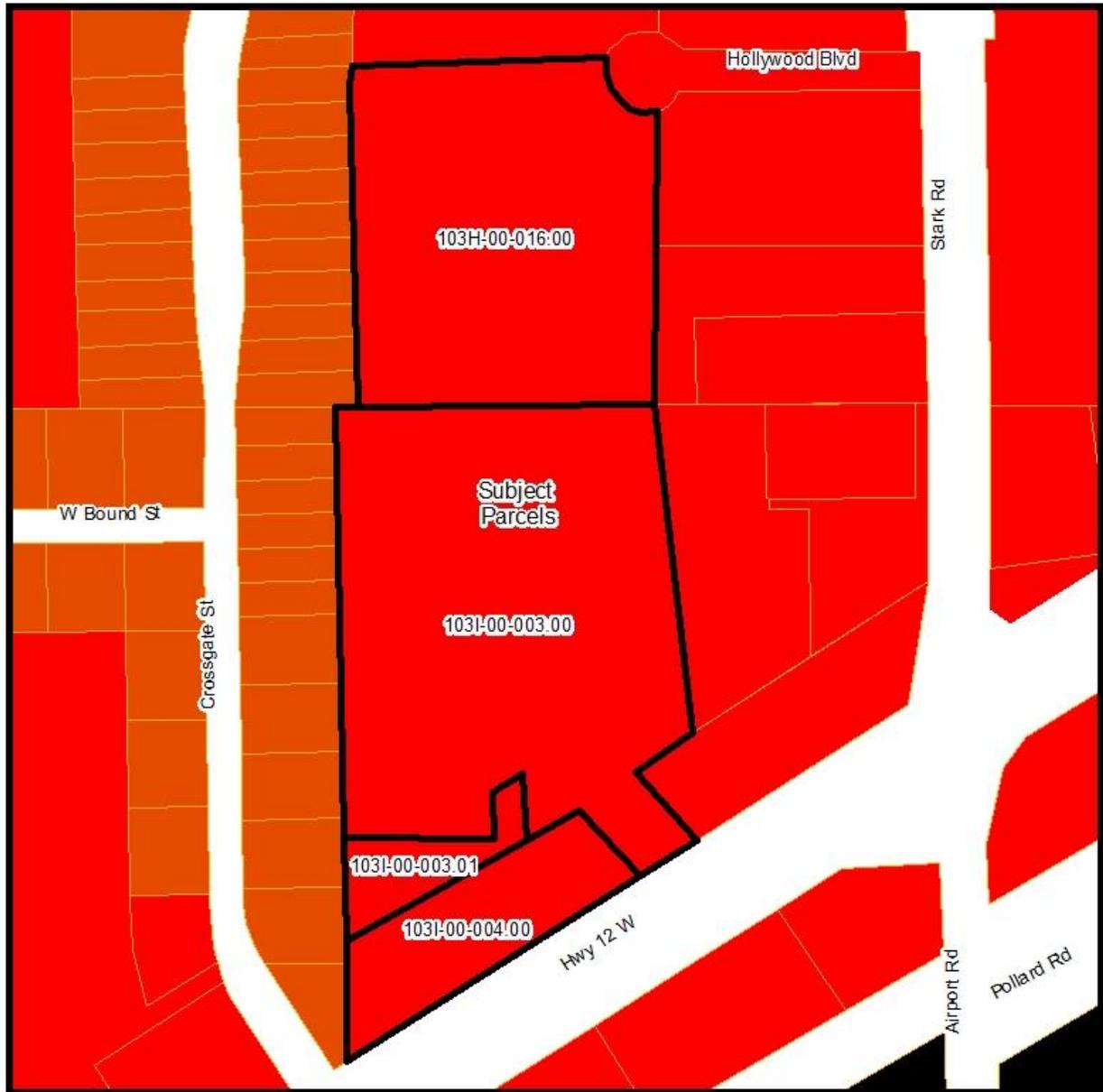
Attachment 1
PP 16-13 and FP 16-09 Aerial



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 Property



Attachment 2
PP 16-13 and FP 16-09 Zoning

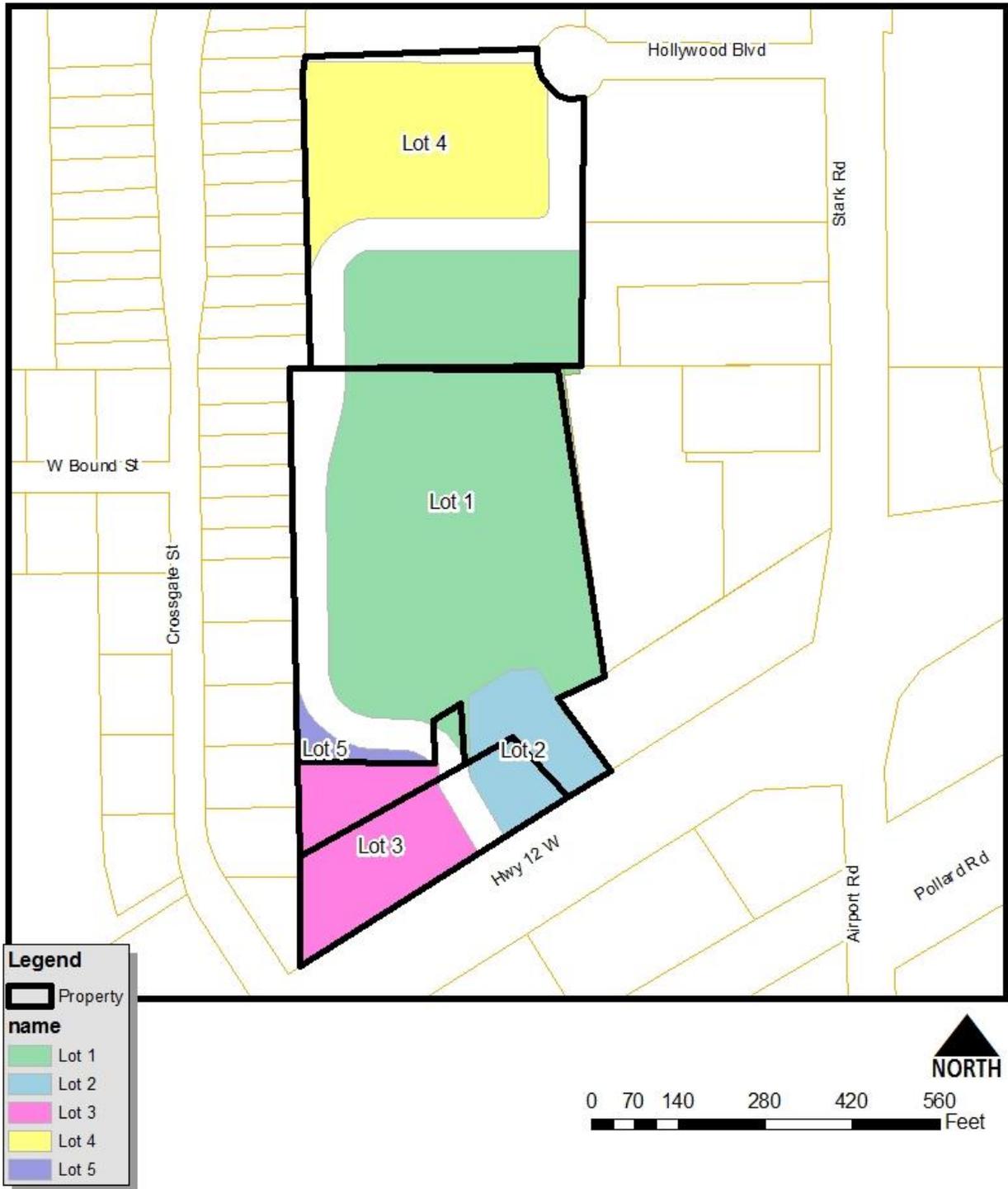


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- Property
- C-2 General Business
- M-1 Manufacturing
- R-4 Zero Lot Line/Cluster Development



Attachment 3 Proposed Lots



Attachment 4 Plat Overlay



Legend



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 W Pepper
SUBJECT: RZ 16-07 Request to Rezone a portion of Lot #1 of the Bay Meadows Subdivision located on Rose Perkins Drive from a split zone of R-1/C-1 to B-1 with the property # 117C-00-145.00
DATE: August 9, 2016

The purpose of this report is to provide information regarding the request by Providence Hill LLC to rezone a portion of Lot 1 of the Bay Meadows Subdivision. This portion of Lot 1 was a part of the Preliminary Plat PP 16-06 that was approved by the Board of Aldermen on June 21, 2016 with the condition that “Before consideration of Final Plat, the portions of the property shown a C-1 and R-1 shall be rezoned to the same zoning designation as the rest of the property”. This portion of Lot 1 is currently split zoned R-1 Single Family and C-1 Neighborhood Commercial. The applicant is seeking to rezone to B-1 to match the zoning of the rest of the approved Preliminary Plat. Please see attachments 1-3.

BACKGROUND INFORMATION

The earliest zoning map (1960’s-1970’s Map) that staff has available illustrates the subject property as being zoned R-2. The 1982-1990 zoning map has the property as being split zoned C-1/R-1 as it currently is today. The applicant is seeking the rezoning as part of a subdivision development at the southwest corner of the intersection of Rose Perkins Drive and Old West Point Road. The current split zoning of the property also creates challenges to developing the property.

Zoning Change Subject Property				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
117C-00-045.00	R-2	C-1/R-1	C-1/R-1	C-1/R-1
Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	R-2	C-1/R-1	C-1/R-1	C-1/R-1
East	R-2	C-1	C-1	C-1
South	R-2	R-1	R-1	B-1
West	R-2	R-1	R-1	R-1

Zoning and land uses adjacent to the subject property			
Direction	Zoning	Current Use	
North	C-1/R-1	Single Family and Vacant	
East	C-1	Vacant	
South	B-1	Vacant	
West	R-1	Single Family	

NOTIFICATION

16 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 July 25th 2016 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.

REZONING REQUEST

The subject rezoning requests are from R-1/C-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.

Sec. K. - C-1 business (local shopping) zoning district regulations.

These [C-1 business (local shopping)] districts are intended to be composed mainly of neighborhood (local) shopping and services facilities that supply the daily household needs of surrounding residential neighborhoods. Often located on one or more arterial streets, these districts are small and are located within convenient walking distance of most of the areas they will serve. To protect surrounding areas certain yard and area standards are required. [The following regulations apply to C-1 districts:]

1. See chart for uses permitted.
2. See chart for uses which may be permitted as an exception.
3. *Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.*
4. *Minimum yard size: Front, 35 feet; rear, 20 feet; side, ten feet, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than that required by the residential district.*
5. *Maximum height of building or structures: 35 feet.*
6. *Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
7. *Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
8. *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.*
9. *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. 2014-3, 9-16-14)

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.*

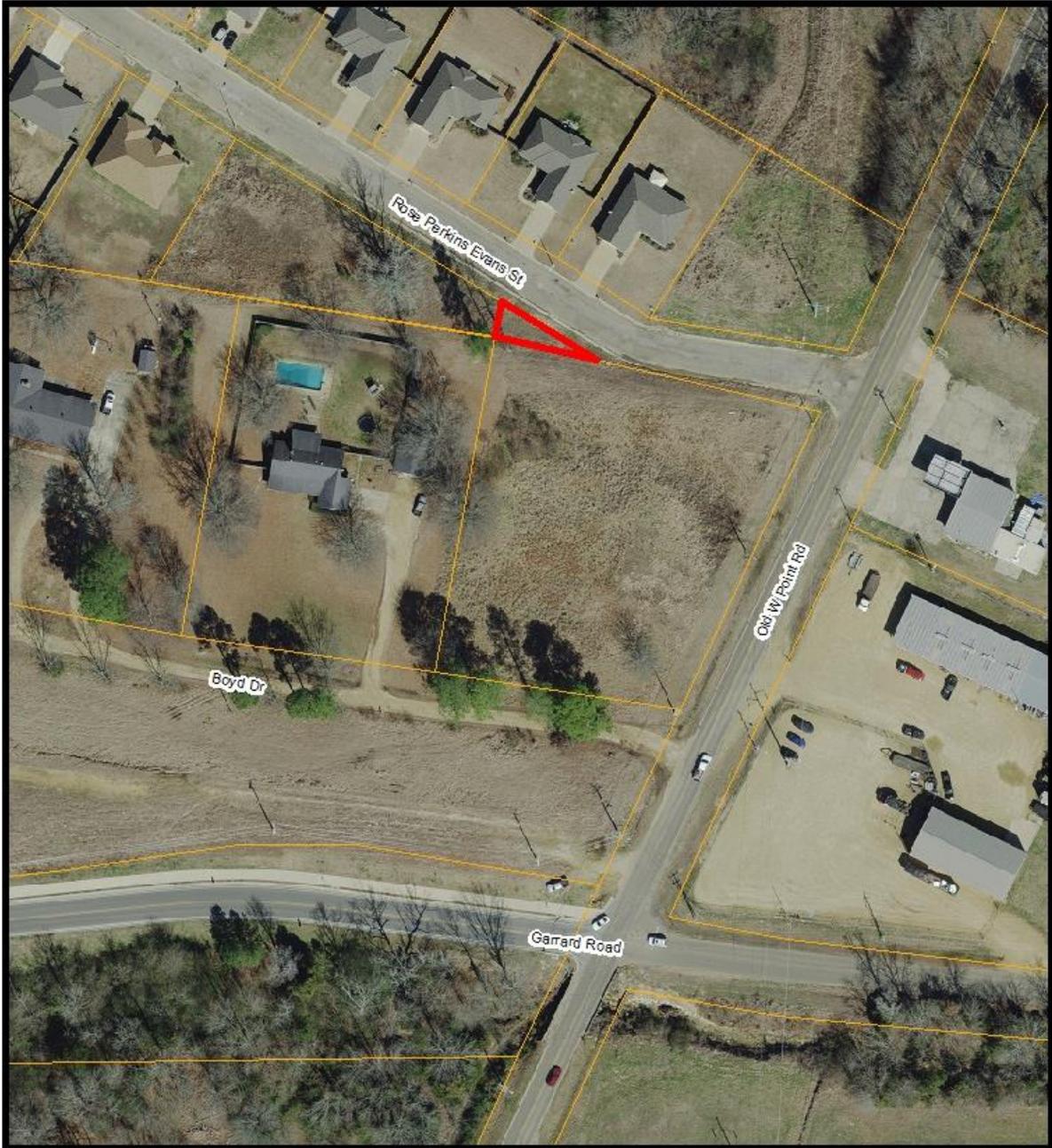
(Ord. No. 2014-2, 9-16-14)

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:
 - The zoning for the property does not currently match existing property lines
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.

Attachment 1
RZ 16-07 Aerial



Legend

Addresses

 Subject property

 NORTH

0 50 100 200 300 Feet

Attachment 2
RZ 16-07 Zoning

