

**APPROVED MINUTES OF THE MEETING OF
THE PLANNING AND ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI OCTOBER 11, 2022**

Be it remembered that the members of the Planning and Zoning Commission of the City of Starkville held a meeting on October 11, 2022 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS.

There being physically present at the meeting were Chairman Jeremiah Dumas, Ward 6, Kim Moreland, Ward 1, Vicki West, Ward 2, Kelly Prather, Ward 3, Carl Smith, Ward 4, Alexis Gregory Ward 5, and Tommy Verdell Jr., Ward 7. Physically present attending the Commissioners were City Planner Daniel Havelin, Assistant City Planner Lyle McCaskey, and Assistant City Attorney Jason Sharp.

Chairman Dumas opened the meeting with the Pledge of Allegiance followed by a moment of silence.

IV. CONSIDERATION OF THE OFFICIAL AGENDA

There came for consideration the matter of the approval of the Official Agenda of the Planning and Zoning Commission of October 11, 2022 as presented.

**OFFICIAL AGENDA
PLANNING & ZONING COMMISSION
CITY OF STARKVILLE, MISSISSIPPI
MEETING OF TUESDAY OCTOBER 11, 2022
1ST FLOOR CITY HALL – COURT ROOM
110 WEST MAIN STREET AT 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 THE APPROVAL OF MINUTES
 - A. CONSIDERATION OF THE UNAPPROVED MINUTES OF SEPTEMBER 13, 2022
- VI. CITIZEN COMMENTS
- VII. NEW BUSINESS
 - A. PUBLIC HEARING AND CONSIDERATION OF SE 22-05 A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A REDUCTION IN THE MINIMUM PARKING REQUIREMENTS FOR A PROPOSED DEVELOPMENT ON THE THREE LOTS ON RUSSELL STREET AT THE NORTHWEST CORNER OF THE INTERSECTION WITH JARNIGAN STREET IN A T5-C ZONING DISTRICT
 - B. PUBLIC HEARING AND CONSIDERATION OF UE 22-03 A REQUEST FOR A USE EXCEPTION TO ALLOW FOR THE USE "OFFICES-PROFESSIONAL" AT 400 GREENSBORO STREET IN A TN-E ZONING DISTRICT
- VIII. ADJOURN

After discussion and upon the motion of Commissioner Gregory, duly seconded by Commissioner Prather, the motion to approve the official agenda of the Planning and Zoning Commission for October 11, 2022 received unanimous approval.

V. CONSIDERATION FOR THE APPROVAL OF MINUTES

A. CONSIDERATION OF THE UNAPPROVED MINUTES OF SEPTEMBER 13, 2022

After discussion and upon the motion of Commissioner Smith, duly seconded by Commissioner Moreland, the motion to approve the revised minutes of the Planning and Zoning Commission for September 13, 2022 with revisions received unanimous approval.

VI. CITIZEN COMMENTS

The Chair opened up the meeting for citizen comments.

Calling for and receiving no comments, the Commission moved to New Business.

VII. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF SE 22-05 A REQUEST FOR A SPECIAL EXCEPTION TO ALLOW FOR A REDUCTION IN THE MINIMUM PARKING REQUIREMENTS FOR A PROPOSED DEVELOPMENT ON THE THREE LOTS ON RUSSELL STREET AT THE NORTHWEST CORNER OF THE INTERSECTION WITH JARNIGAN STREET IN A T₅-C ZONING DISTRICT

City Planner Daniel Havelin presented the request by Tabor Construction & Development on behalf of Shackelford Investments, LLC, Tyrone Ellis, and Rena Ellis to allow for a reduction in the minimum parking requirements for a proposed development located at 403 and 405 Russell Street including the vacant lot at the northwest corner of Russell Street and Jarnigan Street. All three lots are in a T-5C zoning district. The applicant is currently proposing to develop the site into a mixed-use development with residential and commercial units in two buildings. The parking for the site will be located in the rear of the property and new street parking will be added along Russell Street. The three existing lots will be combined into two lots. Each lot will have one mixed use building, but both lots will share the proposed parking. The residential portion requires one space per bedroom. The total bedroom count for the project is 41 (10 one bedrooms, 8 two bedrooms, and 5 three bedrooms). The parking for the non-residential portion will vary based on the use. Assuming a total square footage of 2,700 per building, the required parking for the non-residential portion of each building is 4 spaces per building. Using the Parking Occupancy Rates chart found in Section 14.10.4 of the Unified Development Code, the total number of required parking is 48 spaces. The proposed site plan shows 39 parking spaces. The requested reduction in amount of required parking would be approximately 19%. There are 8 criteria for Special Exception review and approval that apply to all

zoning districts. In form-based districts, special exception must also be consistent with the intent of the form-based districts. Section 5.1.1 has the intent of the form-based districts.

The request was noticed in accordance with Section 3.4.3.E of the Unified Development Code. 13 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on September 11, 2022. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received three phone calls. One for, one against, and one requesting information about the request. Staff has also received two letters against the request and four letters in support of the request.

This request is also a part of a variance request from lot width and building frontage. The Board of Adjustment and Appeals recommended the variances for approval.

Chairman Dumas opened the item for discussion.

Jeremy Tabor came forward to speak in favor of the request.

Robert Camp came forward to speak in favor of the request.

Pastor Lawrence Tate came forward to speak against the request.

John Montgomery came forward to speak against the request.

John Hartlein came forward to speak against the request.

Jeremy Tabor came forward again to speak in favor of the request.

Calling for and receiving no additional comments, Chairman Dumas closed the public hearing and opened the item up for discussion amongst the Commissioners.

After discussion and upon the motion of Commissioner Verdell, duly seconded by Commissioner Prather, the motion to approve the request passed by a vote of 4-2 with Commissioner Gregory and Commissioner West voting against.

B. PUBLIC HEARING AND CONSIDERATION OF UE 22-03 A REQUEST FOR A USE EXCEPTION TO ALLOW FOR THE USE "OFFICES-PROFESSIONAL" AT 400 GREENSBORO STREET IN A TN-E ZONING DISTRICT

City Planner Daniel Havelin presented the request by Will and Stephanie Arnett to allow the operation of a Real Estate Brokerage office in the house located at 400 Greensboro Street in a TN-E residential zoning district. The applicant will not reside in the home. Therefore, the use is classified as a commercial use and not a home occupation residential use. The Use Chart in Section 13.3 of the Unified Development Code requires a Use Exception or Special Exception for the use "Offices-Professional" in a TN-E zoning district. The proposed use does not require the construction of a new building or major modification to an existing building or site. Therefore, the request will be reviewed as a Use Exception. There are 6 criteria for Use Exception review and approval.

The request was noticed in accordance with Section 3.5.3.E of the Unified Development Code. 15 property owners of record within 160 feet of the subject property were notified directly by mail of the request. A legal ad was published in the Starkville Daily News on September 20, 2022. A sign was posted on the property in a conspicuous location.

As of this date, the Planning Office has received three calls requesting information. Five phone calls, seven emails, one letter, and one in person office visit against the request. Staff also received a petition against the request signed by 42 individuals.

Chairman Dumas opened the item for discussion.

Will Arnett came forward to speak in favor of the request.

Jeremy Murdock came forward to speak against the request.

Joe Fratesi came forward to speak against the request.

Jamie Mixon came forward to speak against the request.

Michelle Jones came forward to speak against the request.

Gary Shaffer came forward to speak against the request.

Will Arnett came forward again to speak in favor of the request.

Stephanie Arnett came forward to speak in favor of the request.

Calling for and receiving no additional comments, Chairman Dumas closed the public hearing and opened the item up for discussion amongst the Commissioners.

After discussion and upon the motion to deny the request by Commissioner Gregory, duly seconded by Commissioner Smith, the motion to deny was unanimous approved.

VIII. ADJOURN

There came for consideration the matter of the approval of the motion to adjourn until 5:30 p.m. on November 8, 2022, in the Courtroom of City Hall located at 110 West Main Street, Starkville MS.

After discussion and upon the motion to adjourn until 5:30 p.m. on November 8, 2022 in the Courtroom located at 110 West Main Street, Starkville MS by Commissioner Moreland, duly seconded by Commissioner Smith, the motion was unanimously approved.

Jeremiah Dumas, Commission Chair

Daniel Havelin, City Planner