



**OFFICIAL AGENDA
LANDSCAPE ADVISORY BOARD
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF WEDNESDAY, JANUARY 6, 2021
2ND FLOOR OF CITY HALL IN ROOM 211
110 WEST MAIN STREET AT 11:00 AM**

- I. CALL TO ORDER
- II. ROLL CALL
- III. CONSIDERATION OF THE OFFICIAL AGENDA
- IV. CONSIDERATION OF THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF SEPTEMBER 2, 2020
- V. NEW BUSINESS
 - A. DISCUSSION AND CONSIDERATION OF LW 21-01 A REQUEST FOR LANDSCAPE WAIVERS FROM BUFFER LOCATION AND TREE TYPE REQUIREMENT FOR A TOWNHOME DEVELOPMENT ON LYNN LANE IN AN TN-N ZONE WITH THE PARCEL NUMBER #1021-00-002.00
- VI. ADJOURN

UNAPPROVED

**MINUTES OF THE REGULAR MEETING
OF THE LANDSCAPE ADVISORY BOARD
OF THE CITY OF STARKVILLE,
MISSISSIPPI
SEPTEMBER 2, 2020**

The Landscape Advisory Board held there regularly scheduled meeting at 11:00 AM on September 2, 2020 in the Community Development Department at City Hall. Members physically present were Pete Melby, Richard Harkess, Toby Gray. Joining the meeting via Google Meets were Robert Brzuszek and Scott Willard. Absent from the meeting was Peter Summerlin. Attending the Board meeting were City Planner Daniel Havelin, Assistant City Planner Emily Corban, and Community Development Director Dr. Simon Kim.

**OFFICIAL AGENDA
STARKVILLE TREE ADVISORY BOARD
CITY OF STARKVILLE, MISSISSIPPI
SPECIAL CALL MEETING OF WEDNESDAY, SEPTEMBER 2, 2020
2ND FLOOR CITY HALL – COMMUNITY DEVELOPMENT,
110 WEST MAIN STREET, 11:00 AM**

- I. CALL TO ORDER
- II. ROLL CALL
- III. CONSIDERATION OF THE OFFICIAL AGENDA
- IV. NEW BUSINESS
 - A. LW 20-01 REQUEST FOR LANDSCAPE WAIVERS FROM TREE PROTECTION AND PERIMETER PARKING LOT LANDSCAPE REQUIREMENTS AT 600 HIGHWAY 12 WEST IN A C ZONING DISTRICT WITH THE PARCEL NUMBER 102F-00-053.00
- I. ADJOURN

CONSIDERATION OF THE OFFICIAL AGENDA FOR SEPTEMBER 2, 2020

After discussion and upon the motion of Mr. Gray, duly seconded by Mr. Melby, the motion to approve the official agenda of the Landscape Advisory Board for September 2, 2020 received unanimous approval.

NEW BUSINESS

LW 20-01 REQUEST FOR LANDSCAPE WAIVERS FROM TREE PROTECTION AND PERIMETER PARKING LOT LANDSCAPE REQUIREMENTS AT 600 HIGHWAY 12 WEST IN A C ZONING DISTRICT WITH THE PARCEL NUMBER 102F-00-053.00

City Planner Daniel Havelin presented the request for landscape waiver by Zach Foster, of Neel-Schaffer, Inc. on behalf of Castle Properties for 3 landscape waivers for a proposed shopping center development located at 600 Highway 12 West in a C zoning district with the parcel number 102F-00-053.00. The applicant is designing a proposed shopping center located at the current site of Garan Inc. The current tenant is in the process of constructing a new facility at NorthStar Industrial Park. Once they have relocated, the intent is to begin construction of a proposed shopping center currently named @12.

The applicant is requesting 3 landscape waivers from 2 sections of the Unified Development Code. The first waiver request is to remove all 63 existing trees within the building setback lines. The second waiver request is to install an attractive wooden privacy fence along the top of the proposed retaining wall at the rear lot line in lieu of the 26 canopy trees required by Section 14.6.2 – Development Standards Chart. The third waiver request is to install an attractive wooden privacy fence along the top of the proposed retaining wall at the rear lot line in lieu of continuous row of shrubs required by Section 14.6.2 – Development Standards Chart.

The applicants, Zach Foster, Alton Lewis, and Mark Castleberry came forward to speak in favor of the request.

After discussion among the Board Members, the Board deliberated. After discussion and upon the motion of Mr. Harkess, duly seconded by Mr. Brzuszek, the motion to approved

LW 20-01 request # 1 was approved 4 to 1 with Mr. Melby being the dissenting vote. Upon the motion of Mr. Harkess, duly seconded by Mr. Gray, the motion to approve LW 20-01 request # 2 was approved unanimously with the recommended condition that an attractive privacy fence shall be installed with greenery in the form of shrubs or vines be planted on the north side of the fence to break up the aesthetics of the retaining wall. Upon the motion of Mr. Gray, duly seconded by Mr. Willard, the motion to approve LW 20-01 request # 3 was approved unanimously.

ADJOURNMENT

There being no further business before the Landscape Advisory Board, the Board adjourned the meeting.

Richard Harkess, Chair

Daniel Havelin, City Planner



THE CITY OF STARKVILLE
PLANNING DEPARTMENT
LANDSCAPE ADVISORY BOARD
CITY HALL, 110 WEST MAIN STREET
STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

To: Members of the Landscape Advisory Board
From: Daniel Havelin, City Planner (662-323-2525 ext. 3136)
Emily Corban, Assistant City Planner (662-323-2525 ext. 3138)
Subject: LW 21-01 A request for Landscape Waivers from buffer location and tree type requirement for a townhome development on Lynn Lane in an TN-N zone with the parcel number #1021-00-002.00
Date: January 6, 2021

The purpose of this report is to provide information regarding a Landscape Waiver Request by Andy Fornea, of A.S. Fornea Construction on behalf of Dallas Richmond, Sean Richmond, W. Labon Richmond for 2 landscape waivers for a proposed townhome development located on Lynn Lane in an TN-N zone with the parcel number #1021-00-002.00. Please see attachments 1- 4.

BACKGROUND INFORMATION

The applicant is proposing building a 42-unit townhome development on the site. A special exception for the use of townhomes was approved by the Board of Aldermen on May 5, 2020. As part of the approval, a 20' wide Type C landscape buffer along the northern property line was required. The Development Review Committee has started site plan review of the project. During the site plan review, a conflict between the required landscape buffer on the north side of the property and the utility easement was discovered. Section 14.12.3.C of the Unified Development Code (UDC) does not permit a buffer to be located within a "public utility easement". The applicant is requesting to use part of the utility easement as part of the buffer. To accomplish this, the applicant will need to use tree species that won't interfere with the operation and maintenance of the overhead powerline. The applicant has worked with Starkville Utilities in the selection and location of several species of small trees. If the request for landscape waiver is recommended for approval or denial, the applicant's requests will be heard by the Board of Aldermen at the January 19, 2021 meeting.

LANDSCAPE WAIVER REQUEST

1. **Locating required buffer within existing utility easement-** Section 14.12.3.C- States that the buffer is not permitted within a public utility easement but the required buffer may abut the easement.
 - a. **Request:** Allow for the use of the utility easement to meet the buffer requirements
 - b. **Reasoning:** The utility easement is 30' wide and the required buffer is 20' wide. If the buffer is required to abut the easement, it would result in 50' wide unbuildable area on the north side of the site.
2. **Canopy Trees requirement within buffer-** Section 14.12.2.C.2- Requires a minimum of one (1) canopy tree shall be planted every thirty (30) feet along the entire length of the buffer. As defined in Section 18, a canopy tree is a tree which typically grows to a mature height of at least 35 feet.
 - a. **Request:** Allow for the use of tree species that do not meet the definition of a canopy tree.
 - b. **Reasoning:** To avoid interference with the operation and maintenance of the overhead powerline, Starkville Utilities will not allow for any tree with a mature height of more than 20' to be placed within the utility easement.

CRITERIA FOR LANDSCAPE WAIVER REVIEW AND APPROVAL (Section 3.11.1)

- A. That special conditions and circumstances exist which are peculiar to the property involved, and the same conditions are not applicable to other properties in the surrounding area.
- B. That the literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.
- C. That the hardship has not resulted from the actions of the applicant.
- D. That granting the waiver requested will not confer on the applicant any special privilege that is denied by this Code to other properties in the same district.
- E. That granting the waiver is the minimum waiver that will make possible the reasonable use of the property.
- F. That the granting of the waiver will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to surrounding areas or otherwise detrimental to the public welfare.

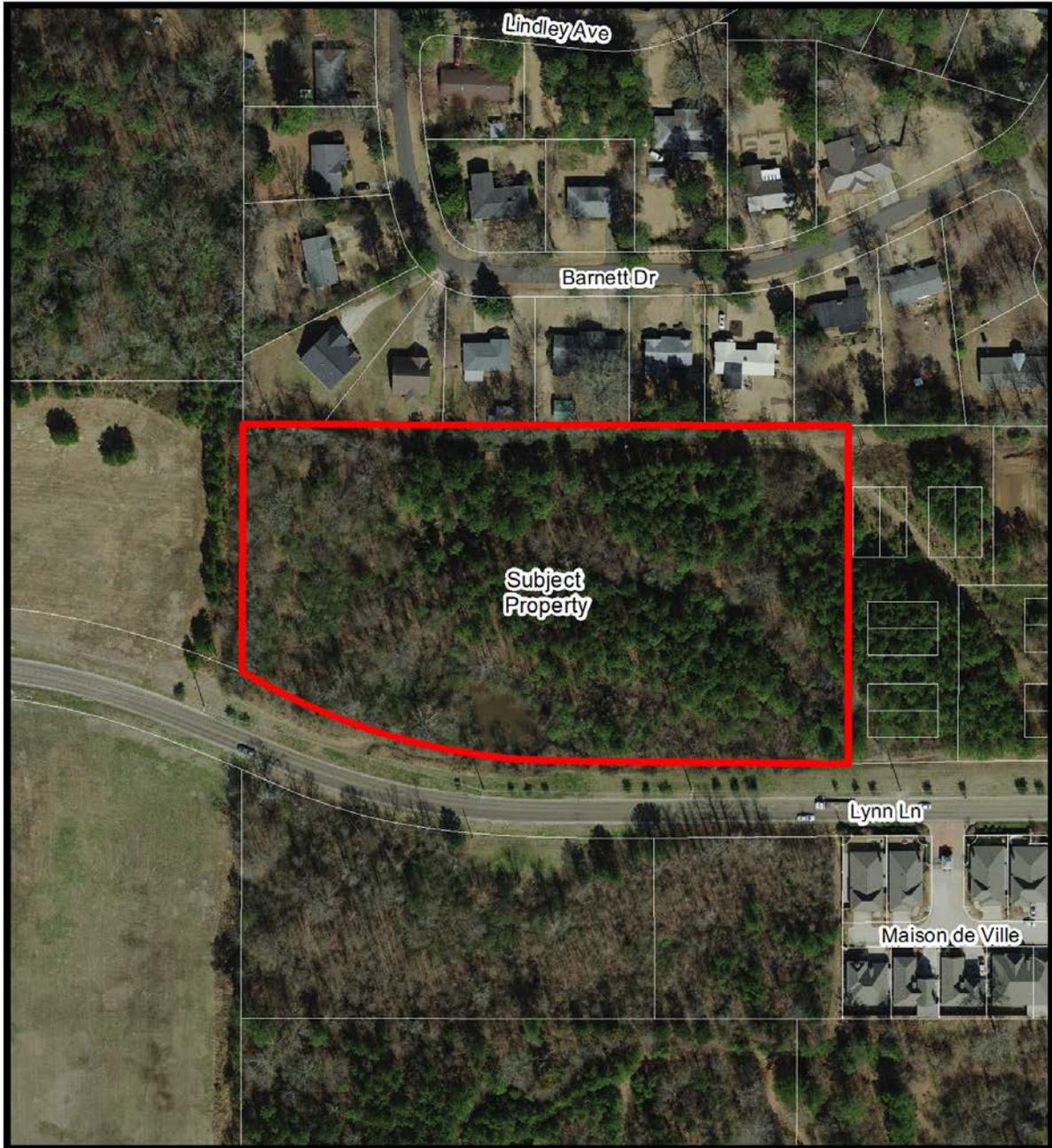
ANALYSIS

In the opinion of the Planning Department the proposed landscape waiver request could meet the criteria for landscape waiver review and approval. The proposed landscape plan with the required fence should accomplish the intent of the buffer.

CONDITIONS OF APPROVAL

The Mayor and Board of Aldermen may attach conditions in accordance with the approval. Conditions attached to the approval of a landscape waiver shall run with the land and shall be binding upon the applicants, their heirs, successors, and assigns for the duration of the use of the building, and/or site.

Attachment 1
LW 21-01 Aerial



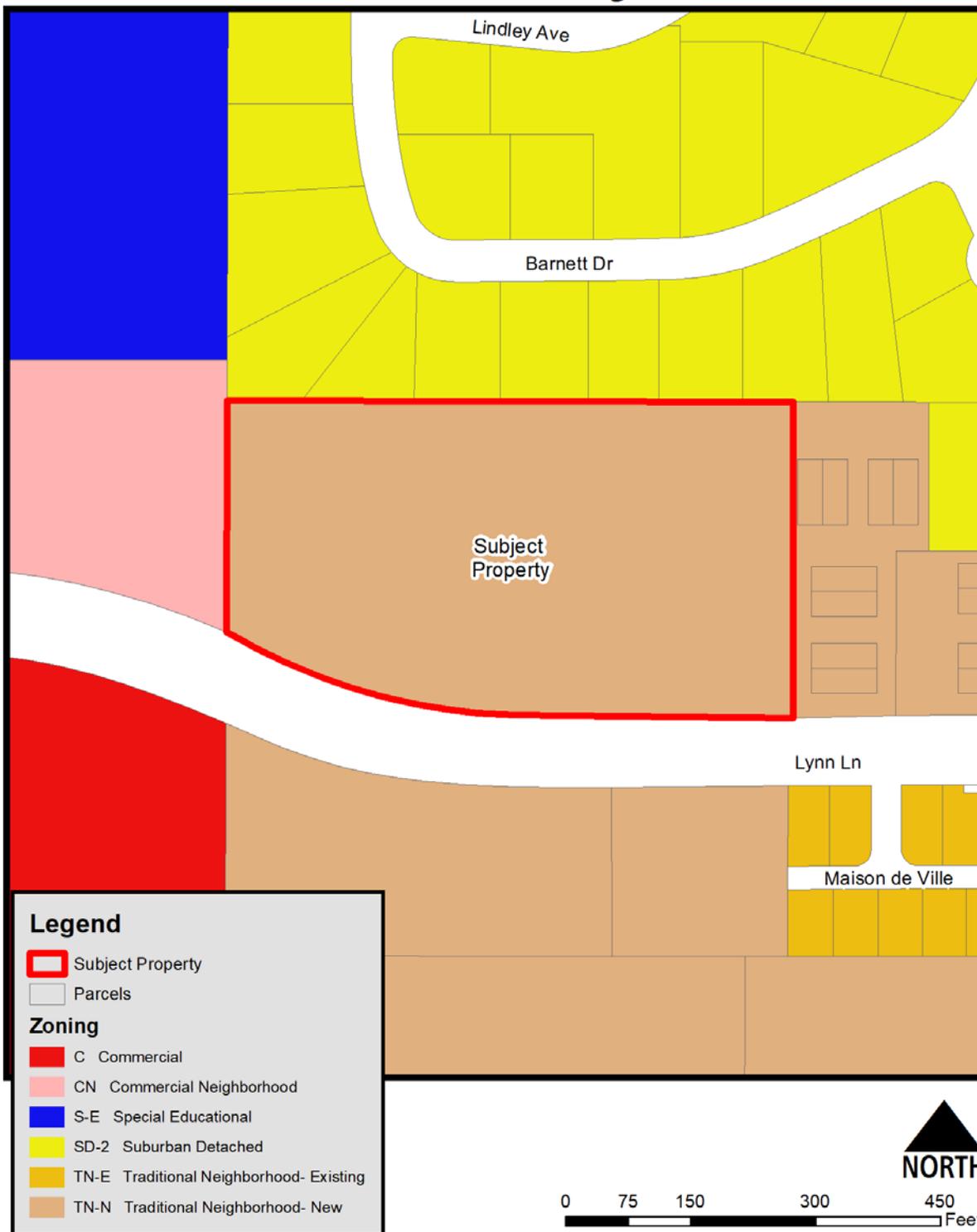
Legend

-  Subject Property
-  Parcels


NORTH

0 75 150 300 450
Feet

Attachment 2
LW 21-01 Zoning



Attachment 3- Development Layout and Location



