



**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, January 10, 2017
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 December 13, 2016 2016
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. CU 17-07 Request for Conditional Use approval to allow for a Single-Family Dwelling to be constructed at 731 Whitfield Street on a parcel that is currently zoned C-2 with the property # 102C-00-214.00
 - B. PP 16-21 Request for Preliminary Plat approval for a two-lot subdivision of a +/- 11.13-acre parcel on the east side of intersection of Stark Road and Clements in a C-1 zone with the parent parcel number 102D-00-016.01.
 - C. RZ 17-01 Request to Rezone the southern portion of one lot located on the eastern side of North Montgomery from C-1, R-5, and R-E to R-5 with the property # 117E-00-018.00.
 - D. RZ 17-03 Request to Rezone the northern portion of one lot located on the eastern side of North Montgomery from C-1 to R-E with the property # 117E-00-018.00.
 - E. FP 17-01 Request for Preliminary Plat approval for a two-lot subdivision of a +7.73-acre parcel on the east side of North Montgomery and the south side of Presley Drive in an C-1, R-5 and R-E zone with the parent parcel number 0117E-00-018.00.
 - F. RZ 17-02 Request to Rezone to rezone one lot located at 114 North Montgomery Street from C-2 to T-5 with the property # 117M-00-157.00
- VIII. ADJOURN

**MINUTES OF THE REGULAR MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI DECEMBER 13, 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 December 13, 2016 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

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

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

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 December 13, 2016 as presented. Chairman Brooks announced that CU 16-07 has been withdrawn by the applicant.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY, DECEMBER 13, 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. Reconsideration of the Unapproved minutes for November 8, 2016
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS

- ~~A. CU 16-07 Request for Conditional Use for a "Funeral Home" on the north side of Garrard Road +/- 0.2 miles west of the intersection of North Jackson Street and Garrard Road in a B-1 zone with the property # 118-27-020.12~~
- B. FP 16-05 Request for Final Plat approval for a five lot subdivision of a 32.13-acre parcel on the south side of Lynn Lane and the north side of Academy Road directly north and east of Starkville Academy in an C-2 zone with the parent parcel number 102I-00-013.00
- C. PP 16-19 Request for Preliminary Plat approval for a two-lot subdivision of a +/-7.73-acre parcel on the east side of North Montgomery and the south side of Presley Drive in an C-1, R-5 and RE zone with the parent parcel number 0117E-00-018.00.
- D. PP 16-20 Request for Preliminary Plat approval for subdividing one lot into two lots located +/-0.27 miles south of the Garrard Road and Hwy 12 East intersection on the East side of Hwy 12 East with the parent parcel number 117F-00-008.00
- E. RZ 16-10 Request to Rezone one parcel from R-5 to T-5 located at 35 Jarnigan Street with the Parcel # 101D-00-094.00.
- F. RZ 16-11 Request to Rezone several properties located at the northwest corner of North Jackson Street and Highway 82 to M-1 for the proposed Industrial Park with the parcel numbers 115-21-007.00, 115-21-010.00, 115-22-026.00, 115-21-010.01, 115-21-010.02, 114-20-003.00, 115-21-006.00, and 115-21-007.01

VIII. PLANNER'S REPORT

IX. ADJOURN

After discussion and upon the motion of Commissioner Camp, duly seconded by Commissioner McReynolds the motion to approve the official agenda of the Planning and Zoning Commission for December 13, 2016, as modified, received unanimous approval.

**CONSIDERATION FOR APPROVAL OF THE MINUTES OF THE MEETING OF
NOVEMBER 8, 2016**

After discussion and upon the motion of Commissioner Moore, duly seconded by Commissioner Camp, the motion to approve the Minutes as amended of the November 8, 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 FP 16-05 REQUEST FOR FINAL PLAT APPROVAL FOR A FIVE LOT SUBDIVISION OF A 32.13-ACRE PARCEL ON THE SOUTH SIDE OF LYNN LANE AND THE NORTH SIDE OF ACADEMY ROAD DIRECTLY NORTH AND EAST OF STARKVILLE ACADEMY IN AN C-2 ZONE WITH THE PARENT PARCEL NUMBER 102I-00-013.00

Assistant City Planner, Emily Corban, presented the request FP 16-05, a request by 4J-I LP for Final Plat approval for a five-lot subdivision of a 32.13-acre parcel on the south side of Lynn Lane and the north side of Academy Road directly north and east of Starkville Academy in an C-2 zone with the parent parcel number 102I-00-013.00. The Subdivision consists of five lots on +/- 32.13 acres in a C-2 zone. Existing and proposed easements and dedications are shown on the plat. Staff requested one condition.

After discussion and upon the motion of Commissioner McReynolds duly seconded by Commissioner Camp, the motion to approve FP 16-05 was unanimously approved with the following conditions:

1. 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.

B. CONSIDERATION OF PP 16-19 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR A TWO-LOT SUBDIVISION OF A +-7.73-ACRE PARCEL ON THE EAST SIDE OF NORTH MONTGOMERY AND THE SOUTH SIDE OF PRESLEY DRIVE IN AN C-1, R-5 AND RE ZONE WITH THE PARENT PARCEL NUMBER 0117E-00-018.00.

Assistant City Planner, Emily Corban, presented the request PP 16-19, by Saunders Ramsey on behalf of Lightbearers Ministry for Preliminary Plat approval for a two-lot subdivision of a +-7.73-acre parcel on the west side of North Montgomery and the south side of Presley Drive in an C-1, R-5 and RE zone with the parent parcel number 0117E-00-018.00. The subdivision has a gross acreage of +/-7.73 acres with a total of two parcels. Proposed parcel 1 is +/- 6.53 acres and proposed parcel 2 is +/-1.20 acres. Staff requested one condition.

The applicant, Saunders Ramsey, came forward to speak for the request.

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner Walker, the motion to approve PP 16-19 was unanimously approved with the following 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.

C. CONSIDERATION OF PP 16-20 REQUEST FOR PRELIMINARY PLAT APPROVAL FOR SUBDIVIDING ONE LOT INTO TWO LOTS LOCATED +/-0.27 MILES SOUTH OF THE GARRARD ROAD AND HWY 12 EAST INTERSECTION ON THE EAST SIDE OF HWY 12 EAST WITH THE PARENT PARCEL NUMBER 117F-00-008.00

Assistant City Planner Emily Corban presented PP 16-20, a request by Carlson Consulting Engineers on behalf of Development Enterprises of Starkville, LLC for Preliminary Plat approval for subdividing one lot into two. The parent parcel is +/-41.37 acres and is currently zoned C-2 General Business and R-1 residential. Residentially zoned portion of parent lot is currently not part of the proposed development. The proposed parcel is +/-7.58 acres. Staff requested three conditions for approval.

After discussion and upon the motion of Commissioner Camp duly seconded by Commissioner McReynolds the motion to approve PP 16-20 was unanimously approved with the following conditions:

1. When infrastructure plans have been approved for construction, a pre-construction conference shall be held with appropriate city staff prior to the commencement of any construction activities at the site.
2. When required improvements are complete the applicant shall provide "as-built" drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, sidewalks, etc.) in "AutoCAD" format as well as a paper copy that is signed and sealed by a licensed professional engineer, indicating that the improvements were installed under his/her responsible direction and that the improvements conform to the approved construction plans, specifications and the City's ordinances.
3. All cost associated with MDOT approved traffic signal are to be paid for by the applicant. Traffic signal arm and associated equipment shall be chosen by the City. Traffic signal arm and associated equipment shall be installed to the City's satisfaction prior to a Certificate of Occupancy being issued.

D. CONSIDERATION OF RZ 16-10 REQUEST TO REZONE ONE PARCEL FROM R-5 TO T-5 LOCATED AT 35 JARNIGAN STREET WITH THE PARCEL # 101D-00-094.00

City Planner Daniel Havelin presented RZ 16-10, a request by Bob Reed, on behalf of Maggie Harris, to Rezone one parcel from R-5 to T-5 located at 35 Jarnigan Street with the Parcel # 101D-00-094.00. 36 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 November 17, 2016 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received three phone calls inquiring about the request.

The Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Bob Reed, the applicant spoke in favor of the request.

Matthew Little, Robert Camp, and Dan Camp spoke against the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

After discussion, and upon the motion of Commissioner Walker duly seconded by Commissioner McReynolds the motion to approve RZ 16-10 due to change and condition and public need was approved 4 to 1 with Commissioner Loveless voting against the motion with the following conditions:

1. No building on the site shall be more than two stories in height.
2. One parking space must be built per bedroom
3. No commercial on the first floor

E. CONSIDERATION OF RZ 16-11 REQUEST TO REZONE SEVERAL PROPERTIES LOCATED AT THE NORTHWEST CORNER OF NORTH JACKSON STREET AND HIGHWAY 82 TO M-1 FOR THE PROPOSED INDUSTRIAL PARK WITH THE PARCEL NUMBERS 115-21-007.00, 115-21-010.00, 115-22-026.00, 115-21-010.01, 115-21-010.02, 114-20-003.00, 115-21-006.00, AND 115-21-007.01

City Planner Daniel Havelin presented RZ 16-11, a request by Golden Triangle Development LINK to Rezone several properties located at the northwest corner of North Jackson Street and Highway 82 to M-1 for the proposed Industrial Park with the parcel numbers 115-21-007.00, 115-21-010.00, 115-22-026.00, 115-21-010.01, 115-21-010.02, 114-20-003.00, 115-21-006.00, and 115-21-007.01. The subject property rezoning request is from C-2, R-5, R-4 to M-1. 9 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 November 22, 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 call against this request. One letter was also received requesting additional information from the applicant. Staff requested two conditions.

The Commission Chair opened a public hearing and called for comments regarding the above request. Comments were received from the following individuals:

Blake Fulton and Jo Max Higgins spoke in favor of the request.

Loren Bell, Bettye Bell, Leah Ellis, and Laura White spoke against the request.

Calling for and receiving no other comments, the Commission Chair closed the public hearing.

After discussion, and upon the motion of Commissioner Walker, duly seconded by Commissioner Camp, the motion to approve RZ 16-11 due to change and condition and public need was unanimously approved 4-0 with Commissioner Moore not present with the following conditions:

1. If the property were to be rezoned M-1, a Buffer Yard would be required per Landscape Ordinance Section 8 Buffer yard and screening of manufacturing from other uses.
2. If the project does not go forward the property shall revert back to its original zoning.

PLANNERS REPORT

City Planner Daniel Havelin announced The Starkville Comprehensive Plan will be presented to the Mayor and Board of Alderman at 5:30 PM on December 20, 2016.

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 January 10, 2017, in the courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion, and upon the motion of Commissioner McReynolds, duly seconded by Commissioner Camp, the motion to adjourn until the 5:30 p.m. on January 10, 2017, 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: Roger Price, Owner: Xavier Yeates

SUBJECT: CU 17-07 Conditional Use Request by Roger Price on behalf of Xavier Yeates to allow for a Single-Family Dwelling to be constructed at 731 Whitfield Street on a parcel that is currently zoned C-2 with the property # 102C-00-214.00.

DATE: January 10, 2017

The purpose of this report is to provide information regarding the Conditional Use Request by Roger Price on behalf of Xavier Yeates to allow for a Single-Family Dwelling at 731 Whitfield Street to be constructed on a parcel that is currently zoned C-2 with the property # 102C-00-214.00 at 731 Whitfield Street. Please see attachments 1-4.

BACKGROUND INFORMATION

The applicant is requesting a Conditional Use to construct a Single-family residential dwelling on a vacant parcel on Whitfield Street. The property is zoned C-2 Commercial and in order to construct a “Dwelling Single Family- Detached”, a Conditional Use is required per the City of Starkville’s Permitted and Conditional Use Chart. The previous home located on the parcel was removed more than a year ago.

Scale and intensity of use.

The size of the proposed structure is a three bedroom two-bathroom home with +/-1400 sq. ft.

On- or off-site improvement needs.

There are no off-site improvements being proposed.

On-site amenities proposed to enhance the site.

No amenities are being proposed by the applicant for the site.

Site issues.

There are no known site issues regarding the intended use of the site.

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

Direction	Zoning	Current Use
North	C2	Residential
East	C2	Vacant
South	C2	Residential
West	C2	Commercial

NOTIFICATION

21 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 December 22, 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.

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 proposed use as a Residential Property could be considered a compatible use with adjacent properties. The property is currently zoned C-2 General Business. The 2016 Comprehensive plan has the areas placetype listed as Suburban Center.

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

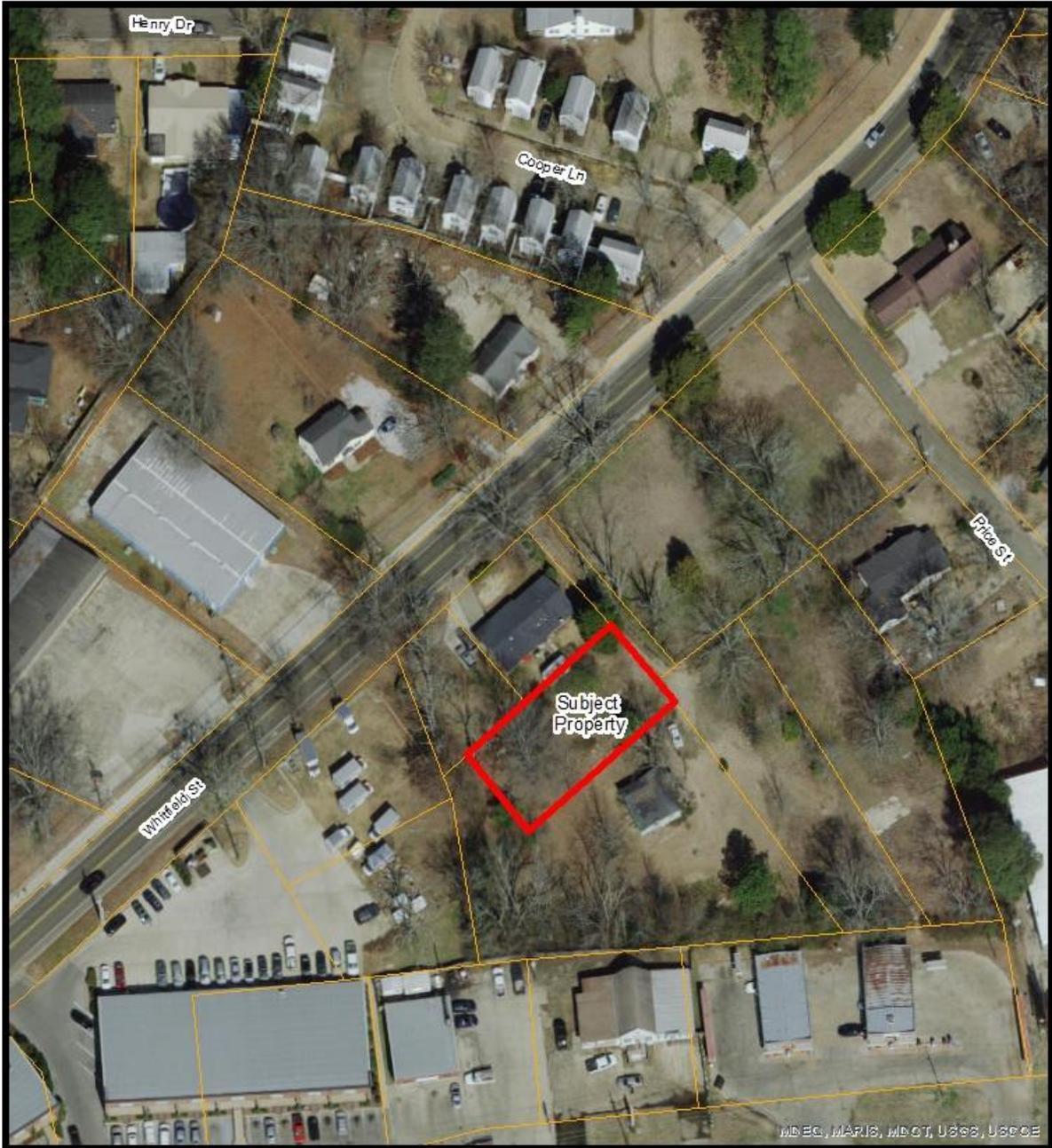
Hazardous waste.

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

Compliance with applicable laws and ordinances.

Building Permits will be required.

Attachment 1
CU 17-01 Aerial



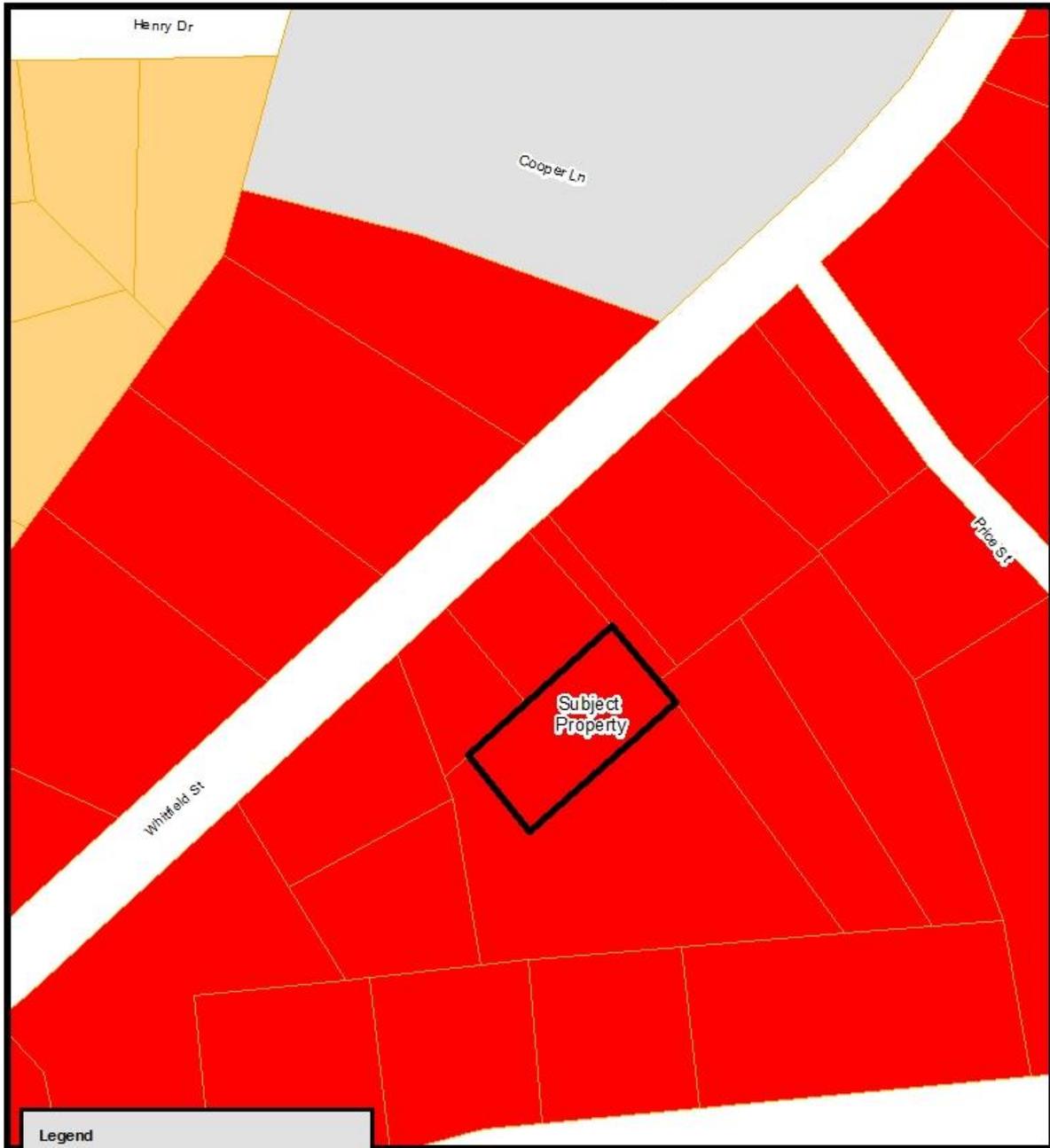
Legend

 project

 NORTH

0 40 80 160 240
Feet

Attachment 2 CU 17-01 Zoning



Legend

 project

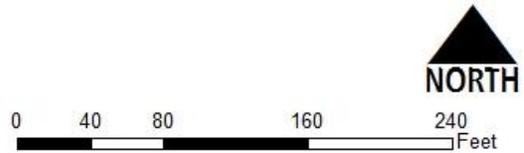
Zoning

ZONING

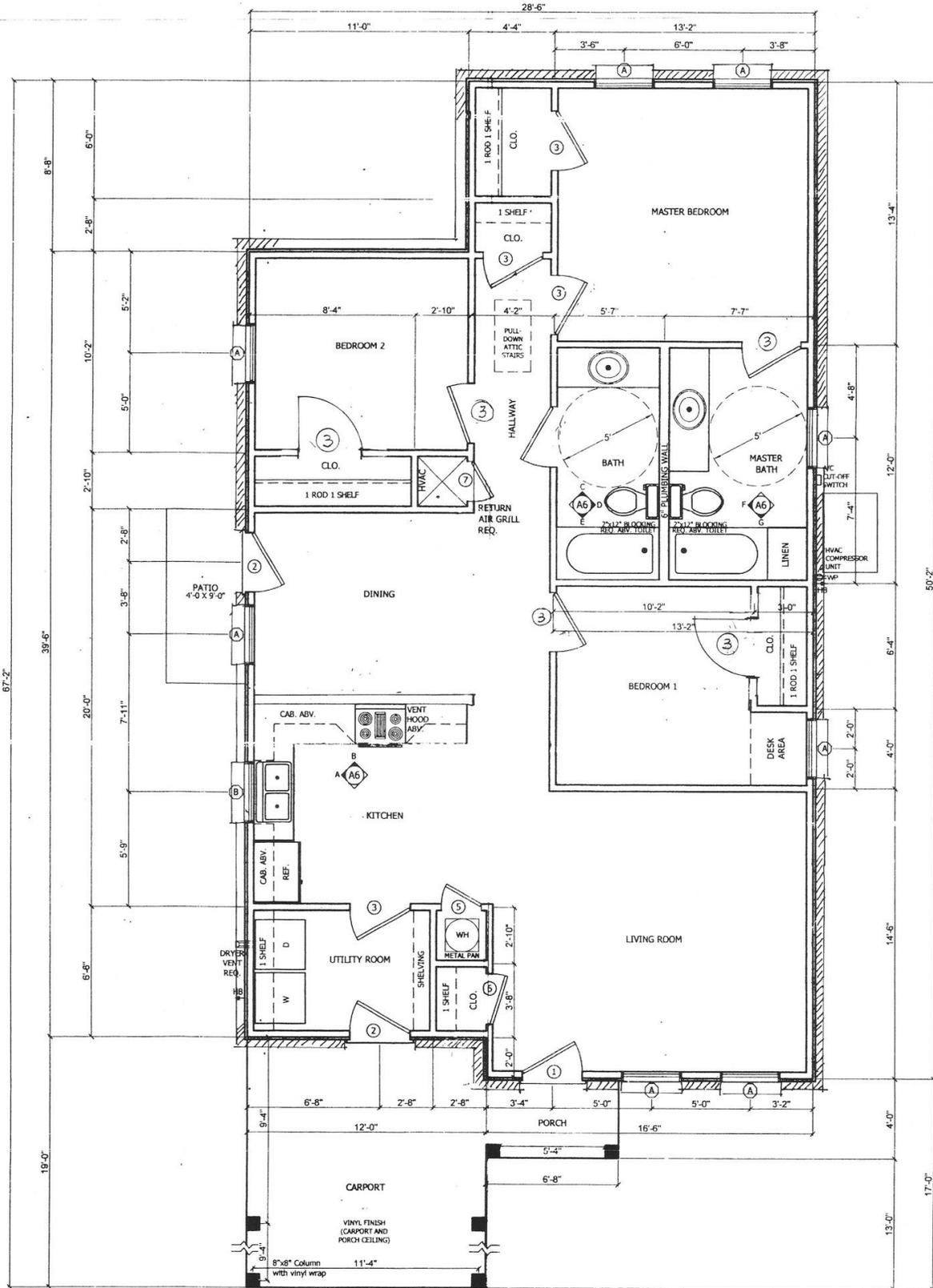
 C-2 General Business

 PUD Planned Unit Development

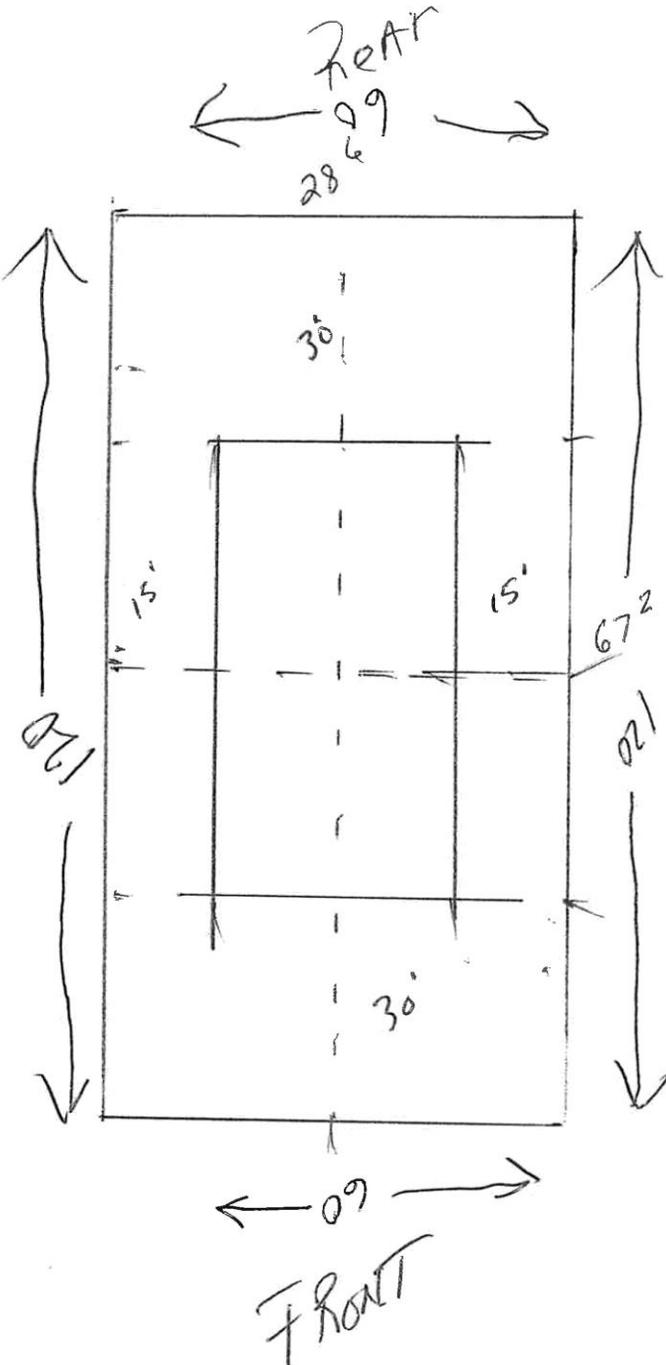
 R-2 Single Family/Duplex



Attachment 3- Plan View of Proposed Building



Attachment 4- Conceptual Site Layout



MUST go thru PEZ
and Board of Aldermen -
Conditional use C-1

Attachment 5- View from drive of Subject Property facing West





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 16-21 Request for Preliminary Plat approval for a two-lot subdivision of a +/- 11.13 acre parcel on the east side of intersection of Stark Road and Clements in a C-1 zone with the parent parcel number 102D-00-016.01.
DATE: January 10, 2017

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Mike Brent on behalf of Richard Hewlett for Preliminary approval for a two-lot subdivision on the east side of intersection of Stark Road and Clements. The Subdivision consists of 2 lots on +/- 11.13 acres in a C-1 Business zone. The proposed plat has a total of two lots. Proposed Lot 1 has an acreage of 1.51 and Lot 2 has an acreage of 9.62. The owner would like to subdivide to allow for future sale as commercial property. Please see attachments 1-3.

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

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

1. See chart for uses permitted.
2. See chart for uses which may be permitted as an exception.
3. Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
4. Minimum yard size: Front, 35 feet; rear, 20 feet; side, ten feet, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than that required by the residential district.

5. *Maximum height of building or structures: 35 feet.*
6. *Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
7. *Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
8. *All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.*
 - a) *The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade.*
 - b) *The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.*
 - c) *The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.*
9. *All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period of no longer than twelve months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

(Ord. No. 2014-3, 9-16-14)

PLAT PROPOSAL

General Information

The subdivision has a gross acreage of +/-11.13 acres with a total of two parcels. Proposed parcel 1 is 1.51 acres and proposed parcel 2 is 9.62 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.

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. The City of Starkville's standard Performance guarantee agreement must be executed by the applicant/owner and authorization for the mayor to execute on behalf of the city
3. A letter from the Applicant to the City Engineer indicating their intent to mitigate the stormwater requirements on a lot-by-lot basis and that the owner will communicate to all future lot owners that the mitigation of excess stormwater will be their responsibility and will be required regardless of lot size.
4. The applicant shall provide two paper copies of the recorded plat to the City, along with a digital copy in "AutoCAD" format in standard state plane coordinates.
5. The applicant shall provide "as-built" drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, sidewalks, etc.) in "AutoCAD" format as well as a paper copy that is signed and sealed by a licensed design professional, guaranteeing accuracy.

Attachment 1
PP 16-21 Aerial



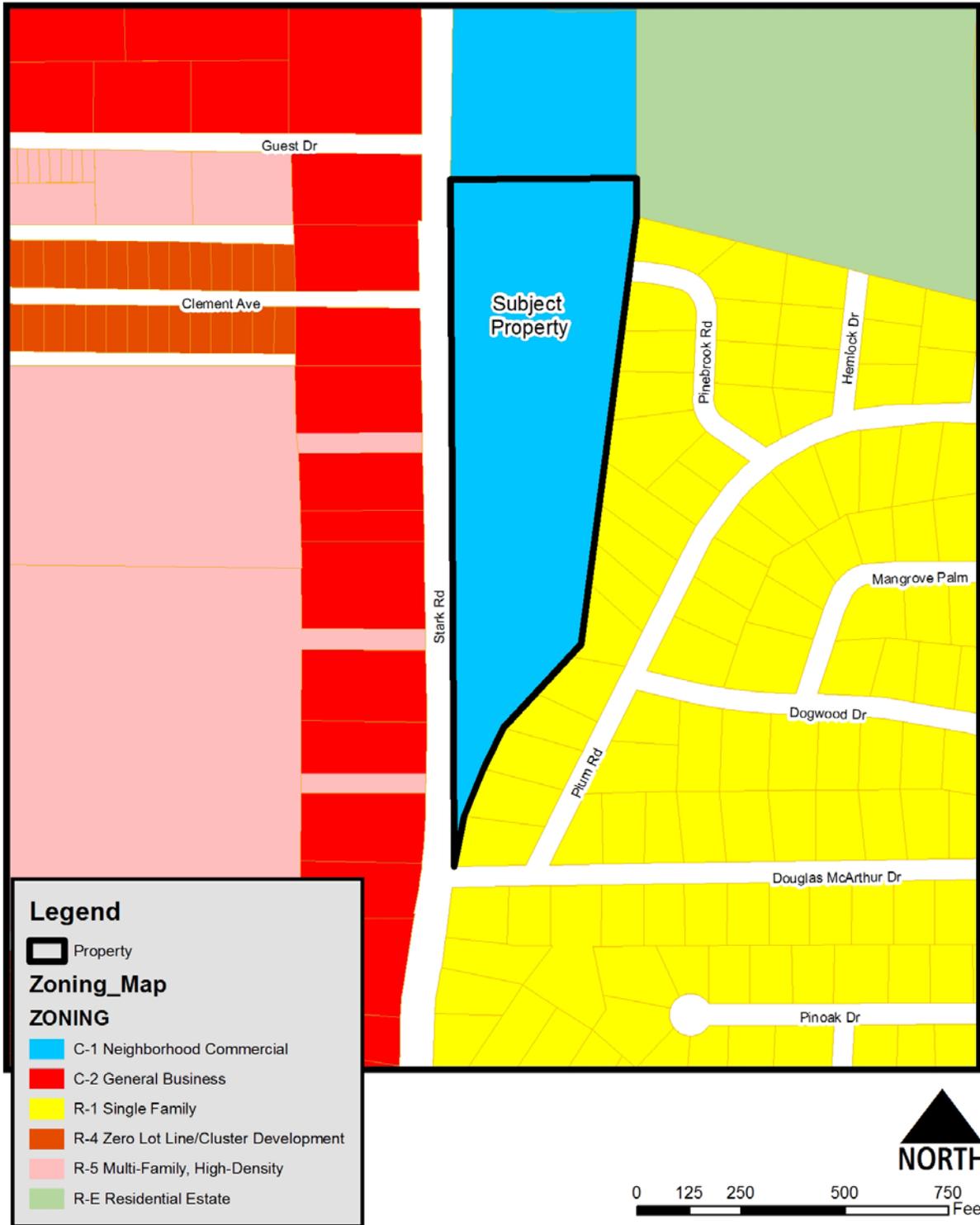
Legend

 Property


NORTH

0 125 250 500 750
Feet

Attachment 2 PP 16-21 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: Saunders Ramsey

SUBJECT: RZ 17-01 Request by Saunders Ramsey to rezone the southern portion of one lot located on the eastern side of North Montgomery from C-1, R-5, and R-E to R-5 with the property # 117E-00-018.00.

DATE: January 10, 2017

The purpose of this report is to provide information regarding the request Saunders Ramsey, on behalf of Lightbearers Ministries International, to rezone part of one parcel located on the east side of North Montgomery Street and the south side of Presley Drive. The parcel is currently split zoned C-1 Neighborhood Commercial, R-5 Multi-Family, and R-E Residential Estate. The applicant is seeking to rezone the southern portion (+/-6.53ac) of the +/-7.73ac lot to R-5 Multi-Family. Please see attachments 1-2.

BACKGROUND INFORMATION

The current zoning map and the 2000 zoning map show the subject property as being split zoned C-1, R-5, R-E. The applicant is seeking to rezone from C-1, R-5, R-E to R-5 based on error.

Zoning Change Subject Property				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
117E-00-018.00	R-1	C-1/R-5/R-E	C-1/R-5/R-E	C-1/R-5/R-E

Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	R-1	C-1	C-1	C-1
East	R-1	R-E	R-E	R-E
South	R-1	R-5	R-5	R-5
West	C-2/R-1	R-4	C-1	C-1

Zoning and land uses adjacent to the subject property			
Direction	Zoning	Current Use	
North	C-1	Church	
East	R-E	Single-Family Residential	
South	R-5	Multi-Family Residential	
West	C-1	Commercial/Gas Station	

NOTIFICATION

39 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 December 22, 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 C-1, R-E to R-5. Differences between zones are:

Current Zoning District

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

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

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

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

(Ord. No. 2014-3, 9-16-14)

Sec. B. - Residential estate zoning district regulations.

These [R-E residential estate] districts are intended to be composed mainly of unsubdivided land and low density single-family residential properties along with appropriate neighborhood supporting facilities, with their open character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-E 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: 17,500 square feet.*
 - (b) *Minimum lot width at the building line: 120 feet.*
 - (c) *Minimum depth of front yard: 50 feet.*
 - (d) *Minimum depth of rear yard: 40 feet.*
 - (e) *Maximum height of structure: 45 feet.*
 - (f) *Minimum width of each side yard: 20 feet.*
4. *Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

Proposed Zoning 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)

STATE REZONING CRITERIA

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

1. **Error:** There is a Manifest Error in the ordinance and a Public Need to correct the error:
 - The subject property is split-zoned C-1, R-5, and R-E. The split zoning first appeared on the 82-91 City of Starkville Zoning Map. The zoning does not follow past or current property line.
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

Attachment 1
RZ 17-01 Aerial



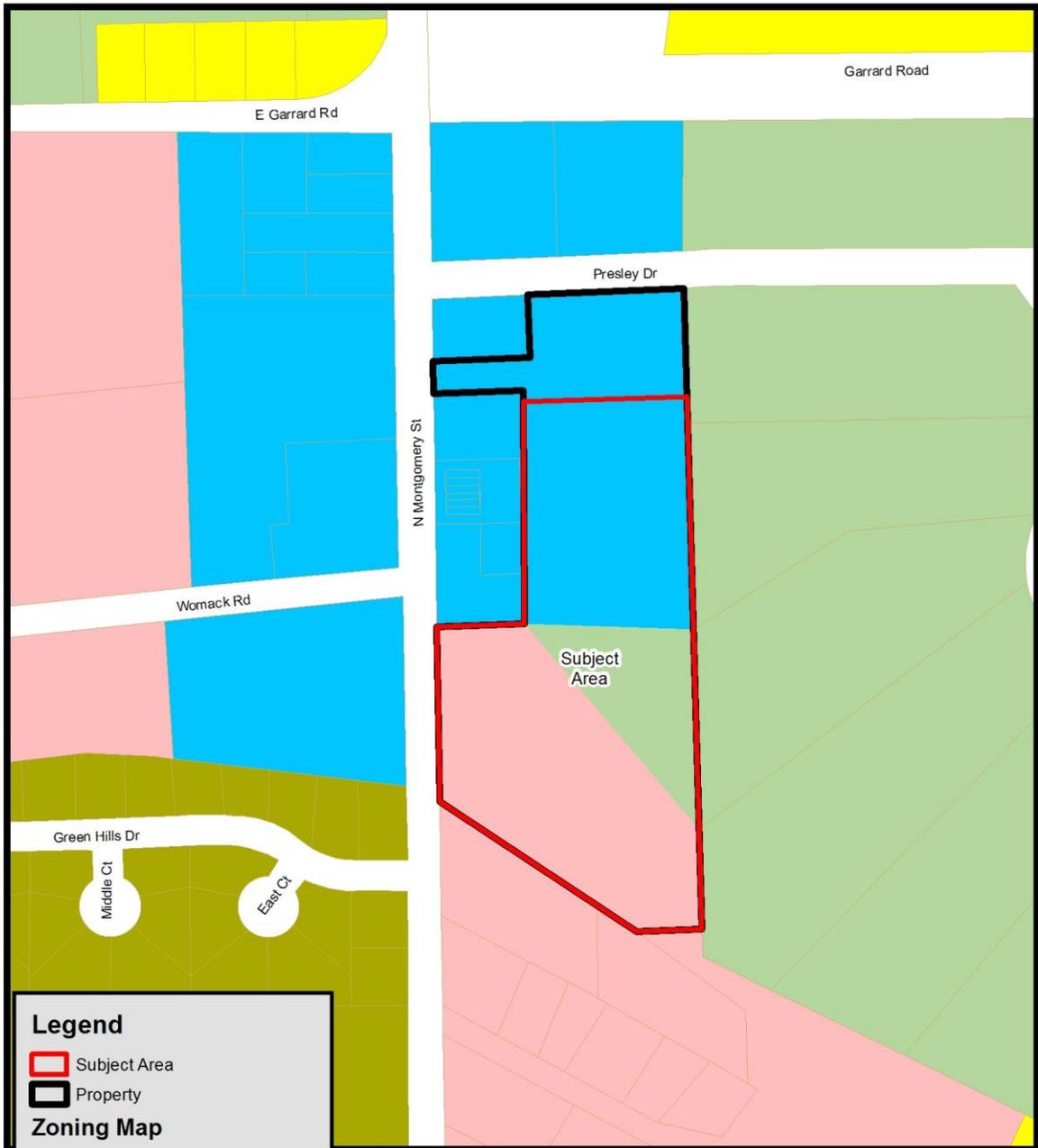
Legend

-  Subject Area
-  Property


NORTH

0 70 140 280 420
Feet

Attachment 2
RZ 17-01 Zoning



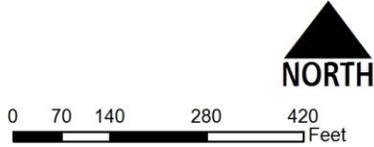
Legend

- Subject Area
- Property

Zoning Map

ZONING

- C-1 Neighborhood Commercial
- R-1 Single Family
- R-3 Multi-Family
- R-5 Multi-Family, High-Density
- R-E Residential Estate





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 17-03 Request by Saunders Ramsey to rezone the northern portion of one lot located on the eastern side of North Montgomery from C-1 to R-E with the property # 117E-00-018.00.

DATE: January 10, 2017

The purpose of this report is to provide information regarding the request Saunders Ramsey, on behalf of Robert Wright, to rezone part of one parcel located on the east side of North Montgomery Street and the south side of Presley Drive. The parcel is currently split zoned C-1 Neighborhood Commercial, R-5 Multi-Family, and R-E Residential Estate. The applicant is seeking to rezone the northern portion (+/-1.20ac) of the +/-7.73ac lot to R-5 Multi-Family. Please see attachments 1-2.

BACKGROUND INFORMATION

The current zoning map show the subject property as being zoned C-1. The applicant is seeking to rezone from C-1 to R-E.

Zoning Change Subject Property				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
117E-00-018.00	R-1	C-1	C-1	C-1

Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	R-1	C-1	C-1	C-1
East	R-1	R-E	R-E	R-E
South	R-1	R-5	R-5	R-5
West	C-2/R-1	R-4	C-1	C-1

Zoning and land uses adjacent to the subject property		
Direction	Zoning	Current Use
North	C-1	Church
East	R-E	Single-Family Residential
South	R-5	Multi-Family Residential
West	C-1	Commercial/Gas Station

NOTIFICATION

39 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 December 22, 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 C-1 to R-E. Differences between zones are:

Current Zoning District

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

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

1. *See chart for uses permitted.*
2. *See chart for uses which may be permitted as an exception.*
3. *Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.*
4. *Minimum yard size: Front, 35 feet; rear, 20 feet; side, ten feet, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than that required by the residential district.*
5. *Maximum height of building or structures: 35 feet.*
6. *Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
7. *Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
8. *All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.*
 - a) *The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade.*
 - b) *The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.*

- c) *The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.*
9. *All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period of no longer than twelve months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

(Ord. No. 2014-3, 9-16-14)

Proposed Zoning District

Sec. B. - Residential estate zoning district regulations.

These [R-E residential estate] districts are intended to be composed mainly of un subdivided land and low density single-family residential properties along with appropriate neighborhood supporting facilities, with their open character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-E 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: 17,500 square feet.*
 - (b) *Minimum lot width at the building line: 120 feet.*
 - (c) *Minimum depth of front yard: 50 feet.*
 - (d) *Minimum depth of rear yard: 40 feet.*
 - (e) *Maximum height of structure: 45 feet.*
 - (f) *Minimum width of each side yard: 20 feet.*
4. *Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

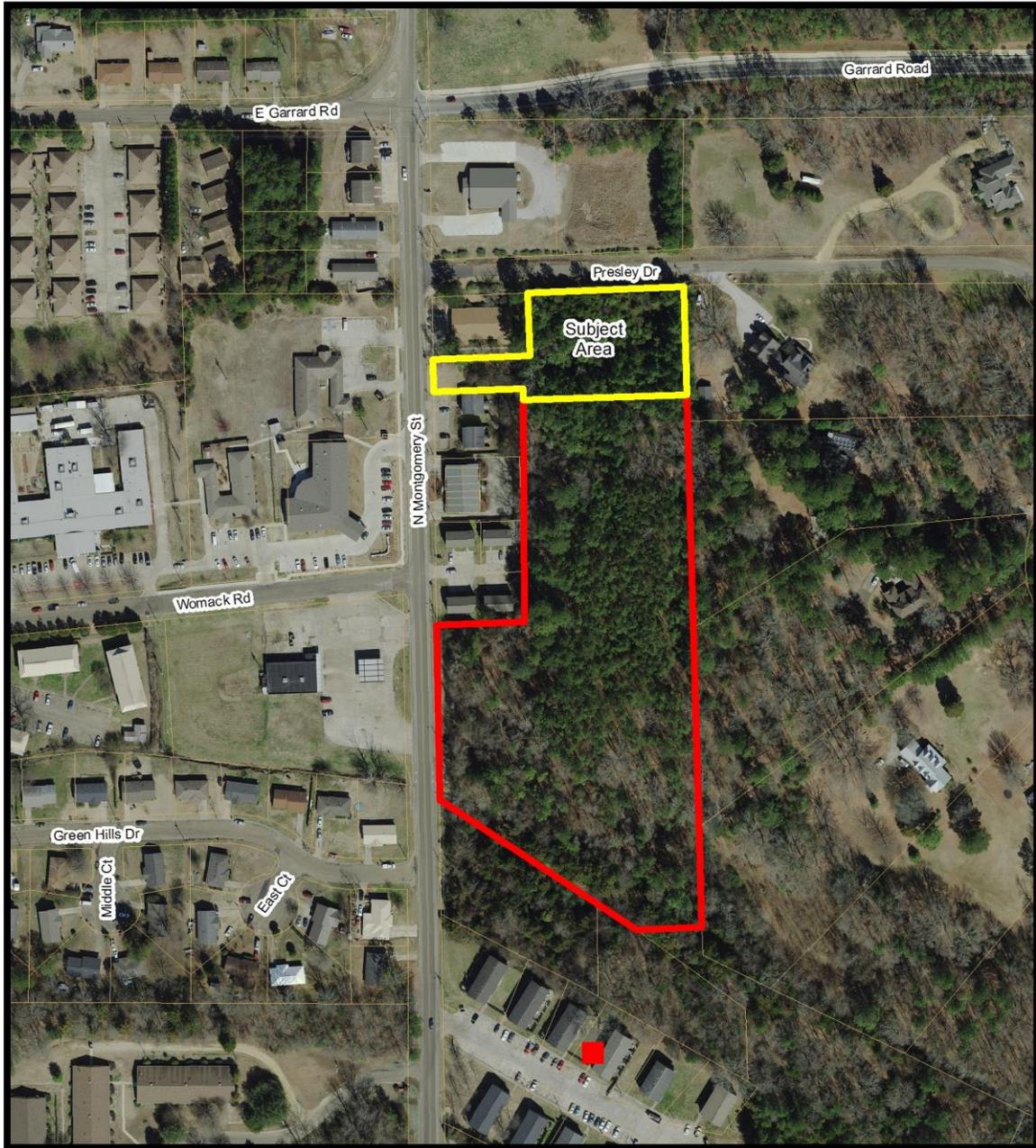
STATE REZONING CRITERIA

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:
2. **Change in conditions:** Changed or changing conditions in an existing area, or in the planning area generally, or the increased or increasing need for commercial or manufacturing sites or additional subdivision of open land into urban building sites

make a change in the ordinance necessary and desirable, and in accord with the public need for orderly and harmonious growth.

Attachment 1
RZ 17-03 Aerial



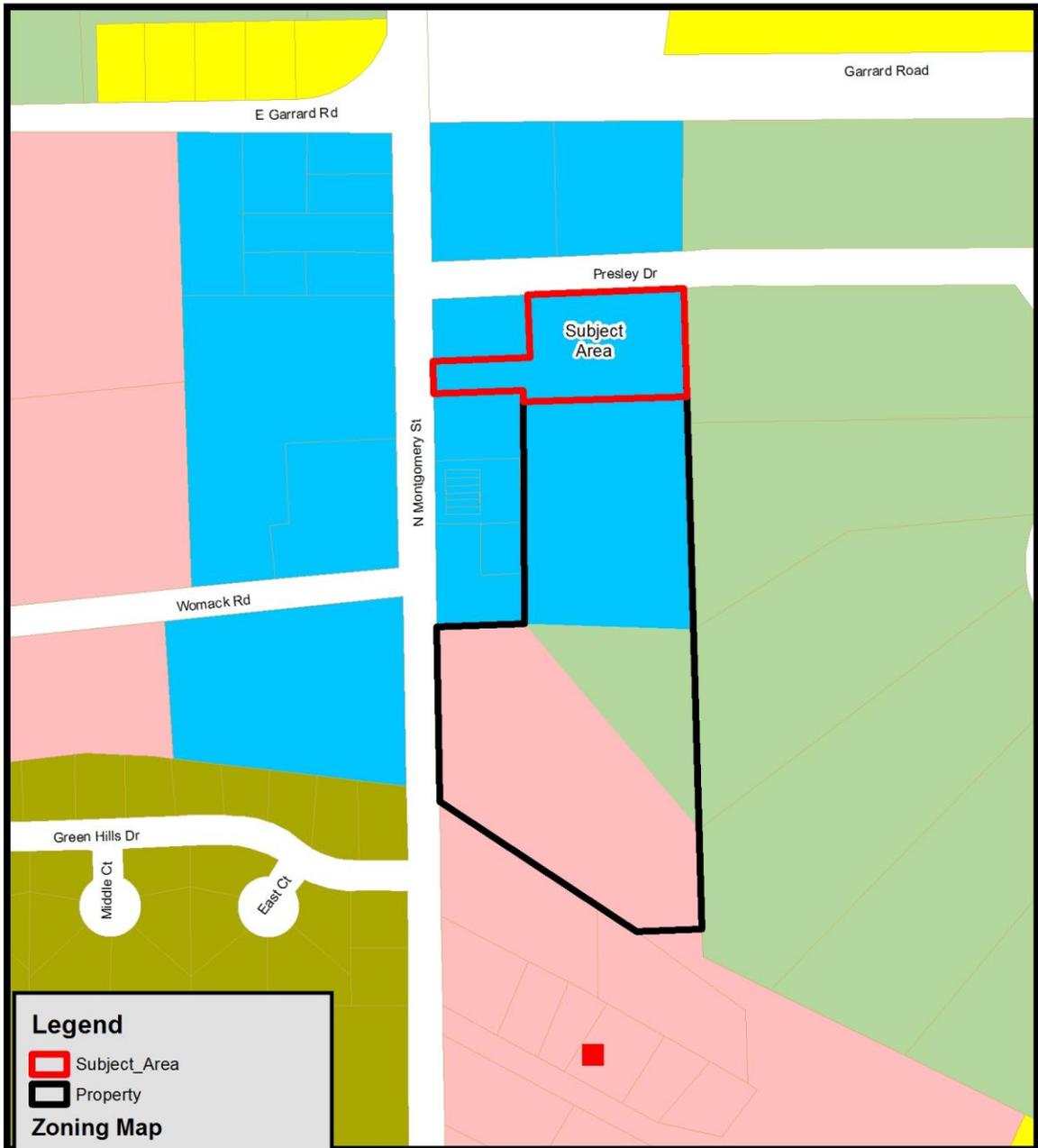
Legend

-  Subject_Area
-  Property


NORTH

0 70 140 280 420
Feet

Attachment 2
RZ 17-03 Zoning



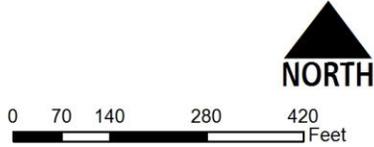
Legend

- Subject_Area
- Property

Zoning Map

ZONING

- C-1 Neighborhood Commercial
- R-1 Single Family
- R-3 Multi-Family
- R-5 Multi-Family, High-Density
- R-E Residential Estate





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, Owners: Lightbearers Ministry
SUBJECT: FP 17-01 Request for Final Plat approval for a two-lot subdivision of a +/-7.73-acre parcel on the east side of North Montgomery and the south side of Presley Drive in an C-1, R-5 and R-E zone with the parent parcel number 0117E-00-018.00.
DATE: January 10, 2017

BACKGROUND INFORMATION:

The purpose of this report is to provide information regarding the request by Saunders Ramsey, on behalf of Lightbearers Ministry, for a two-lot subdivision of a +/- 7.73-acre parcel on the east side of North Montgomery and the south side of Presley Drive in an C-1 Neighborhood Commercial, R-5 Multifamily, and R-E Residential Estate zone. The property is currently requesting a Rezoning. The proposed Lot 1 has been requested to become entirely R-5 Multi-Family. The proposed Lot 2 has been requested to become R-E Residential Estate. Please see attachments 1-5. This request is to be heard by the Planning and Zoning Commission on January 10, 2017.

Below is the zoning information pertaining to C-1 Neighborhood Commercial, R-5 Multifamily, and R-E Residential Estate zones.

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

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

- 1. See chart for uses permitted.*
- 2. See chart for uses which may be permitted as an exception.*
- 3. Minimum lot size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use and to provide adequate parking and loading space*

in addition to the space required for the other normal operations of the business or service.

4. *Minimum yard size: Front, 35 feet; rear, 20 feet; side, ten feet, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than that required by the residential district.*
5. *Maximum height of building or structures: 35 feet.*
6. *Off-street parking: One space for each 200 square feet of retail or office building area. See article VIII of this ordinance for requirements for other uses.*
7. *Off-street loading and unloading: The required rear or side yard may be used for loading and unloading.*
8. *All building facades that are visible from public right-of-way or adjacent property zoned residential shall meet these requirements.*
 - a) *The following materials are allowed for use on a building façade: brick, wood, fiber cement siding, stucco, natural stone, and split faced concrete masonry units that are tinted and textured. Architectural metal panels may be used as long as the panels make up less than 40 percent of an individual façade.*
 - b) *The following materials are not allowed for use on a building facade: smooth faced concrete masonry units, vinyl siding, tilt-up concrete panels, non-architectural steel panels (R Panels), and EIFS (exterior insulation and finish systems). EIFS is permitted to be used for trim and architectural accents.*
 - c) *The primary facade colors shall be low reflectance, subtle, neutral or earth tones. The use of high intensity, metallic flake, or fluorescent colors is prohibited.*
9. *All parking lots adjacent to public right-of-way shall be paved either entirely or with a combination of the following: asphalt, concrete, porous pavement, concrete pavers, or brick pavers. Gravel can be used temporarily as a parking surface for a period of no longer than twelve months upon the approval of the community development director. All temporary gravel lots must provide ADA accessible parking and access ways in accordance with the ADA guidelines.*

(Ord. No. 2014-3, 9-16-14)

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. B. - Residential estate zoning district regulations.

These [R-E residential estate] districts are intended to be composed mainly of unsubdivided land and low density single-family residential properties along with appropriate neighborhood supporting facilities, with their open character protected by requiring certain minimum yard and area standards to be met. [The following regulations apply to R-E 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: 17,500 square feet.*
 - (b) *Minimum lot width at the building line: 120 feet.*
 - (c) *Minimum depth of front yard: 50 feet.*
 - (d) *Minimum depth of rear yard: 40 feet.*
 - (e) *Maximum height of structure: 45 feet.*
 - (f) *Minimum width of each side yard: 20 feet.*
4. *Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.*

PLAT PROPOSAL:

General Information

The subdivision has a gross acreage of +/-7.73 acres with a total of two parcels. Proposed Lot 1 is +/- 6.53 acres and proposed Lot 2 is +/-1.20 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 public and private roadway frontages.

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. The City of Starkville's standard Performance guarantee agreement must be executed by the applicant/owner and authorization for the mayor to execute on behalf of the city
3. A letter from the Applicant to the City Engineer agreeing to mitigate all future stormwater requirements for both lots on proposed Lot 1. The calculation for the requirements of Lot 1 shall be based on an assumed 15% impervious cover for the entirety of Lot 2. The applicant will be required to provide the engineering calculations and construction plans for the facility as a part of the Site Plan approval process.

4. The applicant shall provide two paper copies of the recorded plat to the City, along with a digital copy in "AutoCAD" format in standard state plane coordinates.
5. The applicant shall provide "as-built" drawings of all infrastructure improvements (water, sewer, storm drainage, roadways, sidewalks, etc.) in "AutoCAD" format as well as a paper copy that is signed and sealed by a licensed design professional, guaranteeing accuracy.

Attachment 1
FP 17-01 - Aerial



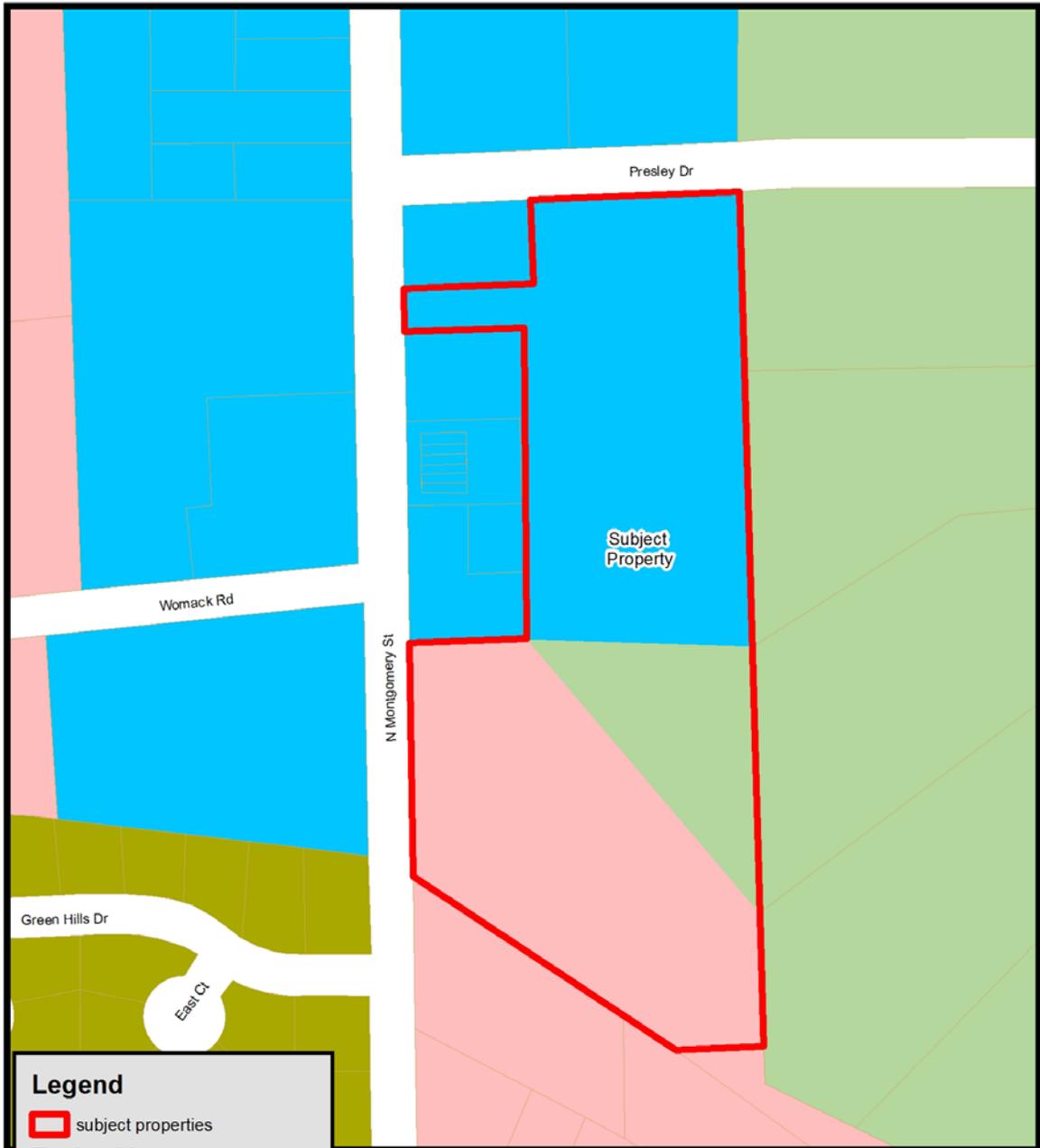
Legend

 subject properties


NORTH

0 50 100 200 300
Feet

Attachment 2
FP 17-01 - Zoning



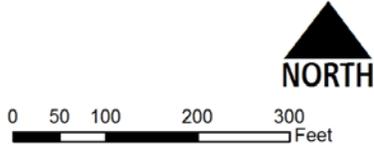
Legend

- subject properties

Zoning Map

ZONING

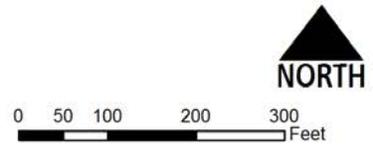
- C-1 Neighborhood Commercial
- R-3 Multi-Family
- R-5 Multi-Family, High-Density
- R-E Residential Estate



Attachment 3
FP 17-01 - Final Plat



Legend
[Red outline] subject properties





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: Harless and Company, Owner: Vickers Personal Care Home LLC

SUBJECT: RZ 17-02 Request by Harless and Company to rezone one lot located at 114 North Montgomery Street from C-2 to T-5 with the property # 117M-00-157.00

DATE: January 10, 2017

The purpose of this report is to provide information regarding the request Harless and Company to rezone one lot located at 114 North Montgomery Street from C-2 to T-5 with the property # 117M-00-157.00. Please see attachments 1-2.

BACKGROUND INFORMATION

The 1960's to Current Zoning map show the subject property as being C-2. The applicant is seeking to rezone from C-2 to T-5 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
117M-00-157.00	C-2	C-2	C-2	C-2

Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	C-2	C-2	C-2	T-5
East	C-2	C-2	C-2	T-5
South	C-2	C-2	C-2	T-5
West	C-2	C-2	C-2	C-2

Zoning and land uses adjacent to the subject property			
Direction	Zoning	Current Use	
North	T-5	Multi-Family Residential	
East	T-5	Multi-Family Residential	
South	T-5	Multi-Family Residential	
West	C-2	Multi-Family Residential/Church	

NOTIFICATION

12 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 December 22, 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 C-2 to T-5. Differences between zones are:

Current 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)

Proposed Zoning District

§ 4 - SPECIFIC TO T5 DISTRICTS.

Lots located within the T5 District shall be subject to the requirements of this section.

7.1 LOTS

- (a) *Subdivisions of existing Lots and new combinations of Lots shall have a minimum width of 18 feet and a maximum width of 120 feet, measured at the Frontage Line.*

7.2 LOT OCCUPATION

- (a) *For Lots less than one-hundred and fifty (150) feet deep, one (1) Primary Building and one (1) Outbuilding may be built on each Lot.*
- (b) *Buildings shall be setback in relation to the boundaries of their Lots as specified on Table 3 and on Table 12.*
- (c) *Primary Buildings may be positioned within the boundaries of a Lot to create a Sideyard, Rearyard, or Courtyard. (see Table 3)*
- (d) *Lot coverage by buildings shall be a maximum of 90% of the Lot area.*
- (e) *Frontage Buildout of Primary building Facades shall be a minimum of 80% at the Setback.*

7.3 BUILDING FORM

- (a) *The Principal Entrance of any Secondary Building shall be oriented toward a Frontage Line, Driveway or the Facade of an Outbuilding.*
- (b) *The maximum height of a Primary Building shall be four (4) stories as specified on Table 3 and on Table 12.*
- (c) *The maximum height of a Secondary Building shall be four (4) stories as specified on Table 3 and on Table 12.*
- (d) *The maximum height of an Outbuilding shall be two (2) stories as specified on Table 3 and on Table 12.*
- (e) *Awnings, Arcades, and Galleries may Encroach the Public Frontage 100% of its width but must clear the Sidewalk vertically by at least eight (8) feet.*

- (f) *Stoops, Lightwells, balconies, bay windows and terraces may Encroach the first Lot Layer 100% of its depth.*
- (g) *A first Story Residential or Lodging Use shall be raised a minimum of three (3) feet from the average grade of the Walkway.*
- (h) *Loading docks and service areas shall be permitted on Frontages by Exception.*
- (i) *In the absence of a building Facade along any part of a Frontage Line, a Streetscreen shall be built along the same vertical plane as the Facade.*
- (j) *Streetscreens shall be between three and a half (3.5) and eight (8) feet in height. The Streetscreen may be replaced by a hedge or fencing by Exception. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.*
- (k) *Buildings with a Commercial Use and paved setback may use the Setback area for outdoor seating.*

7.4 BUILDING USE

- (a) *Buildings may combine two (2) or more Uses listed on Table 5.*
- (b) *The number of dwelling units on each Lot shall be limited by the parking requirements of § 2.6 (see Table 6 and Table 7).*
- (c) *The number of bedrooms available for Lodging Uses listed on Table 5 shall be limited by the parking requirements of § 2.6 (see Table 6 and Table 7), in addition to any parking requirement for any other Use. Any restaurant food service provided shall be considered a separate Use.*
- (d) *The building area available for Office Uses listed on Table 5 shall be limited by the parking requirements of § 2.6 (see Table 6 and Table 7), in addition to any parking requirement for any other Use.*
- (e) *The building area available for Retail Uses listed on Table 5 shall be limited by the parking requirements of § 2.6 (see Table 6 and Table 7), in addition to any parking requirement for any other Use.*
- (f) *Retail Uses under 1,500 square feet shall be exempt from parking requirements.*

7.5 PARKING LOCATION

- (a) *All parking lots, garages and Parking Structures shall be located at the third Lot Layer as illustrated on Table 14.*
- (b) *Vehicular entrances to parking lots, garages and Parking Structures shall be no wider than twenty-four (24) feet at the Frontage.*
- (c) *Pedestrian exits from all parking lots, garages, and Parking Structures shall be exited directly to a Frontage Line (i.e., not directly into a building) except underground levels which may be exited by pedestrians directly into a building.*

7.6 LANDSCAPE

- (a) *The first Lot Layer may be paved.*

7.7 SIGNAGE

- (a) Address, Awning, Band, Blade, Marquee, Nameplate, Outdoor Display Case, Sidewalk, and Window Signs shall be permitted.
- (b) Permitted signage types shall conform to the specifications of Table 8.
- (c) Illuminated signage shall be externally illuminated only, except signage within a Shopfront window may be neon lit.

TABLE 12. T5 BUILDING SETBACKS

	PRIMARY/SECONDARY BUILDING	OUTBUILDING
Front Setback (Principal)	2 ft. min. 15 ft. max.	40 ft. max. from rear
Front Setback (Secondary)	2 ft. min. 15 ft. max.	n/a
Side Setback	0 ft. min. 24 ft. max.	0 ft. or 3 ft. at corner
Rear Setback	3 ft. min.	3 ft. min.
Illustration		

TABLE 13. T5 BUILDING HEIGHT

	PRIMARY/SECONDARY BUILDING	OUTBUILDING
Height (in Stories)	4 stories	2 stories

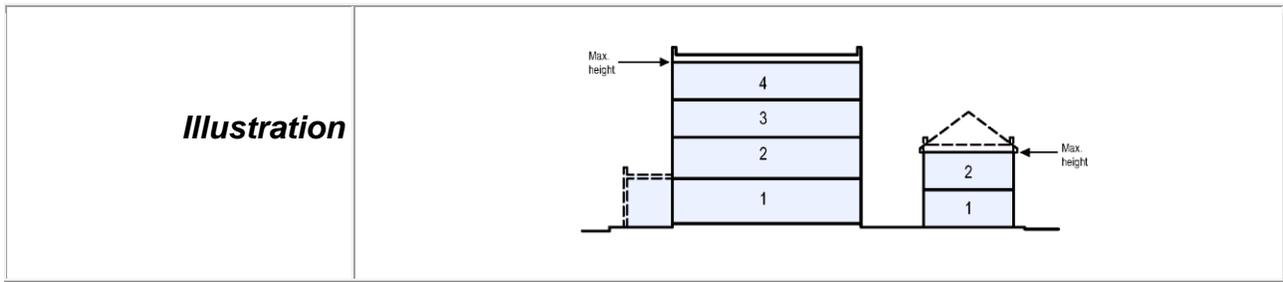


TABLE 14. T5 PARKING PLACEMENT

<p>PARKING PLACEMENT</p> <ol style="list-style-type: none"> 1. Uncovered parking spaces may be provided within the third layer. 2. Covered parking shall be provided within the third layer. 3. Trash containers shall be stored within the third Layer. 	
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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.
 - On January 12, 2012, the Board of Aldermen adopted Form Based Code for MS Highway 182, Main Street, University Drive, Lampkin Street, and Russell Street. As a result, 84 parcels were rezoned to either T District or Civic District. The subject parcel is adjacent to a T5 District parcel to the north and is currently planned to be developed with the parcel to the north as one project.

- On March 15, 2016, one parcel on Hartness Street was rezoned from R-3 to T-5
- On August 8, 2016, one parcel at the corner of University and North Montgomery was rezoned from C-2 to T-5.

Attachment 1
RZ 17-02 Aerial



Legend

 Property


NORTH

0 40 80 160 240
Feet

Attachment 2 RZ 17-02 Zoning



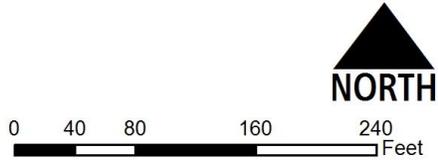
Legend

- Property

Zoning_Map

ZONING

- C-2 General Business
- T5 Form Based Code



Attachment 3- View from the street of subject property facing east

