



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, OCTOBER 11, 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 October 11, 2016
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. RZ 16-08 Request to rezone a portion of one lot located on the southern side of Academy Road between Hummingbird Lane and South Montgomery Street from R3-A to C-2 with the property # 102I-00-021.00
 - B. PP 16-17 Request for Preliminary Plat approval for a two-lot subdivision of a 12.73-acre parcel on the southeast corner of the intersection of Academy Road and South Montgomery Street in an R3-A zone with a proposed rezoning to a C-2 zone with the parent parcel number 02J-00-113.00
 - C. FP 16-13 Request for Final 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.
 - D. RZ 16-09 Request to rezone part of one parcel located on the west side of South Montgomery Street directly west of the intersection of Kerkling Drive and South Montgomery with the Parcel #105-15-007.01
 - E. PP 16-18 Request for Preliminary Plat approval for modifying the Western Crossing subdivision located at the northwest corner of Hwy 25 and Hwy 12.
 - F. CU 16-06 Request for Conditional Use to build a parking lot and drives on a commercially zoned parcel in support of existing Express Oil Change located at 530 Vine Street with parcel number 102A-00-269.00
- VIII. PLANNER'S REPORT
- IX. ADJOURN

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
City of Starkville, Mississippi October 11, 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 October 11, 2016 at 5:30 p.m. in the Large Conference Room of City Hall, located at 110 West Main Street, Starkville, MS.

There being present were Michael Brooks, Chairman, Ward 4, Jason Camp, Ward 1, Jim McReynolds, Ward 2, Tom Walker, Ward 3, Ira Loveless, Ward 6 and John Moore, Ward 7. Commissioner Patrick Miller, Ward 5, was absent. Attending the Commissioners were City Planner Daniel Havelin and Assistant City Planner Emily Corban.

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

CONSIDERATION OF THE OFFICIAL AGENDA

There came for consideration, the matter of the approval of the motion to approve the Official Agenda of the Planning and Zoning Commission of October 11, 2016 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, October 11, 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
 - B. Consideration of the Unapproved minutes for April 12, 2016
 - C. Consideration of the Unapproved minutes for May 10, 2016
 - D. Consideration of the Unapproved minutes for September 13, 2016
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS

- A. EX 16:04 REQUEST FOR AN EXCEPTION TO ALLOW AN ADDITION TO PETER'S ROCK TEMPLE LOCATED AT 223 DR. MARTIN LUTHER KING JR DRIVE WEST IN A T-5 ZONE WITH THE PARCEL NUMBERS 118O-00-158.00, 118O-00-156.00, 118O-00-171.00, AND 118O-00-169.00

- B. EX 16-05 REQUEST FOR EXCEPTION FROM LOT OCCUPATION IN A T-5 DISTRICT LOCATED AT 519 UNIVERSITY DRIVE LOCATED IN A T-5 ZONED WITH THE PARCEL NUMBERS 17M-00-090.00, 17M-00-090.01, AND 17M-00-191.00

- C. FP 16-12 REQUEST FOR FINAL PLAT APPROVAL FOR A THREE LOT SUBDIVISION OF A 9.59 ACRE PARCEL ON THE SOUTHEAST CORNER OF THE INTERSECTION OF LYNN LANE AND LOUISVILLE STREET IN AN C-2 ZONE WITH THE PARENT PARCEL NUMBER 02J-00-113.00

- VIII. PLANNER'S REPORT
- IX. ADJOURN

After discussion and upon the motion of Commissioner Moore, duly seconded by Commissioner McReynolds, the motion to approve the Official Agenda of the Planning and Zoning Commission for October 11, 2016, received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
FEBRUARY 9, 2016**

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Moore, the motion to approve the Minutes as amended of the February 9, 2016 Planning and Zoning Commission received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
APRIL 12, 2016**

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Moore, the motion to approve the Minutes as amended of the April 12, 2016 Planning and Zoning Commission received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
MAY 10, 2016**

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Walker, the motion to approve the Minutes as amended of the May 10, 2016 Planning and Zoning Commission received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
SEPTEMBER 13, 2016**

After discussion and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Walker, the motion to approve the Minutes as amended of the September 13, 2016 Planning and Zoning Commission received unanimous approval.

CITIZEN COMMENTS

The Chair opened up the meeting for Citizen Comments. Seeing there were none, the Commission moved to New Business.

NEW BUSINESS

A. CONSIDERATION OF EX 16-04, A REQUEST FOR AN EXCEPTION TO ALLOW AN ADDITION TO PETER'S ROCK TEMPLE LOCATED AT 223 DR. MARTIN LUTHER KING JR DRIVE WEST IN A T-5 ZONE WITH THE PARCEL NUMBERS 1180-00-158.00, 1180-00-156.00, 1180-00-171.00, AND 1180-00-169.00

City Planner Daniel Havelin presented EX 16-04, a request by Ryan Ashford for an Exception to allow an addition to Peter's Rock Temple located at 223 Dr. Martin Luther King Jr Drive West in a T-5 zone. In December of 2014 the Board of Aldermen had previously approved a Conditional Use for this project that has expired. 30 property owners of record within 300 feet of the property were notified directly by mail of this request. A public hearing notice was published in the Starkville Daily News on September 26, 2016 and a placard was posted on the property concurrent with publication of the notice.

The chair opened the public hearing portion of the meeting. The applicant, Ryan Ashford, came forward to answer any questions. Calling for, and hearing no further comments, the chair closed the public hearing portion of the meeting.

After discussion, and upon the motion of Commissioner Walker, duly seconded by Commissioner Moore, the motion to approve EX 16-04 was unanimously approved.

B. CONSIDERATION OF EX 16-05, A REQUEST FOR EXCEPTION FROM LOT OCCUPATION IN A T-5 DISTRICT LOCATED AT 519 UNIVERSITY DRIVE LOCATED IN A T-5 ZONED WITH THE PARCEL NUMBERS 17M-00-090.00, 17M-00-090.01, AND 17M-00-191.00

City Planner, Daniel Havelin, presented the request EX 16-05, by Mitch Mitchell on behalf of Sparrow Properties for an Exception from lot occupation in a T-5 district located at 519 University Drive located in a T-5 zone. The applicant is requesting an Exception to allow the façade along the primary frontage line to not be parallel to the "Frontage line of a Lot or to the tangent of a curved Frontage Line of a Lot." 28 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 September 26th, 2016 and a placard was posted on the property concurrent with publication of the notice.

The chair opened the public hearing portion of the meeting. The applicant, Mitch Mitchell and Jason Pepper came forward to speak for the request. Pete Melby came forward to speak against the request. Calling for, and hearing no further comments, the chair closed the public hearing portion of the meeting.

After discussion and upon the motion of Commissioner Walker duly seconded by Commissioner McReynolds the motion to approve EX 16-05 was unanimously approved.

C. CONSIDERATION OF FP 16-12, A REQUEST FOR FINAL PLAT APPROVAL FOR A THREE LOT SUBDIVISION OF A 9.59 ACRE PARCEL ON THE SOUTHEAST CORNER OF THE INTERSECTION OF LYNN LANE AND LOUISVILLE STREET IN AN C-2 ZONE WITH THE PARENT PARCEL NUMBER 02J-00-113.00

City Planner Daniel Havelin presented FP 16-12, a request 4J-I LP for Final Plat approval for a three lot subdivision of a 9.59-acre parcel on the southeast corner of the intersection of Lynn Lane and Louisville Street in an C-2 zone. The lots that are part of this subdivision are shown on the proposed plat as Lot 3, Lot 4 and Lot 5. Lot 2 as shown on the proposed plat was a part of a previous proper subdivision. Lot 3, Dollar General, has been previous sold, but has not been properly subdivided.

The Board of Aldermen place three conditions on the preliminary plat in September of 2015. All three conditions have been met.

After discussion and upon the motion of Commissioner McReynolds duly seconded by Commissioner Moore, the motion to approve FP 16-12 was unanimously approved.

PLANNERS REPORT

6. A MOTION TO ADJOURN

There came for consideration, the matter of the approval of the motion to adjourn until 5:30 p.m. on November 8, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner Walker duly seconded by Commissioner McReynolds, the motion to adjourn until the meeting at 5:30 p.m. on

November 8, 2016, in the courtroom of City Hall located at 110 West Main Street, Starkville MS, was unanimously approved.

Mike Brooks, Commission Chair

Daniel Havelin, City Planner

DRAFT



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)
 Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)

CC: Applicant: Johnny Fair

SUBJECT: RZ 16-08 Request to rezone a portion of one lot located on the southern side of Academy Road between Hummingbird Lane and South Montgomery Street from R3-A to C-2 with the property # 102I-00-021.00

DATE: November 8, 2016

The purpose of this report is to provide information regarding the request by Johnny Fair and behalf of Robert Smith to rezone a portion of a lot located on Academy Road between Hummingbird Lane and South Montgomery Street. This portion of Lot 1 is currently zoned R3-A. The applicant is seeking to rezone to C-2 based on a change in conditions in the area and in accordance with the public need for orderly and harmonious growth. Please see attachments 1-8

BACKGROUND INFORMATION

The 1960's-1970's zoning map, 1982-1990 zoning map, and 2000 zoning map show the subject property as being C-2. The current zoning map shows the property as R-3A. On September 2, 2008, the Board of Aldermen denied the request, on appeal, to rezone the entire property from C-2 to R-3. On July 21, 2009, the Board of Aldermen approved the request to rezone the entire property from C-2 to R-3A. The applicant is seeking to rezone from R-3A to C-2 based on a change in conditions in the area and in accord with the public need for orderly and harmonious growth.

Zoning Change Subject Property				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
117C-00-045.00	C-2	C-2	C-2	R3-A
Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	C-2	C-2	C-2	C-2/R-5
East	R-1	R-1	R-1	R-1
South	R-1	R-1	R-1	R-1
West	C-2	C-1/C-2	C-1/R-5	C-1/PUD

Zoning and land uses adjacent to the subject property			
Direction	Zoning	Current Use	
North	C-2/R-5	Commercial/Residential	
East	R-1	Residential/ Vacant Lot	
South	R-1	Residential	
West	C-1/PUD	Undeveloped	

NOTIFICATION

23 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 October 13^h 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 phone calls against and one letter against this request. A petition with 13 signatures against the rezone was received by City Staff on November 1, 2016 (Attachment 7).

REZONING REQUEST

The subject property rezoning request is from R-3A to C-2. Differences between zones are:

Current Zoning District

Sec. R. - R-3A single-family, medium-density.

- A. *Intent. These districts are intended to be composed of single-family dwellings. Appropriate neighborhood supporting facilities are provided for and the district's open residential character is protected by requiring minimum yard and area standards. R-3A zoning districts shall be more restrictive than the R-3 (multi-family) district but less restrictive than the R-1 (single-family) district.*
- B. *Required lot area and width, yards, building areas and height for single-family dwellings:*
 - Front setback: 25 feet*
 - Side setback: 5 feet*
 - Rear setback: 20 feet*
 - Minimum lot area: 5,000 square feet*
 - Minimum width at building line: 50 feet*
 - Maximum building height: 45 feet*
- C. *Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.*
- D. *Permitted and conditional uses shall be as follows:*
 1. *The following uses are permitted by right in the R-3A zoning district:*
 - a. *Single-family dwelling.*
 - b. *Garden.*
 - c. *Home occupation.*
 2. *The following uses are allowed by conditional use in the R-3A zoning district:*
 - a. *Church or place of worship.*
 - b. *Golf course, not including commercial driving ranges; need not be enclosed within structure.*
 - c. *Public utilities.*
 - d. *Recreational facilities.*

- E. *Comprehensive plan. The R-3A zoning district shall be considered a medium density residential land use classification allowing a maximum gross density of eight dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.*

(Ord. No. 2008-9, § II, 11-4-08)

Proposed Zoning 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.*

(Ord. No. 2014-4, 9-16-14)

STATE REZONING CRITERIA

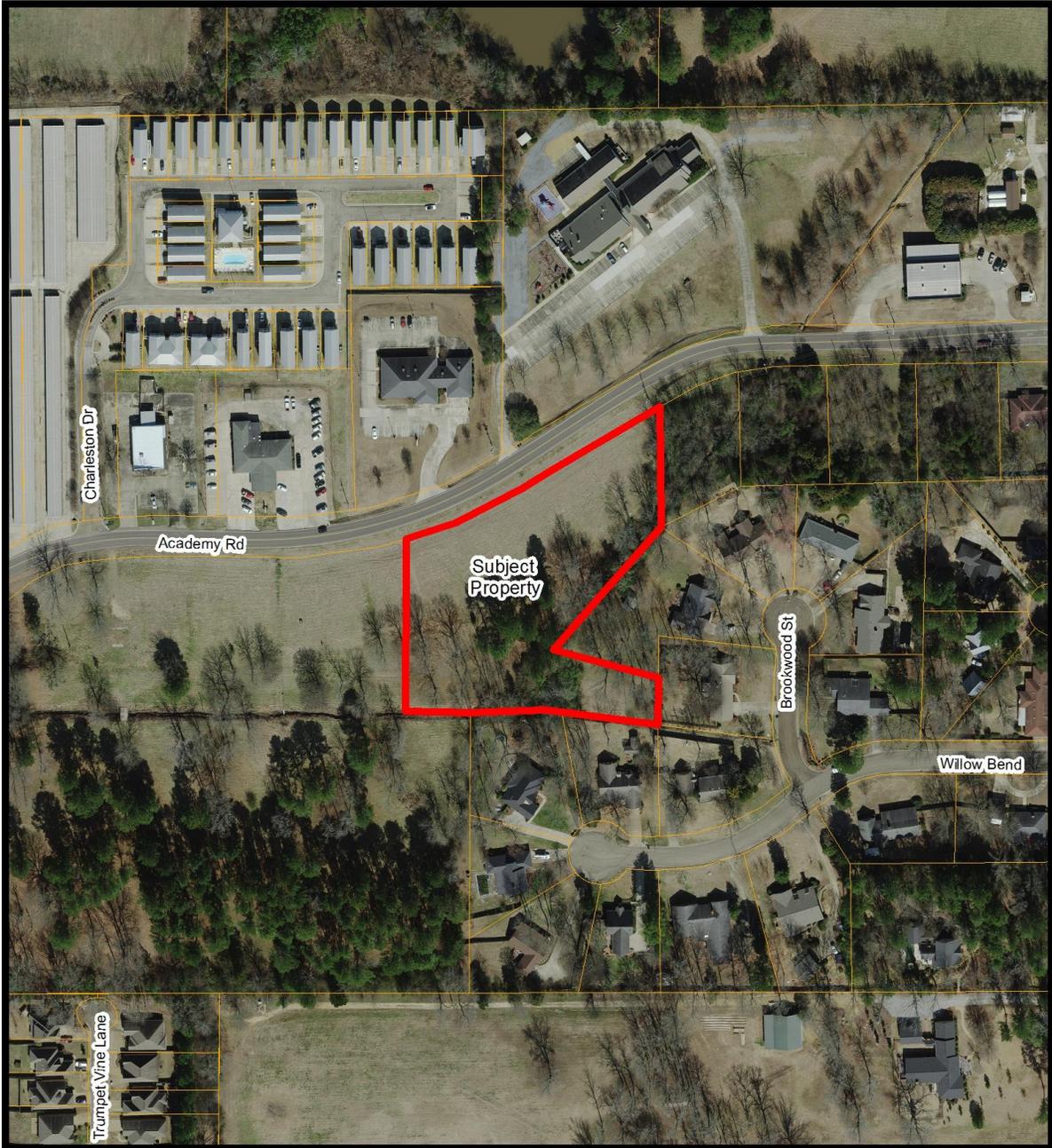
Per Title 17, Chapter 1, of the Mississippi Code of 1972, as amended, and Appendix A, Article IV, Section A, of the City of Starkville Code of Ordinances, the Official Zoning Map may be amended only when one or more of the following conditions prevail:

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 two Rezoning within ½ mile since 2008
 1. August of 2008, 1200 Louisville Street was rezoned from C-1 to R-5
 2. July of 2015, a portion of 712 South Montgomery was rezoned from R-1 to R-3.
 - There has been three commercial lot subdivision process started within the last 6 months within ½ mile of the property
 1. Laurel Point Subdivision- Preliminary Plat approval by the Board of Aldermen on October 18, 2016
 2. Cross Creek Subdivision- Final Plat approval by the Board of Aldermen on October 4, 2016
 3. Josey Louisville Street Property- Final Plat approval by the Board of Aldermen on October 18, 2016
 - Two separate developers have started the process of site plan approval with the Development Review Committee within the last 3 months within ½ mile of the property
 1. Dairy Queen, northeast corner of Louisville and Lynn Lane- Attended Development Review on October 6, 2016
 2. Singh C-Store, southeast corner of Louisville and Lynn Lane- Attended Development Review on October 6, 2016

REQUESTED CONDITIONS:

1. All existing trees and vegetation within the required landscape buffer (30') shall remain and be protected from construction activities.
2. Existing trees and vegetation within the required landscape buffer shall count toward the required plant units (120) as reasonably determined by City Staff.
3. Plant material within required landscape buffer shall be sized sufficiently at time of planting to completely screen existing adjacent residential property within two years of the time of planting.

Attachment 1
VA 16-08 Aerial



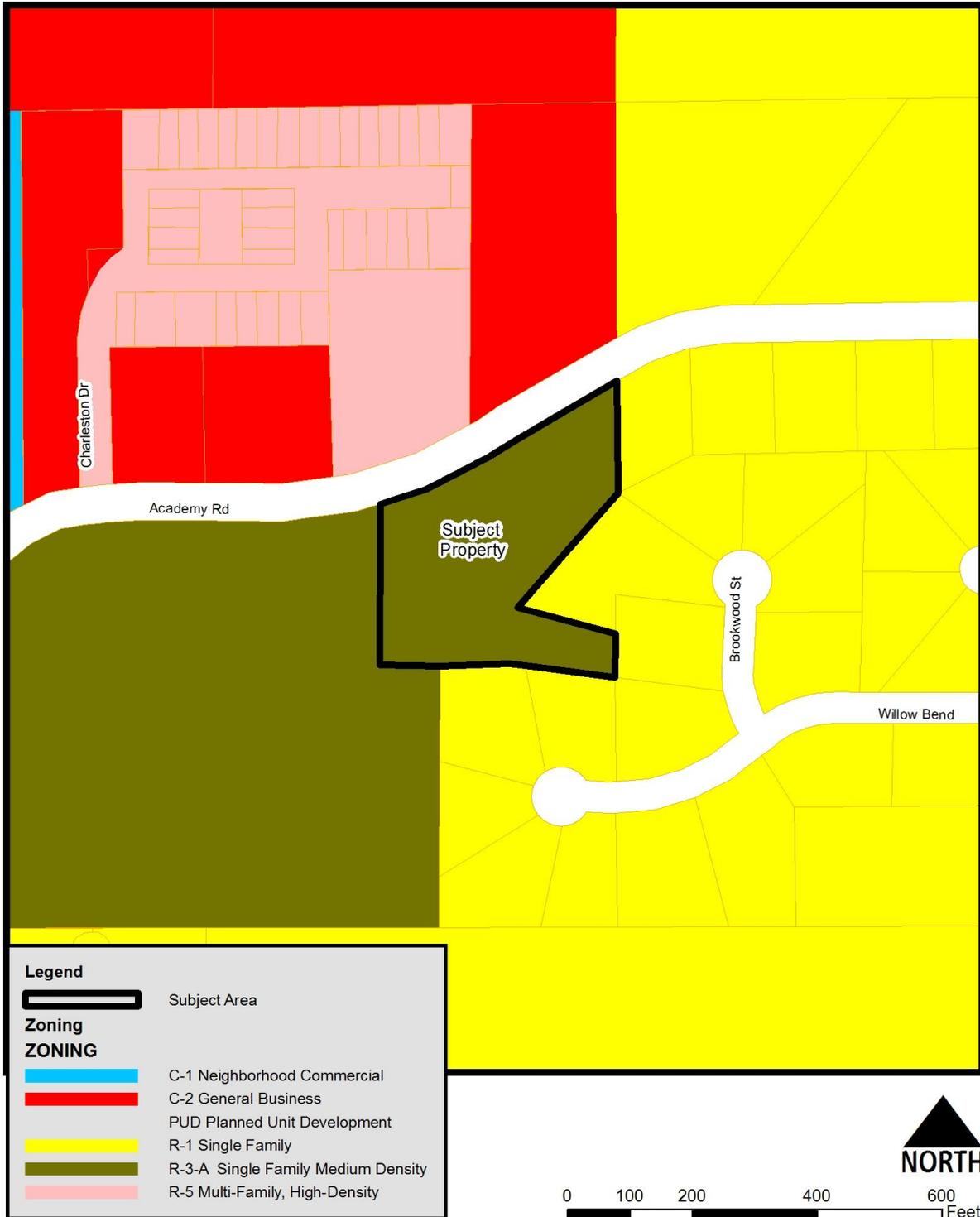
Legend

 Subject Area

 **NORTH**

0 100 200 400 600
Feet

Attachment 2 VA 16-08 Zoning



Attachment 5- Applicant Statement

MOORE LAW OFFICE

JOHN STUART MOORE
ATTORNEY AT LAW

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STARKVILLE, MS 39760-0924

MOLLY MALLOY JACKSON
ATTORNEY AT LAW

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October 25, 2016

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

RE: Johnny Fair Rezoning - The Robert A. Smith Property - 2.86 acres in the Northwest Quarter of the Northwest Quarter of Section 10, Township 18 North, Range 14 East, Starkville, Oktibbeha County, Mississippi.

Dear Mr. Sanders:

Background:

The subject property consists of 2.86 acres in the Northwest Quarter of the Northwest Quarter of Section 10, Township 18 North, Range 14 East, Starkville, Oktibbeha County, Mississippi along Academy Road. The property is currently owned by Robert A. Smith, but is under contract for sale to Johnny Fair. Johnny Fair intends to purchase the Robert A. Smith property, to build a new convenience market that will benefit the City of Starkville.

Area:

The subject property consists of a portion of Parcel 102I-00-021.00. The property is currently zoned R-3A. Property to the North is zoned C-2 and R-5, and is Commercial and Residential in use. Property to the South is zoned R-1, and is Residential in use. Property to the East is zoned R-1 and is partially vacant and Residential in use. Property to the West is zoned R-3A, and currently vacant and undeveloped.

Rezoning Request:

Johnny Fair is requesting to rezone the subject property from R-3A (single-family, medium-density) to C-2 (general business) to allow

him to develop the subject property to meet the changing needs of the surrounding neighborhood. Under the City of Starkville's Permitted and Conditional Use Chart, a C-2 zoning district would allow Mr. Fair the ability to maximize the potential of the subject property.

According to the City of Starkville's Code of Ordinances, the intent of the C-2 Districts are to be composed of a wide range of commercial goods and services to support community needs. Additionally, C-2 districts are within convenient driving distance of the community.

The differences between C-2 and R-3A zones, according to the City of Starkville's Code of Ordinances, Appendix A, Article VII, Sections R and L are:

R-3A: Sec. R. - R-3A single-family, medium-density.

- A. Intent. These districts are intended to be composed of single-family dwellings. Appropriate neighborhood supporting facilities are provided for and the district's open residential character is protected by requiring minimum yard and area standards. R-3A zoning districts shall be more restrictive than the R-3 (multi-family) district but less restrictive than the R-1 (single-family) district.
- B. Required lot area and width, yards, building areas and height for single-family dwellings:
 - Front setback: 25 feet
 - Side setback: 5 feet
 - Rear setback: 20 feet
 - Minimum lot area: 5,000 square feet
 - Minimum width at building line: 50 feet
 - Maximum building height: 45 feet
- C. Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.
- D. Permitted and conditional uses shall be as follows:
 - 1. The following uses are permitted by right in the R-3A zoning district:
 - a. Single-family dwelling.
 - b. Garden.

- c. Home occupation.
2. The following uses are allowed by conditional use in the R-3A zoning district:
 - a. Church or place of worship.
 - b. Golf course, not including commercial driving ranges; need not be enclosed within structure.
 - c. Public utilities.
 - d. Recreational facilities.
- E. Comprehensive plan. The R-3A zoning district shall be considered a medium density residential land use classification allowing a maximum gross density of eight dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.

C-2: **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.

Rezoning Criteria:

The Official Zoning Map of Starkville may be amended either when there is manifest error in the ordinance and/or if there has been a change in the conditions of an existing area according to Title 17, Chapter 1, of the Mississippi Code of 1972, as amended, and Appendix A, Article IV, Section A of the City of Starkville's Code of Ordinances. As there has been no error in either the ordinance or zoning map, Johnny Fair is requesting the rezoning of the subject property based on changed or changing conditions in the existing area, or in the planning area generally, and the increasing need for commercial development within close proximity to community residents that make the change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth, as well as the specific evidence as outlined below.

Zoning changes:

Recent zoning changes in the surrounding area include:

- | | |
|-------|--|
| 2014: | Garden Properties, LLC had property on Yellow Jacket Drive rezoned from R-1 to R-3A, now known as Bent Brook Ridge. |
| 2015: | Tabor Construction and Development had property located on Lynn Lane near South Montgomery Street rezoned from R-1 to R-3 to develop the property now known as Riddle Run. |

Changed Conditions:

The City of Starkville is in the process of adopting a new Comprehensive Plan that designates Academy Road to become a Suburban Corridor. This is an important change in character of the

area as it formally identifies how the area around the subject property is developing. According to the Comprehensive Plan, a Suburban Corridor consists of primarily commercial, particularly retail and dining with drive-thru windows, office, and multi-family land uses. These corridors are of a moderate density and intensity. Thus, the rezoning and Mr. Fair's proposed development of the subject property fits precisely within the vision of the new Comprehensive Plan.

In addition, there has been significant residential growth along South Montgomery Street and the surrounding corridors, being namely, The Delphine, Maison de Ville, Bent Brook Ridge, Country Club Estates (later phases), Riddle Run, The Claiborne, and Adelaide. This influx of residential housing to the area results in a public need for convenient access to residential type necessities, such as the convenience market Mr. Fair is proposing to build, to meet and support the growing needs of the community's residents.

Further, existing and established subdivisions in the area, such as Timbercove, Academy Place, Sherwood Forest, Fairfield Commons, and Huntington Park, will all benefit from having a residentially friendly market.

As stated above, the existing area clearly demonstrates the changing conditions and the increasing need for commercial sites along Academy Road that make the change in the ordinance necessary and desirable. The proposed rezoning of the subject property to a C-2 General Business zone is an attempt to develop the property in accord with the public need for orderly and harmonious growth. The proposed rezoning and use of the subject property have taken into account the residents of the surrounding area, as further outlined below.

Consistency with the Comprehensive Plan:

Currently Academy Road is considered a Collector Street pursuant to Table 27 of the City of Starkville's Comprehensive Plan; according to the new Comprehensive Plan, Academy Road will become a Suburban Corridor. The rezoning of the subject property and proposed use of said property are in accordance with both of the Comprehensive Plans and the City's vision for the area. In studying both versions of the City's Comprehensive Plans, development along the Academy Road corridor is anticipated and expected. Further, rezoning of the subject property would allow development that will provide needed services to the area's marketplace.

Effect on Neighborhood:

In an effort to address any potential concerns of the subject property's residential neighbors, Johnny Fair has given ample consideration to what he can do to ease the transition of the proposed rezoning.

Residents will be buffered from development on the subject property by adequate buffer zones and design standards set forth by the City. Further, Mr. Fair agrees to design the lighting for the proposed convenience market in a way so that it does not directly reflect on the residential homes surrounding the subject property.

Economic Effects:

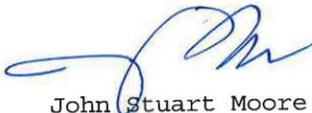
If the subject property is rezoned, it will not only increase in value, but it will help to bring increased revenue, taxes, and jobs to the City. Based on initial estimates, the economic figures are as follows: annual real estate taxes will be thirty thousand dollars (\$30,000.00); sales taxes will be over one hundred thousand dollars (\$100,000.00) annually; fuel taxes will be over six hundred thousand dollars (\$600,000.00) annually; and the development will result in ten (10) or more new jobs created with over three hundred thousand dollars (\$300,000.00) per year in salaries.

Closing:

Johnny Fair is requesting that a portion of the property owned by Robert A. Smith located on Academy Road be rezoned from R-3A Single-Family, Medium-Density, to C-2 General Business. Based on the above information, and further evidence to be presented at the hearing, a change has occurred in the conditions surrounding the existing area. There is a need for commercial, neighborhood oriented sites in the area that make the change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

I am respectfully requesting, on behalf of my client, that 2.86 acres of the property located along Academy Road be rezoned from R-3A Single-Family, Medium-Density, to C-2 General Business.

Sincerely,



John Stuart Moore

Attachment 6- Letter Against

Daniel Havelin

From: Fitzkee, Nick <NFitzkee@chemistry.msstate.edu >
Sent: Sunday, October 23, 2016 8:35 PM
To: d.havelin@cityofstarkville.org
Cc: e.corban@cityofstarkville.org; j.walker@cityofstarkville.org
Subject: Rezoning Request RZ 16-08

Mr. Havelin,

I'm writing about a planned rezoning request on the property on Academy Lane, designated RZ 16-08. While the front of the property faces Academy, the rear of my property abuts the planned location for rezoning. I'm concerned about the planned action, and I wanted to briefly summarize those concerns below.

It is my understanding that the developer is planning to put a gas station at this site. However, once rezoned commercial, it could also be a laundromat, convenience store, or any number of other small businesses. I'm in favor of development, but I'd like to point out that as of now, **there is no commercial development beyond Starkville Academy on the south side of Academy Lane**. In one sense, putting a lot here would be highly out of place – while there are businesses across the street, **there are no businesses to the left, right, or rear** of the lot. For our neighborhood, Academy Lane serves as a convenient boundary between commercial development and residential properties. Placing a commercial lot here would compromise this boundary.

This leads me to my second concern: **our neighborhood would be significantly affected by such a rezoning**. Our kids (along with several of our neighbors) currently play in backyards that are directly adjacent to the property. Should a rezoning occur, my children, and the children of our neighbors, would not be able to play with each other as easily. Many close-knit relationships exist between neighbors on the northern side Willow Bend Dr and the western side of Brookwood St. This fact is one of the advantages of living in this community, and one of the things we have come to love about our neighborhood. A small business at this location would significantly change the nature of our community.

In addition, I would argue that **rezoning would represent a schizophrenic approach to city planning**. It is my understanding that this lot was zoned as residential (from commercial) as recently as 2009. If, at the time, it was thought that a residential classification is most appropriate, what has changed since then? There are certainly no new businesses or other rezoning along that section of Academy. And there is certainly plenty of other ample (and underutilized) commercially zoned space nearby on Lynn Lane. I understand that times change, but this action seems premature given the board's recent affirmation that this lot should be residential.

There is also **very little need for a commercial property at this site**. There is a convenience store/gas station less than a mile away at the corner of Academy and Louisville, where the neighborhood is much more appropriate for such a property. There is also a Dollar General and a strip center there as well. Again, there is **plenty of under-utilized commercial space in the area**. In the long term, the question of re-zoning this lot may need to be revisited, but one can hardly argue that rezoning the lot would provide something that doesn't already exist. And **it's very difficult to tear up a parking lot once a failed business moves out**.

Environmentally, **paving the lot would dramatically affect run-off and potentially create flooding problems for our community**. The site currently has several drainage ditches running through it, and there is a drainage ditch separating my lot from this lot. That drainage ditch has a difficult time handling heavy rains as it is. I am concerned that a parking lot would essentially channel more water into that ditch, meaning that the properties on the north side of Willow Bend would be much more susceptible to flooding during heavy rains.

I would also point out that **the lot is adjacent to a church** (less than 100 feet). It is my understanding that **Mississippi law prohibits the sale of alcohol on commercially zoned property when it is less than 100 feet from a church** or school unless a waiver is sought. Grace Presbyterian Church is directly across the street from the lot, and this may directly affect the developer's plans if there are plans to sell beer at a convenience store at the location.

Finally, I also think **development at this site would complicate the safety and operation of the Starkville Fire Department**. While Academy Lane is a fairly busy road, one can argue that it is already overloaded, especially during the morning and evening rush. Adding a small business to this location, with additional parking and traffic, may significantly back up traffic even more. Consider a car heading west on Academy, waiting to turn left into the lot in question. That one car could potentially back up traffic even to South Montgomery, which could complicate access to the fire station if traffic is already backed up (even a little) on the eastbound direction of Academy.

It is possible that the developer has already identified these concerns and plans to address all of them. However, as a resident of the Starkville community, I am writing to make sure that they are not overlooked by the planning board; indeed, I believe the nature of the Willow Bend and Brookwood neighborhood is keenly dependent on how this decision plays out.

Thank you for your time,

Nick and Jen Fitzkee
202 Willow Bend Dr
(662) 324-7343

--

Nicholas Fitzkee
Assistant Professor of Chemistry
Mississippi State University
nfitzkee@chemistry.msstate.edu
W: 662-325-1288
F: 662-325-1618

Attachment 7- Petition Against

REZONING PROTEST PETITION

To: City of Starkville, Planning and Zoning Commission

Regarding: Rezoning Application RZ 16-08

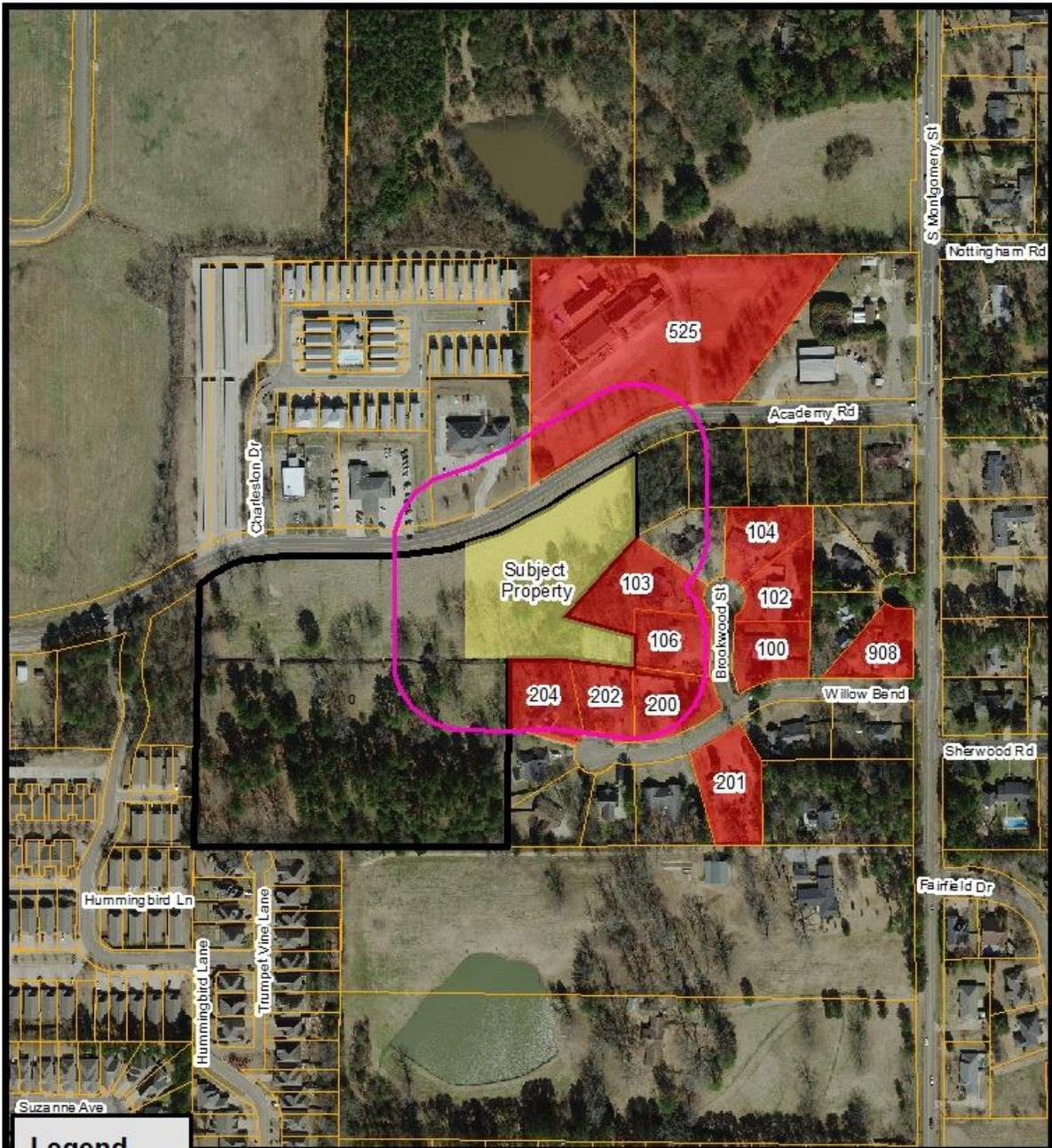
RZ 16-08: Notification of Public Hearing for a Rezoning request to rezone a portion of one lot located on the southern side Academy Road between Hummingbird Lane and South Montgomery Street from R3-A to C-2 with the property # 1021-00-021.00

We, the undersigned, are property owners in adjacent communities that oppose the rezoning application, RZ 16-08. We believe that there is neither a change in neighborhood conditions nor a public need for additional C-2 property, which would necessitate a rezoning of the subject property.

Property Owner Property Address

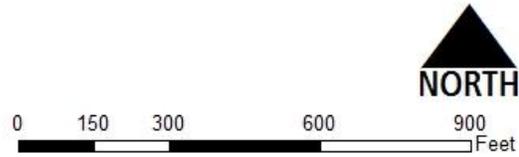
<i>Jim Jackson</i>	<i>201 Willow Bend Dr.</i>
<i>Luis Heard, Pastor, Grace Presbyterian Church,</i>	<i>525 Academy Rd.</i>
<i>R. V. Thistle</i>	<i>103 Brookwood</i>
<i>Des Baumgardner</i>	<i>106 Brookwood</i>
<i>Wes Carter</i>	<i>209 Willow Bend</i>
<i>[Signature]</i>	<i>102 BROOKWOOD</i>
<i>Danielle W. [Signature]</i>	<i>104 Brookwood</i>
<i>Peter Summerlin</i>	<i>100 Brookwood</i>
<i>Nick Fitzkee</i>	<i>202 Willow Bend</i>
<i>Hoate [Signature]</i>	<i>200 Willow Bend</i>
<i>John [Signature]</i>	<i>500 HUMMINGBIRD LANE</i>

Attachment 8
RZ 16-08- Petition



Legend

- 160
- Subject Area
- Petition
- Project





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)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)

CC: Applicant: Robert A. Smith

SUBJECT: PP 16-17 Request for Preliminary Plat approval for a two-lot subdivision of a 12.73-acre parcel on the southeast corner of the intersection of Academy Road and South Montgomery Street in an R3-A zone with a proposed rezoning to a C-2 zone with the parent parcel number 02J-00-113.00

DATE: November 8, 2016

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Johnny Fair on behalf of Robert A. Smith for Preliminary approval for a two-lot subdivision on the southeast corner of the intersection of Lynn Lane and Louisville Street. The Subdivision consists of 2 lots on +/- 12.73 acres in a R3-A zone. The property owner is going through a rezoning process to rezone one of the proposed two parcels from R3-A to C-2 general business. The rezoning is scheduled to go before the Board of Planning and Zoning on November 8, 2016 and the Board of Alderman on December 6, 2016. Please see attachments 1-3.

Sec. R. - R-3A single-family, medium-density zoning regulations.

A. Intent. These districts are intended to be composed of single-family dwellings. Appropriate neighborhood supporting facilities are provided for and the district's open residential character is protected by requiring minimum yard and area standards. R-3A zoning districts shall be more restrictive than the R-3 (multi-family) district but less restrictive than the R-1 (single-family) district.

B. Required lot area and width, yards, building areas and height for single-family dwellings:

Front setback: 25 feet

Side setback: 5 feet

Rear setback: 20 feet

Minimum lot area: 5,000 square feet

Minimum width at building line: 50 feet

Maximum building height: 45 feet

C. *Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.*

D. *Permitted and conditional uses shall be as follows:*

1. *The following uses are permitted by right in the R-3A zoning district:*

a. *Single-family dwelling.*

b. *Garden.*

c. *Home occupation.*

2. *The following uses are allowed by conditional use in the R-3A zoning district:*

a. *Church or place of worship.*

b. *Golf course, not including commercial driving ranges; need not be enclosed within structure.*

c. *Public utilities.*

d. *Recreational facilities.*

E. *Comprehensive plan. The R-3A zoning district shall be considered a medium density residential land use classification allowing a maximum gross density of eight dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.*

(Ord. No. 2008-9, § II, 11-4-08)

Below is information pertaining to the proposed rezoning: 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 +/-12.73 acres with a total of two parcels. Proposed parcel 1 is 9.87 acres and proposed parcel 2 is 2.86 acres.

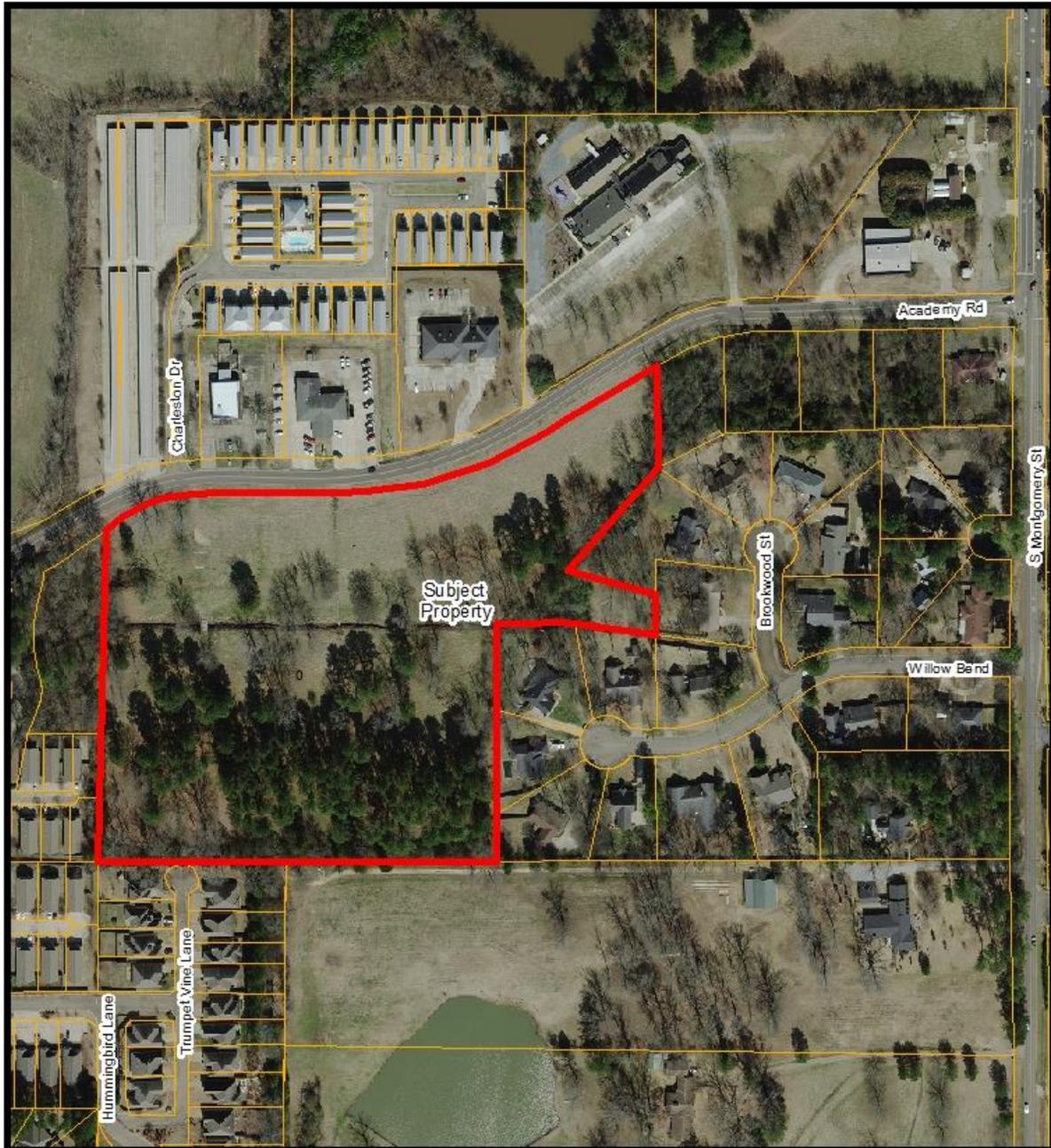
Easements and Dedications

Existing and proposed easements and dedications are shown on the plat.

Findings and Comments

All utilities are available for each proposed lot. Sidewalks will be required along all roadway frontages that do not have existing sidewalks.

Attachment 1
PP 16-17 Fair Project Academy Road- Aerial

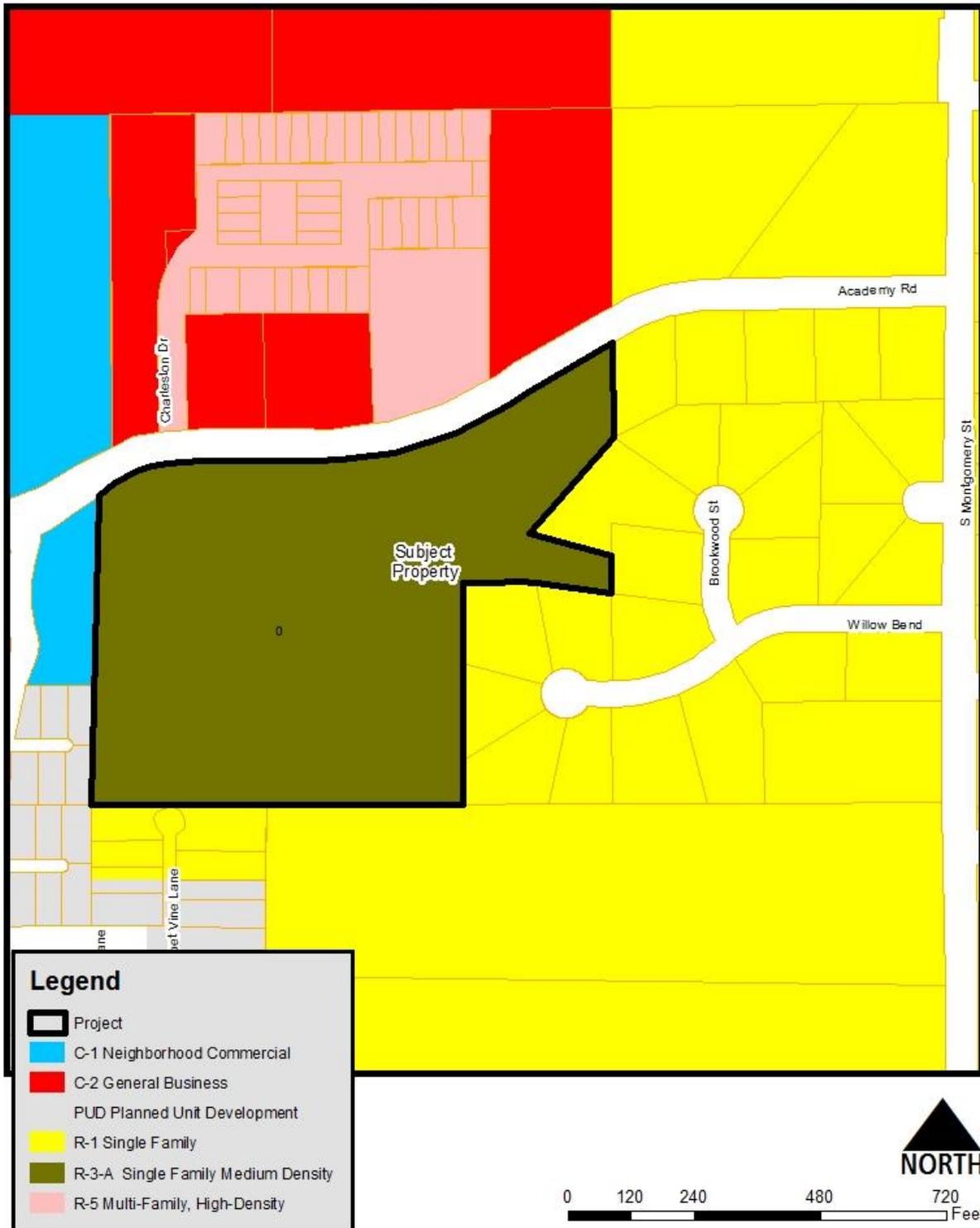


Legend

 Project



Attachment 2
PP 16-17 Fair Project Academy Road- Zoning





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)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
CC: Applicant/ Owners: Ramsey Partners, LP
SUBJECT: FP 16-13 Request for Final 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.
DATE: November 8, 2016

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Ramsey Partners, LP for Final Plat approval for Phase I of the Adelaide Subdivision. Phase I consist of 18 lots on +/- 6.45 acres with a pending zoning classification of R-4A. The R-4A zoning will be finalized after the property has been subdivided from the parent parcel. The Board of Adjustment and Appeals made a recommendation of approval for a Variance on Street Widths, Right-of-Way Widths, and Curb Design on January 27, 2016. The Board of Aldermen approved the Variance request on February 16, 2016. The Preliminary Plat was approved by the Board of Alderman on February 16, 2016. The installed infrastructure has not been fully approved by City Staff. Please see attachments 1-5.

Below is information pertaining to R-4A single-family, high-density

Sec. S. - R-4A single-family, high-density.

A. Intent. The intent of this zoning district is to permit single-family residential development and associated uses in a high quality setting, according to a unified plan. The uses and standards in this district are intended to promote flexibility and innovation in site design, enhance the environmental quality and attractiveness of the community, and to assure the compatibility of the proposed development with adjacent land uses. The R-4A zoning district shall be highly suitable for compact, infill development or redevelopment of existing parcels of land to prevent sprawl and to encourage sustainable development within the city. R-4A zoning districts shall be more restrictive than the R-4 (zero lot line/cluster development) district but less restrictive than R-1 (single family) district.

B. Conditions to be met by single-family, high-density (R-4A) developments.

- 1. District regulations. Every R-4A development erected and maintained under the provisions of this article shall comply with all regulations established in this section.*
- 2. Site plan and improvements. A site plan for an R-4A development shall show and there shall be provided the following:*
 - a. Drainage. Adequate facilities for the drainage of surface water, including storm sewers, gutters, paving, and proper design of finished grades.*
 - b. Circulation and parking. Adequate facilities for the safe and convenient circulation of pedestrian and vehicular traffic, including walks, driveways, off-street parking area(s), and landscaped separation spaces between pedestrian and vehicular ways.*
 - c. Open space. A minimum of 20 percent of the gross land area within an R-4A district shall be designated as open space for the use and enjoyment of its owners, occupants and their guests. Open space area includes both private and common areas within the R-4A development project site. Required open space may be used for active recreational activities such as walking, jogging, swimming pools, golf, tennis and other court games; or passive recreational uses such as sitting, scenic viewing or picnics. Open space areas shall be attractively landscaped and may contain water features, benches, gazebos, gardens, planting strips, trails, tennis courts, or other recreational or landscaping amenities. Streets, driveways and parking areas shall not be considered part of this open space.*
 - d. Responsibility for common open space. Nothing in this section shall be construed as a responsibility of the city, either for maintenance or liability of the following which shall include, but not be limited to, any private open areas, parks, recreational facilities, and a "hold harmless" clause shall be incorporated in the covenants running with the land to this effect.*
 - e. Utilities to be located underground. Any R-4A development shall specify that all utilities shall be constructed underground.*
 - f. Size of area. Although there is not a minimum size, the area proposed for development shall be large enough to permit and accommodate an R-4A development. Building setbacks are to be determined by the development proposal upon approval. An R-4A approval shall not be granted if, in the opinion of the planning and zoning commission, the proposed development would have a direct negative or adverse impact on the surrounding area.*

C. Requirements for site plans of proposed R-4A developments.

- 1. Application. An application for approval of an R-4A proposal shall be filed with the city planner and shall contain the following information: address, and interest of any others represented by the applicant; the concurrence of the owner(s) of the entire land are included in the proposal and all encumbrances of such land;*

evidence that the applicant and/or owners intend to develop the land along with a written narrative expressing the character of the proposed development.

2. *Site plans. An application for an R-4A development is to be accompanied by a site plan which must include both maps and a written narrative. Adjacent properties impacted by the development are to be identified. The following data may be required with the preliminary submission:*
 - a. *Existing topography of the site.*
 - b. *Drainage within the project and adjacent area, if impacted.*
 - c. *Existing and proposed land uses and existing zoning.*
 - d. *Existing property lines.*
 - e. *Circulation system including walks, curb-cuts, ingress and egress drives, driveways.*
 - f. *Parking areas.*
 - g. *Areas proposed to be dedicated or reserved for parks, playgrounds and common areas.*
 - h. *Approximate location of all buildings, structures, and other improvements, including walkways.*
 - i. *Graphic presentation representative of the proposed structures and improvements.*
 - j. *A tentative development schedule including timing and scope of any proposed phasing.*
 - k. *Any proposed restrictive covenants or homeowner association agreements governing the maintenance and continued protection of the proposed development.*

D. Review and approval process of proposed R-4A developments.

1. *Review process. Upon receipt of an application for approval of a site plan for an R-4A development, properly and completely made out, the city planner shall distribute copies to the development review committee for review and recommendations. Recommendations from the development review committee shall be forwarded to the planning and zoning commission for a public hearing. The planning and zoning commission shall hold a public hearing and interested parties notified in the same manner as for other rezoning hearings. Following the public hearing, the planning and zoning commission shall transmit its recommendation of approval or disapproval to the mayor and board of aldermen, including any conditions of approval, which may include a performance bond.*
2. *Final approval. Final approval of a proposed R-4A development shall rest with the mayor and board of aldermen. The recommendations of the planning and zoning commission and the development review committee shall be considered and any conditions of approval may be amended, revised or stricken as*

determined. The approved site plan shall be binding and shall control the issuance of permits and/or certificates.

- 3. Revisions or amendments to an R-4A development site plan. Revisions or amendments to approved R-4A site plans which result in a reduction of the number of approved dwelling units/density, as well as an increase in open space, shall be allowed, upon review and approval by the city planner. Any proposed increase in dwelling units/density, or a decrease in open space, shall require a submittal of the revised site plan to the city planner in the same manner as prescribed for a new application.*
 - 4. Appeal. Any person aggrieved by a decision of the planning and zoning commission in approving or disapproving an application for an R-4A development proposal under this article may within ten days from the date of such decision, file a written request to the mayor and board of aldermen and there upon the mayor and board of aldermen shall proceed to review the proposal in the same manner prescribed for other rezoning applications.*
- E. Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.*
- F. Permitted and conditional uses shall be as follows:*
- 1. The following uses are permitted by right in the R-4A zoning district:*
 - a. Single-family dwelling.*
 - b. Garden.*
 - c. Home occupation.*
 - 2. The following uses are allowed by conditional use in the R-4A zoning district:*
 - a. Church or place of worship.*
 - b. Golf course, not including commercial driving ranges; need not be enclosed within structure.*
 - c. Public utilities.*
 - d. Recreational facilities.*
- G. Comprehensive Plan. The R-4A zoning district shall be considered a high density residential land use classification allowing a maximum gross density of 15 dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.*

(Ord. No. 2008-9, § II, 11-4-08)

PLAT PROPOSAL

General Information

All of Phase 1 has a gross acreage of +/-6.45 acres with a total of 18 lots. The density of Phase 1 is 2.79 units per acre.

Easements and Dedications

Easements for utilities are shown on the plat. Proposed public streets are indicated 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.

This parcel is not a part of a platted subdivision. No authorization needed.

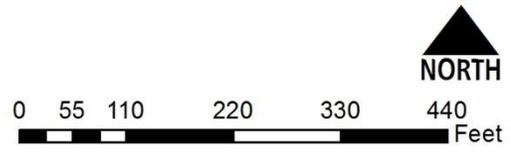
RECOMMENDED CONDITIONS:

1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.
2. Any utility infrastructure not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction. All infrastructure shall be required to be installed, inspected, tested and approved by City Staff prior to the issuance of a building permit for any individual lot.

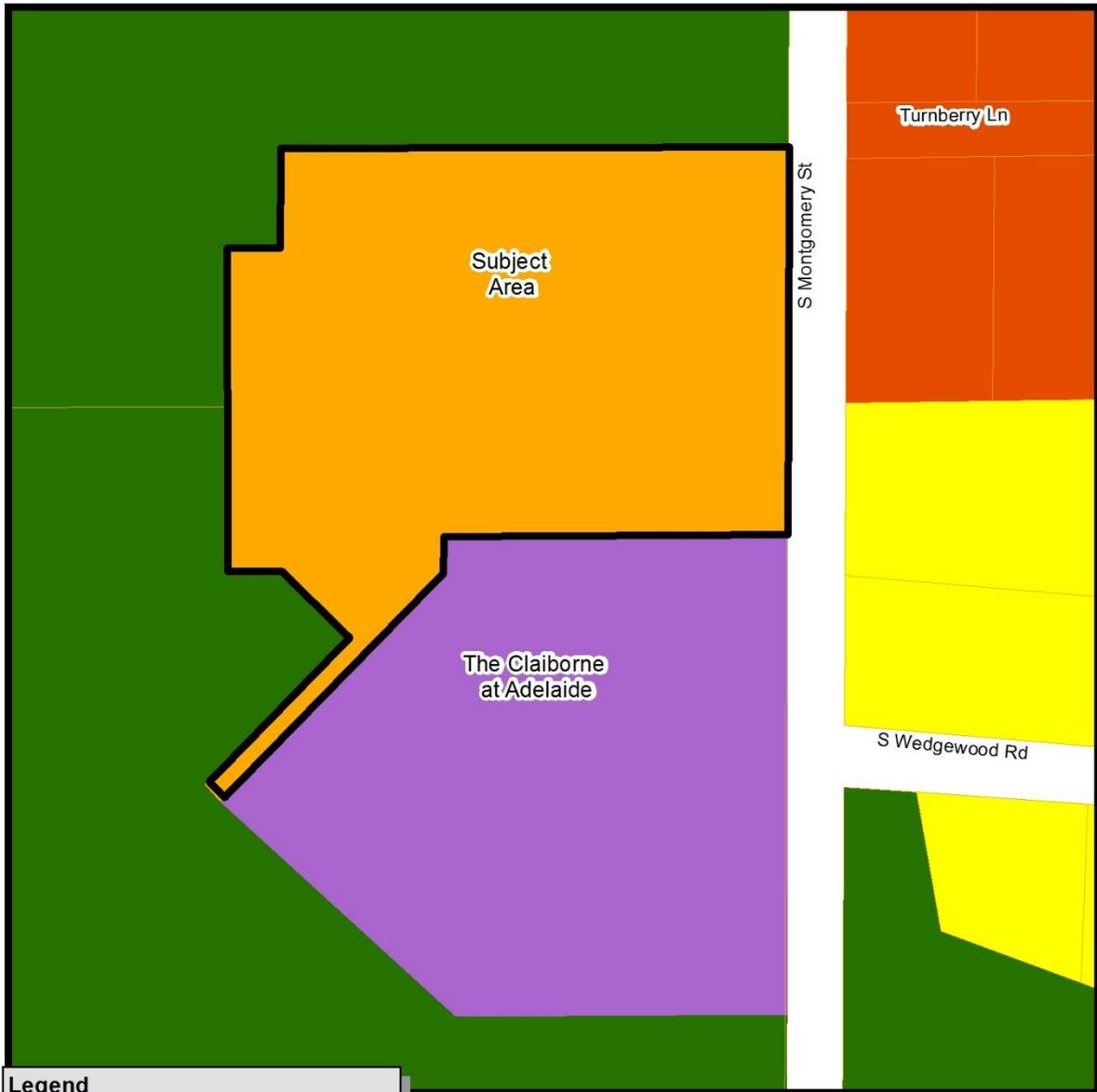
Attachment 1
FP 16-13 Aerial



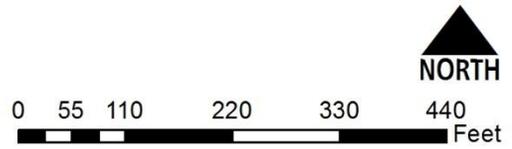
Legend
 Subject_Area



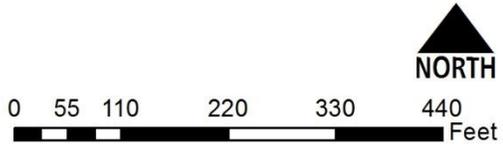
Attachment 2
FP 16-13 Zoning

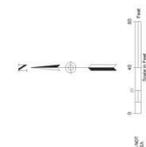
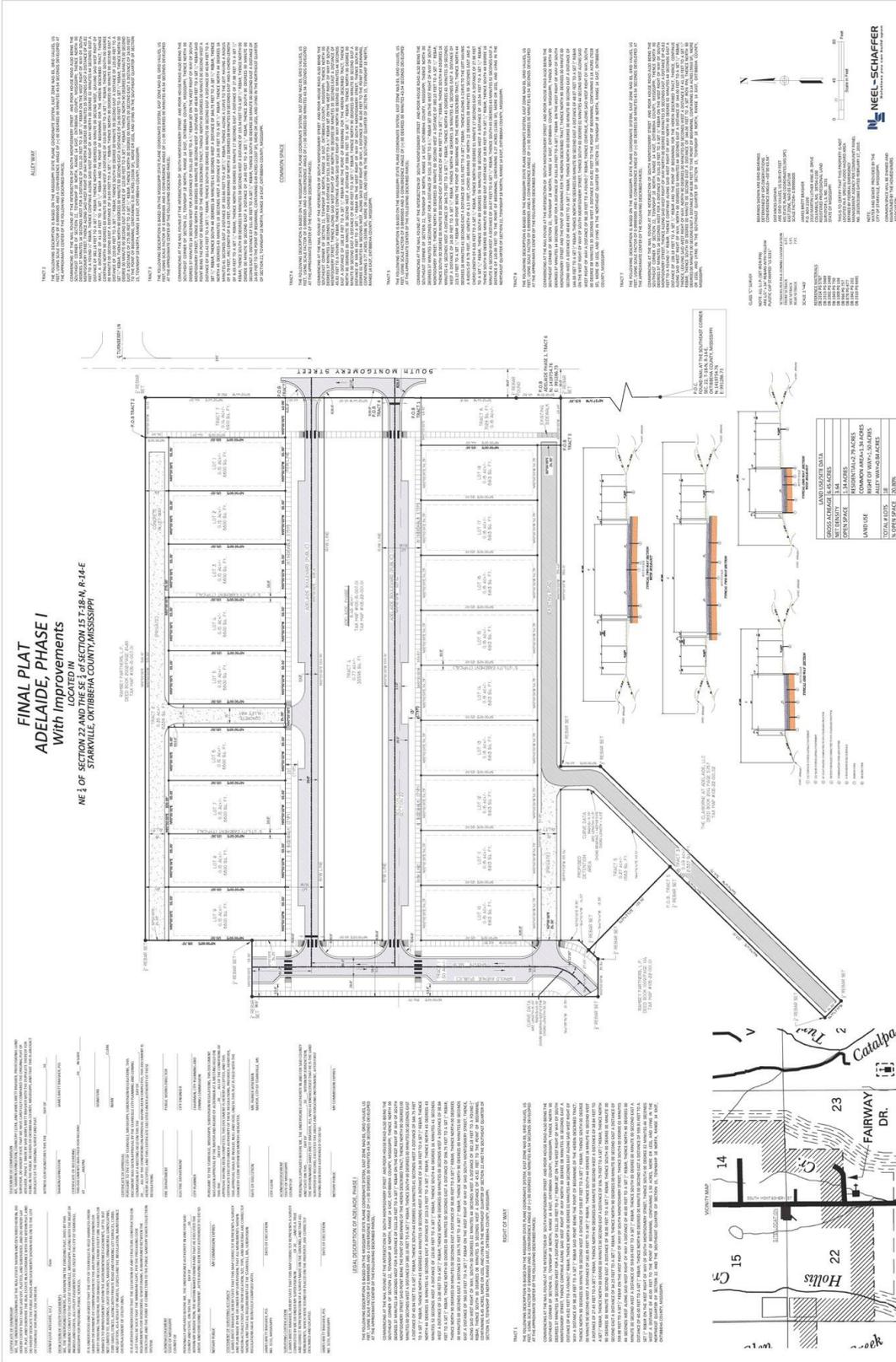


Legend	
	Subject_Area
	A-1 Agricultural
	B-1 Buffer District
	R-1 Single Family
	R-4 Zero Lot Line/Cluster Development
	R-4-A Single Family High Density



Attachment 3
FP 16-13 Plat Overlay



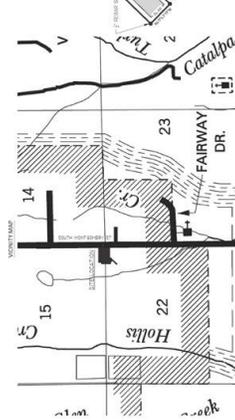


LAND USE DATA

SECTION 15	15.01 - 15.100
SECTION 22	22.01 - 22.100
TOTAL ACRES	38
IMPROVEMENTS	18

LAND USE

SECTION 15	15.01 - 15.100
SECTION 22	22.01 - 22.100
TOTAL ACRES	38
IMPROVEMENTS	18





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)
 Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
CC: Applicant: Saunders Ramsey
SUBJECT: RZ 16-09 Request to rezone part of one parcel located on the west side of South Montgomery Street directly west of the intersection of Kerkling Drive and South Montgomery with the Parcel #105-15-007.01
DATE: November 8, 2016

The purpose of this report is to provide information regarding the request by Ramsey Partners LP to rezone part of one parcel located on the west side of South Montgomery Street directly west of the intersection of Kerkling Drive and South Montgomery with the Parcel # 105-15-007.01. The parcel is currently zoned A-1 Agricultural. The applicant is seeking to rezone to R-4A Single Family High Density to prepare for new construction related to Phase II of Adelaide Traditional Neighborhood Development. Please see attachments 1-3.

BACKGROUND INFORMATION

The earliest zoning map that the subject property appears on is 2000 Zoning Map. That map illustrates the subject property as being zoned A-1 which is the current zoning of the property.

The property has been family owned for generations. The area directly to the south, Phase I of Adelaide, was rezoned from A-1 to R-4A by the Board of Aldermen on January 19, 2016. The property to the south of Phase I, Claiborne at Adelaide, was rezoned from A-1 to B-1 in 2014. The applicant has plans to develop Phase II of Adelaide neighborhood in the near future on the subject area.

Zoning Change Subject Property				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
117C-00-045.00	N/A	N/A	A-1	A-1
Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	N/A	N/A	A-1	A-1
East	N/A	N/A	R-1	R-4

South	N/A	N/A	A-1	R-4A
West	N/A	N/A	A-1	A-1
Zoning and land uses adjacent to the subject property				
Direction	Zoning	Current Use		
North	A-1	Undeveloped		
East	R-4	Residential Subdivision		
South	R-4A	Residential Subdivision (under construction)		
West	A-1	Undeveloped		

NOTIFICATION

69 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 October 21st, 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 the request.

REZONING REQUEST

The subject property rezoning request is from A-1 to R-4A. Differences between zones are:

Current Zoning District

Sec. A. - Agricultural district.

Purpose of this district. The purposes of these [A-1 agricultural] districts are to conserve land for agricultural use, to prevent the premature development of land, and to prevent urban and agricultural land use conflicts. It is the intent of this ordinance to prevent disorderly scattering of residences on small lots and prevent the establishment of other urban land uses that would require unreasonable expenditures for public improvements and services. [The following regulations shall apply to A-1 agricultural districts:]

1. Land uses permitted:

- (a) *Single-family detached dwellings. Only one principal dwelling per lot may be erected in A-1 districts.*
- (b) *Accessory buildings and structures associated with the use of the land for residential purposes.*
- (c) *Breeding, raising, and feeding of grazing livestock (i.e., horses, cattle, sheep, goats, mules, etc.), provided that each such animal herein defined as grazing livestock shall be kept on a tract or lot of one acre of land or greater. Barns, pens, corrals, and other buildings or enclosures for the keeping of grazing livestock are permitted accessory uses, provided that such buildings or enclosures, excluding open pastures, are located no closer than 150 feet from adjoining property lines or existing/proposed street right-of-way line.*
- (d) *Breeding, raising and feeding of swine, provided that pens for the keeping of swine are located no closer than 150 feet from any adjoining property line or existing/proposed street right-of-way line.*

- (e) Breeding, raising and feeding of chickens, ducks, turkeys, geese, or other fowl, provided that if more than two such fowl are kept on any lot, they shall be kept at least 150 feet from any adjoining property line or existing/proposed street right-of-way line.*
- (f) Forestry and horticultural uses. The sale of vegetables, fruits and other plants shall only be allowed if permitted as a special exception.*
- (g) Public or private recreational or open space facilities, excluding country clubs and the like which shall be regulated as public/quasipublic facilities or utilities subject to the provisions of this ordinance.*
- (h) Home occupations in compliance with this ordinance.*
- (i) Public streets and highways.*

2. Special exception uses:

- (a) Public or quasipublic facilities and utilities in compliance with this ordinance.*
- (b) Child care facilities.*
- (c) Stables and riding academies, provided that there shall be at least one acre of land for each horse normally kept on the premises. In no case shall a stable or riding academy be located on a lot with an area of less than five acres.*
- (d) Plant nurseries and other horticultural uses where vegetables, fruit and other plants are grown on the premises or brought to the premises and maintained there for the purpose of retail sales from said premises. Such other additional products shall be permitted to be sold from the premises as are customarily incidental to the operation of a plant nursery.*
- (e) Commercial catfish production.*
- (f) Extraction of minerals, including sand and gravel, provided that when open-pit operations are conducted, a reclamation plan must be approved by the mayor and board of aldermen.*
- (g) Veterinary hospitals and kennels.*
- (h) Animal cemeteries (small domestic animals such as cats and dogs).*

3. Dimensional requirements:

- (a) Maximum building height: There shall be no height limitations for barns and agricultural storage buildings provided they do not contain space intended for human occupancy. No habitable floor of any other building shall exceed a height of 35 feet above the finished ground elevation measured at the front line of the building.*
- (b) Minimum lot area: One acre.*
- (c) Minimum yards:*
 - 1. Front yard: 60 feet from the existing or proposed right-of-way line.*
 - 2. Side yard: 20 feet.*
 - 3. Rear yard: 50 feet.*

4. Off-street parking requirements: See article VIII for off-street parking and loading requirements for residential and other uses allowed in A-1 districts.

Proposed Zoning District

Sec. S. - R-4A single-family, high-density.

- A. Intent. The intent of this zoning district is to permit single-family residential development and associated uses in a high quality setting, according to a unified plan. The uses and standards in this district are intended to promote flexibility and innovation in site design, enhance the environmental quality and attractiveness of the community, and to assure the compatibility of the proposed development with adjacent land uses. The R-4A zoning district shall be highly suitable for compact, infill development or redevelopment of existing parcels of land to prevent sprawl and to encourage sustainable development within the city. R-4A zoning districts shall be more restrictive than the R-4 (zero lot line/cluster development) district but less restrictive than R-1 (single family) district.*
- B. Conditions to be met by single-family, high-density (R-4A) developments.*
- 1. District regulations. Every R-4A development erected and maintained under the provisions of this article shall comply with all regulations established in this section.*
 - 2. Site plan and improvements. A site plan for an R-4A development shall show and there shall be provided the following:*
 - a. Drainage. Adequate facilities for the drainage of surface water, including storm sewers, gutters, paving, and proper design of finished grades.*
 - b. Circulation and parking. Adequate facilities for the safe and convenient circulation of pedestrian and vehicular traffic, including walks, driveways, off-street parking area(s), and landscaped separation spaces between pedestrian and vehicular ways.*
 - c. Open space. A minimum of 20 percent of the gross land area within an R-4A district shall be designated as open space for the use and enjoyment of its owners, occupants and their guests. Open space area includes both private and common areas within the R-4A development project site. Required open space may be used for active recreational activities such as walking, jogging, swimming pools, golf, tennis and other court games; or passive recreational uses such as sitting, scenic viewing or picnics. Open space areas shall be attractively landscaped and may contain water features, benches, gazebos, gardens, planting strips, trails, tennis courts, or other recreational or landscaping amenities. Streets, driveways and parking areas shall not be considered part of this open space.*
 - d. Responsibility for common open space. Nothing in this section shall be construed as a responsibility of the city, either for maintenance or liability of the following which shall include, but not be limited to, any private open areas, parks, recreational facilities, and a "hold harmless" clause shall be incorporated in the covenants running with the land to this effect.*
 - e. Utilities to be located underground. Any R-4A development shall specify that all utilities shall be constructed underground.*

- f. *Size of area. Although there is not a minimum size, the area proposed for development shall be large enough to permit and accommodate an R-4A development. Building setbacks are to be determined by the development proposal upon approval. An R-4A approval shall not be granted if, in the opinion of the planning and zoning commission, the proposed development would have a direct negative or adverse impact on the surrounding area.*

C.

Requirements for site plans of proposed R-4A developments.

1. *Application. An application for approval of an R-4A proposal shall be filed with the city planner and shall contain the following information: address, and interest of any others represented by the applicant; the concurrence of the owner(s) of the entire land are included in the proposal and all encumbrances of such land; evidence that the applicant and/or owners intend to develop the land along with a written narrative expressing the character of the proposed development.*
2. *Site plans. An application for an R-4A development is to be accompanied by a site plan which must include both maps and a written narrative. Adjacent properties impacted by the development are to be identified. The following data may be required with the preliminary submission:*
 - a. *Existing topography of the site.*
 - b. *Drainage within the project and adjacent area, if impacted.*
 - c. *Existing and proposed land uses and existing zoning.*
 - d. *Existing property lines.*
 - e. *Circulation system including walks, curb-cuts, ingress and egress drives, driveways.*
 - f. *Parking areas.*
 - g. *Areas proposed to be dedicated or reserved for parks, playgrounds and common areas.*
 - h. *Approximate location of all buildings, structures, and other improvements, including walkways.*
 - i. *Graphic presentation representative of the proposed structures and improvements.*
 - j. *A tentative development schedule including timing and scope of any proposed phasing.*
 - k. *Any proposed restrictive covenants or homeowner association agreements governing the maintenance and continued protection of the proposed development.*

D.

Review and approval process of proposed R-4A developments.

1. *Review process. Upon receipt of an application for approval of a site plan for an R-4A development, properly and completely made out, the city planner shall distribute copies to the development review committee for review and recommendations. Recommendations from the development review committee shall be forwarded to the planning and zoning commission for a public hearing. The planning and zoning commission shall hold a public hearing and interested parties notified in the same manner as for other*

rezoning hearings. Following the public hearing, the planning and zoning commission shall transmit its recommendation of approval or disapproval to the mayor and board of aldermen, including any conditions of approval, which may include a performance bond.

- 2. Final approval. Final approval of a proposed R-4A development shall rest with the mayor and board of aldermen. The recommendations of the planning and zoning commission and the development review committee shall be considered and any conditions of approval may be amended, revised or stricken as determined. The approved site plan shall be binding and shall control the issuance of permits and/or certificates.*
- 3. Revisions or amendments to an R-4A development site plan. Revisions or amendments to approved R-4A site plans which result in a reduction of the number of approved dwelling units/density, as well as an increase in open space, shall be allowed, upon review and approval by the city planner. Any proposed increase in dwelling units/density, or a decrease in open space, shall require a submittal of the revised site plan to the city planner in the same manner as prescribed for a new application.*
- 4. Appeal. Any person aggrieved by a decision of the planning and zoning commission in approving or disapproving an application for an R-4A development proposal under this article may within ten days from the date of such decision, file a written request to the mayor and board of aldermen and there upon the mayor and board of aldermen shall proceed to review the proposal in the same manner prescribed for other rezoning applications.*

E. Off-street parking. A minimum of three off-street parking spaces shall be provided for each dwelling unit.

F. Permitted and conditional uses shall be as follows:

- 1. The following uses are permitted by right in the R-4A zoning district:*
 - a. Single-family dwelling.*
 - b. Garden.*
 - c. Home occupation.*
- 2. The following uses are allowed by conditional use in the R-4A zoning district:*
 - a. Church or place of worship.*
 - b. Golf course, not including commercial driving ranges; need not be enclosed within structure.*
 - c. Public utilities.*
 - d. Recreational facilities.*

G. Comprehensive Plan. The R-4A zoning district shall be considered a high density residential land use classification allowing a maximum gross density of 15 dwelling units per acre, as allowed per Table 32 of the city's comprehensive plan.

(Ord. No. 2008-9, § II, 11-4-08)

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:

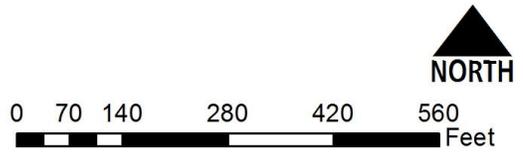
1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
 - No error

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 have been 3 Rezoning along or near South Montgomery since 2013
 1. Riddle Run on Academy Road near the intersection of South Montgomery in 2015 from R-1 to R-3.
 2. The Claiborne at Adelaide directly south of the subject property was rezoned from A-1 to B-1 in 2014
 3. Adelaide Phase I directly south of the subject property was rezoned from A-1 to R-4 in 2016

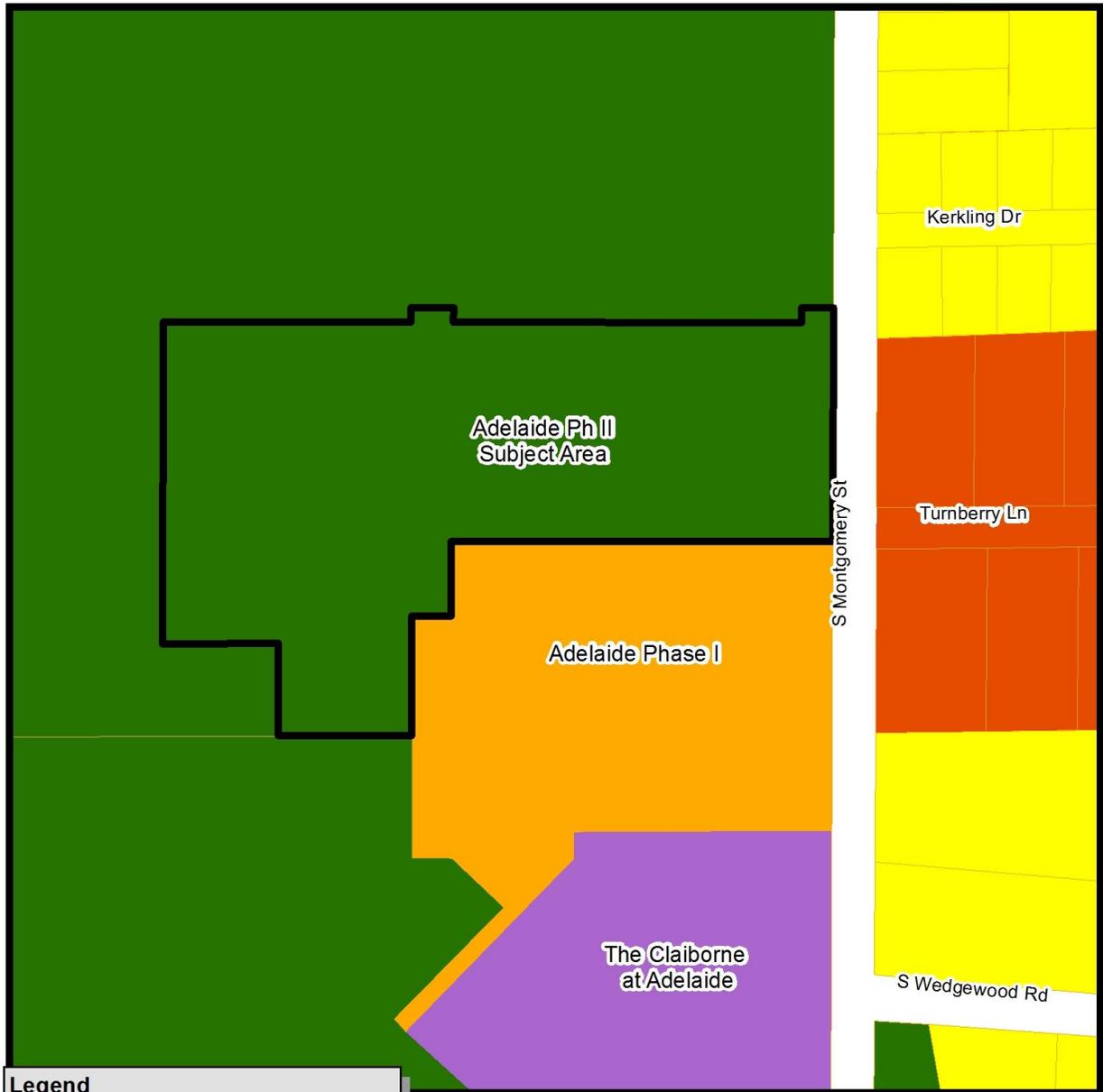
Attachment 1
RZ 16-09 Aerial



Legend
 Subject Area

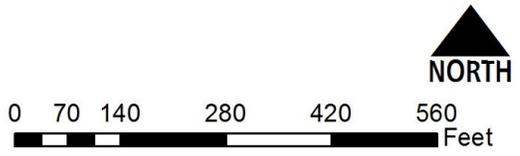


Attachment 2
RZ 16-09 Zoning



Legend

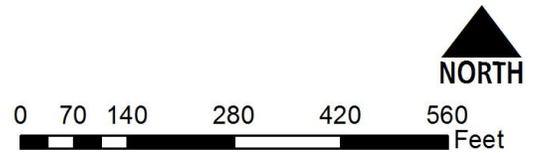
- Subject Area
- A-1 Agricultural
- B-1 Buffer District
- R-1 Single Family
- R-4 Zero Lot Line/Cluster Development
- R-4-A Single Family High Density



Attachment 3
RZ 16-09 Plat Overlay



Legend
 Subject Area





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)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
CC: Applicant: Saunders Ramsey Owner: 4J-I LP
SUBJECT: PP 16-18 Request for Preliminary Plat approval for modifying the Western Crossing subdivision located at the northwest corner of Hwy 25 and Hwy 12.
DATE: November 8, 2016

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Brent Engineering on behalf of RMR Investment Company for Preliminary approval for the modification of the Western Crossing Phase II subdivision plat. The property was originally platted in 2006 as Western Crossing Phase I. In 2009, the Western Crossing Phase II subdivision plat added property to the south and north to Western Crossing. This modification is part of land swap agreement between RMR Investments and Crosspoint Southern Baptist Church. Crosspoint currently owns Lot 7. To open up the remainder of the property to future development, Crosspoint has agreed to modify the boundaries of their property to allow for a future road with a 60' right of way to access the property to the west. This modification would change the boundaries of Lot 7 and Lot 10. This modification would create Lot 11 and Lot 12. Lots 1, 2, 3, 4, 5, 6, 8, and 9 would remain unchanged. The new Western Crossing Subdivision would consist of 12 lots on +/- 258 acres. Lots 1, 5, 6, 8, and 9 are zoned C-2. Lots 3, 4, and 2 are currently split zoned C-2 and R-5. Lots 11 and 7 are split zoned C-2 and B-1. Lot 10 is split zoned C-2, R-5 and B-1. Please see attachments 1-5.

Below is information pertaining to R-5 Residential, B-1 Buffer District and C-2 General Business District.

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)

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)

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 +/-258 acres with a total of 12 lots.

Easements and Dedications

Existing and proposed easements are shown on the plat.

Findings and Comments

All utilities will need to be available for each proposed lot. Sidewalks will be required along all roadway frontages that do not have existing sidewalks.

REQUESTED CONDITIONS

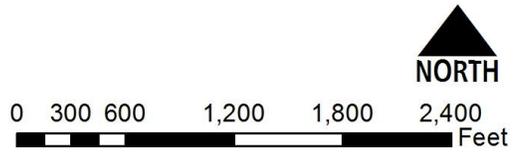
1. Any sidewalks not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction.
2. Any utility infrastructure not completed by the time of Final Plat consideration by the Board of Aldermen, shall be required to have a form of surety in place in the amount of 150% of the estimated cost of construction. All infrastructure shall be required to be installed, inspected, tested and approved by City staff prior to the issuance of a building permit for any individual lot.

Attachment 1
FP 16-18 Aerial

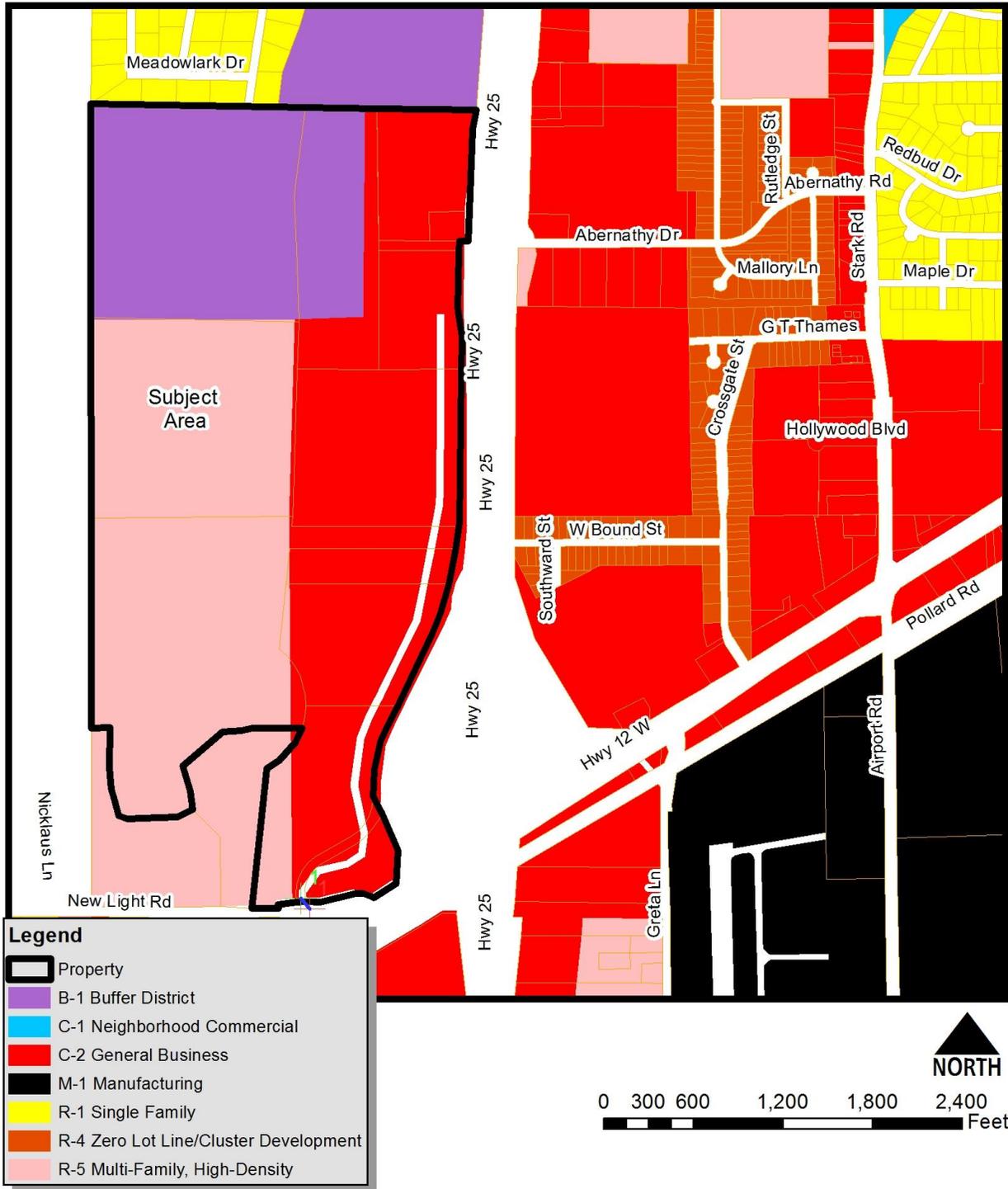


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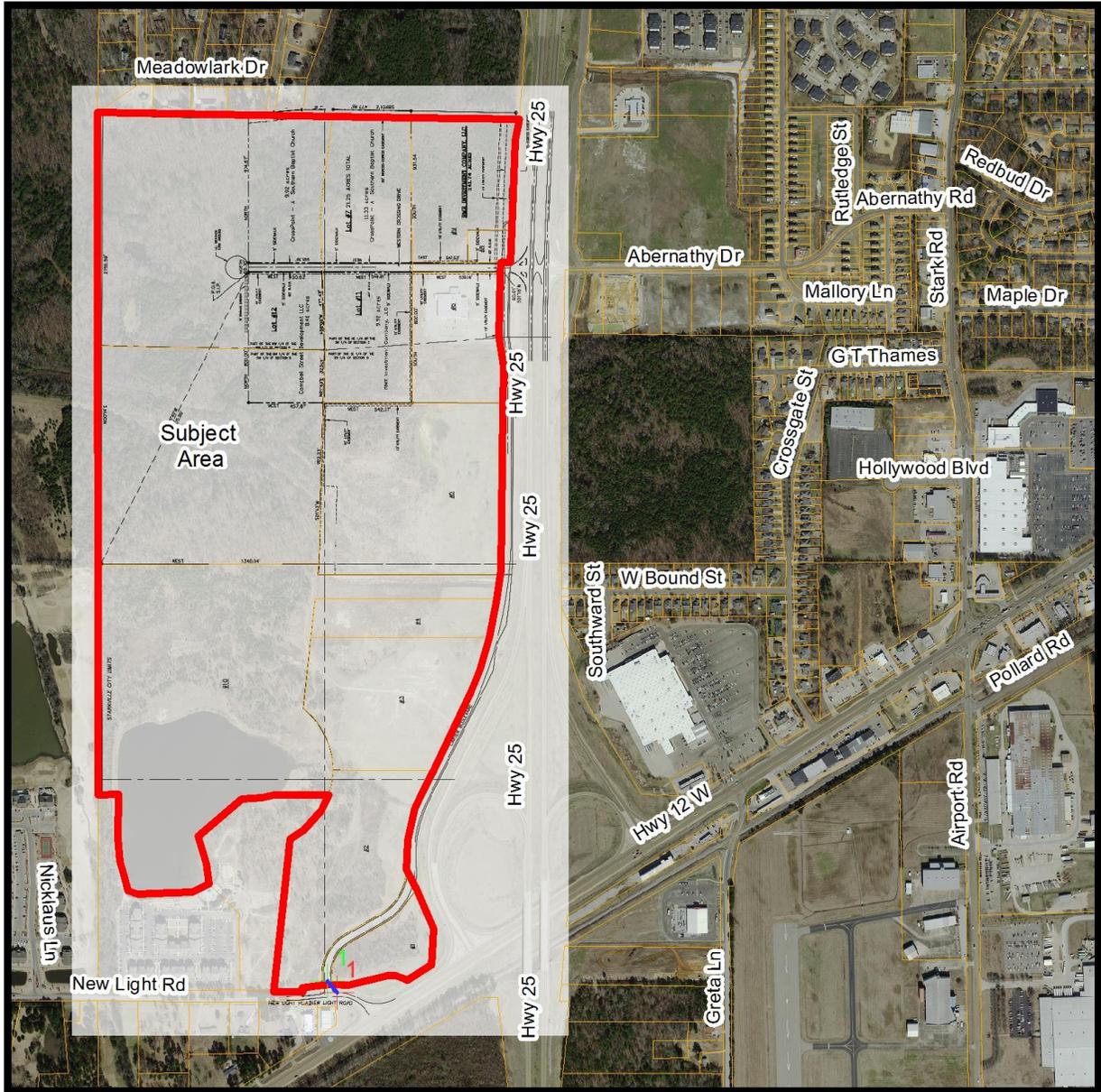
 Property



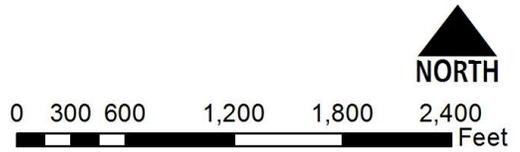
Attachment 2 FP 16-18 Zoning



Attachment 3
FP 16-18 Preliminary Plat Overlay



Legend
 Property





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)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
CC: Applicant: Thomas Allen, Pritchard Engineering Owner: Lucille Evans
SUBJECT: CU 16-06 Request for Conditional Use to build a parking lot and drives on a commercially zoned parcel in support of existing Express Oil Change located at 530 Vine Street with parcel number 102A-00-269.00
DATE: November 8, 2016

The purpose of this report is to provide information regarding the request by Thomas Allen of Pritchard Engineering on behalf of Lucille Evans to build a parking lot on one parcel at 530 Vine Street in a C-2 General business zone. Please see attachments 1-4

BACKGROUND INFORMATION

Express Oil Change is requesting to expand its current parking lot onto one parcel it is proposing to purchase to the west. The parking lot will be used for customer and employee parking. Both parcels are zoned C-2 General Business. According to the Permitted and Conditional Use Chart, "Parking lots & Garages" require a Conditional Use permit in a C-2 zone.

Scale and intensity of use.

The proposed parking lot could generate additional traffic volume to Vine Street and Highway 12 during service hours.

On- or off-site improvement needs.

There are currently no sidewalks on or adjacent to the parcel. Sidewalks will be required per City ordinance.

On-site amenities proposed to enhance the site.

The site will be required to meet the current Landscape Ordinance requirements.

Site issues.

There are no known site issues.

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

Direction	Zoning	Current Use
North	C2	Commercial
East	C2	Commercial and Vacant

South	C2	Vacant lot
West	C2	Vacant lot

28 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 October 22, 2016 and a placard was posted on the property. As of this date, the Planning Office has received no phone calls.

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 adjacent properties are currently zoned commercial. The property to the north is currently used as commercial.

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

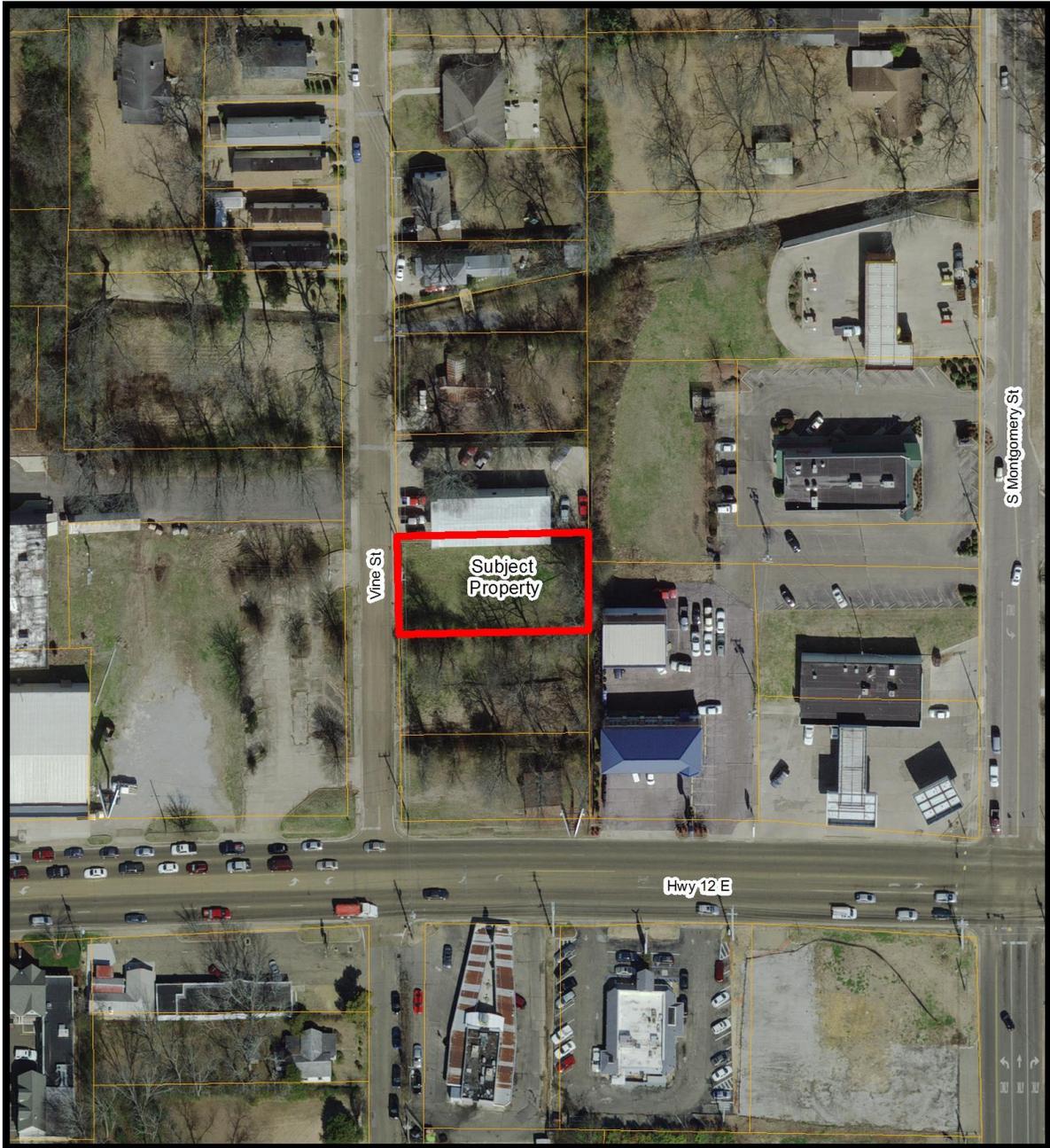
Hazardous waste.

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

Compliance with applicable laws and ordinances.

The proposed parking lot will be required to meet all current ordinances relating to site design.

Attachment 1
CU 16-06 Aerial



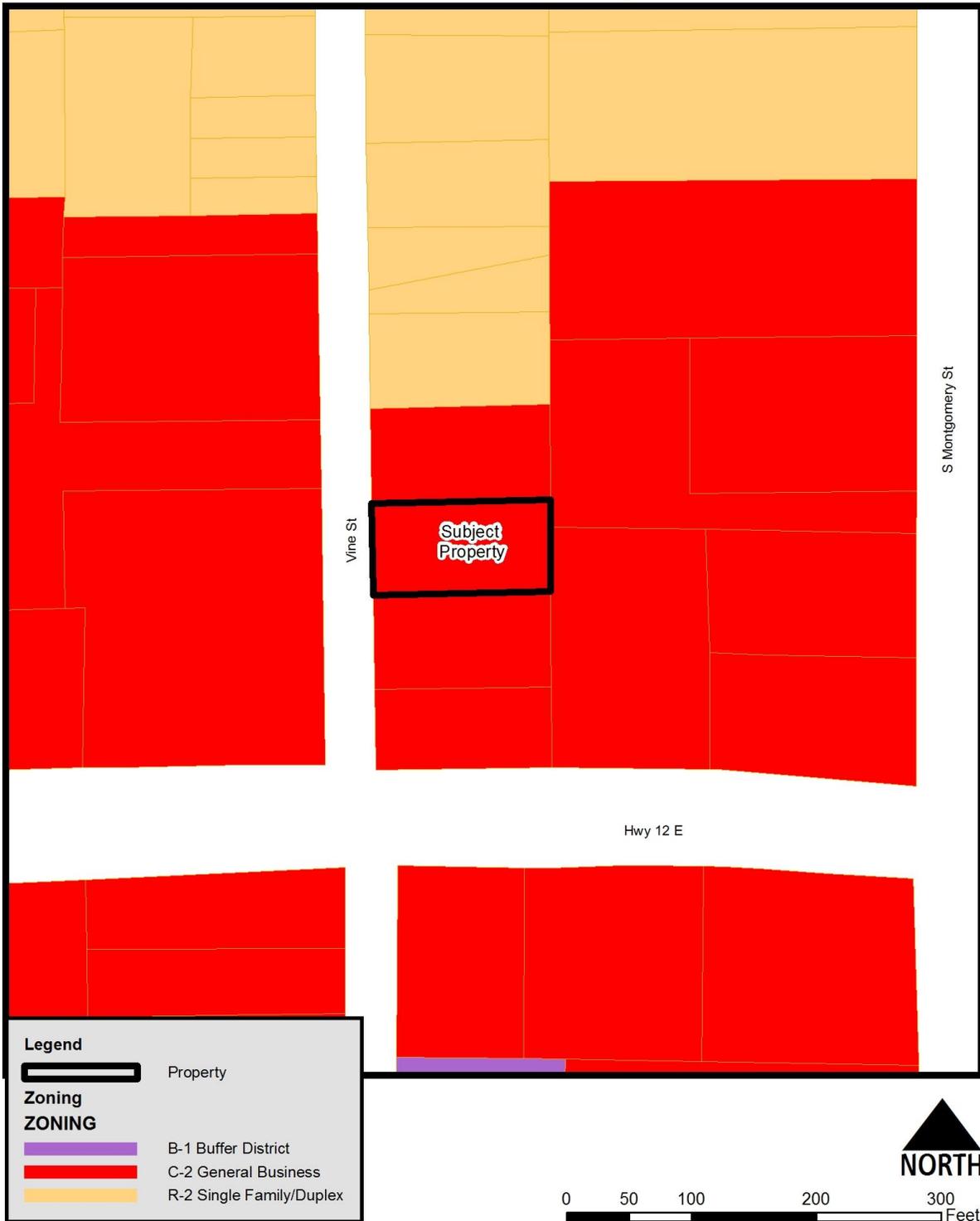
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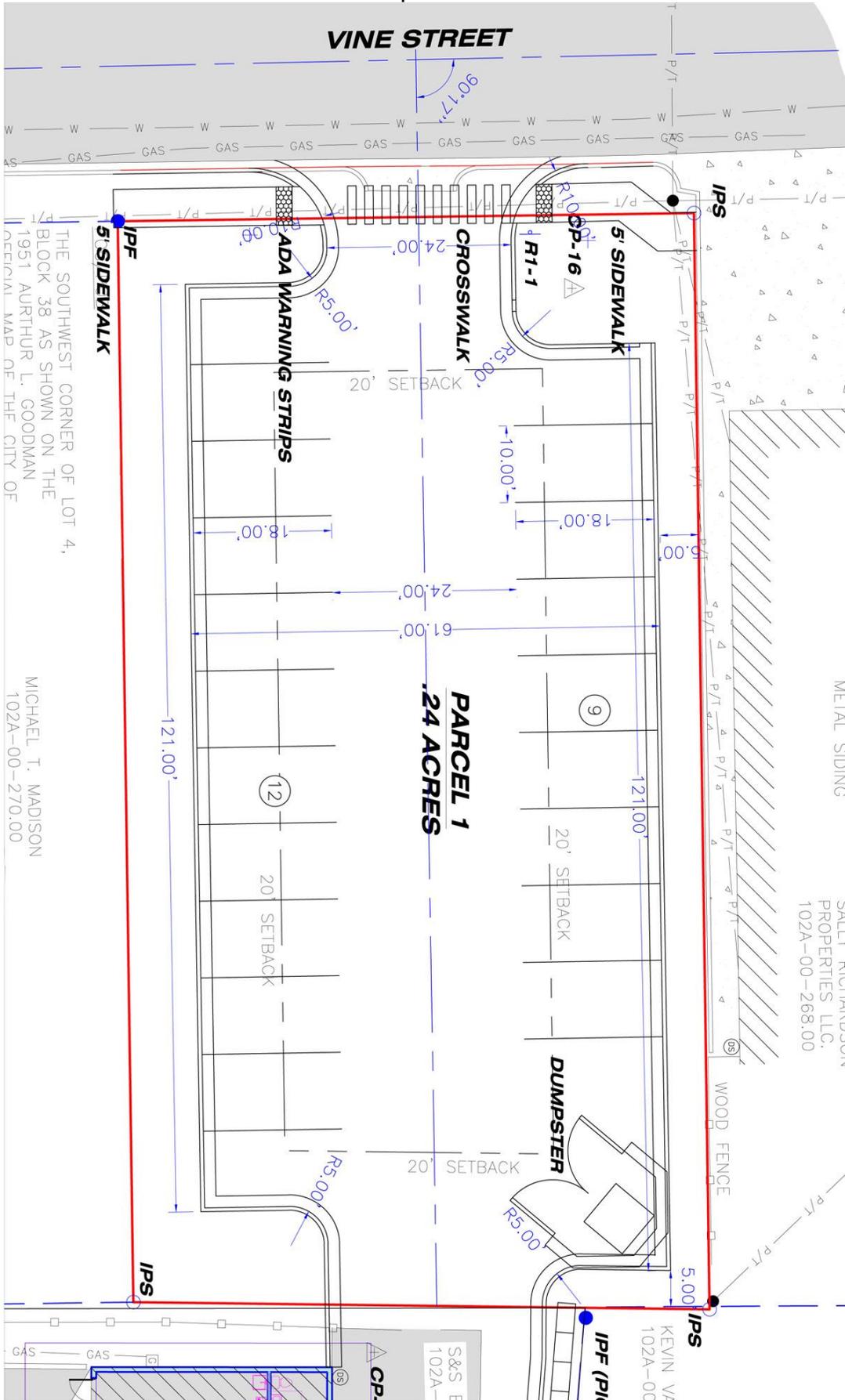
 **NORTH**

0 50 100 200 300
Feet

Attachment 2 CU 16-06 Zoning



Attachment 3- Proposed Site Plan



THE SOUTHWEST CORNER OF LOT 4,
 BLOCK 38 AS SHOWN ON THE
 1951 AURTHUR L. GOODMAN
 OFFICIAL MAP OF THE CITY OF

MICHAEL T. MADISON
 102A-00-270.00

METAL SIDING
 SALLI NUTTING
 PROPERTIES LLC.
 102A-00-268.00

KEVIN V/
 102A-0C

S&S E
 102A-

CP.

