



**CITY OF STARKVILLE
RECOMMENDATION FOR BOARD ACTION**

**AGENDA ITEM NO: XI.B.2.b
AGENDA DATE: 01/06/2015
PAGE: 1 of**

SUBJECT: RZ 14-07: Rezoning request by Moreland Real Estate, LLC to rezone 0.59 acre +/- located at 1769 Louisville Street from R-3 Multi-Family to C-2 General Business. Applicant has stated that the proposed use for the subject property is for mini-storage units.

FISCAL NOTE: N/A

**REQUESTING
DEPARTMENT:** Community Development

**DIRECTOR'S
AUTHORIZATION:** Buddy Sanders

FOR MORE INFORMATION CONTACT: Buddy Sanders @ (662) 323-2525, Ext. 119

PRIOR BOARD ACTION: N/A

BOARD AND COMMISSION ACTION: At the December 9, 2014 Planning and Zoning Commission meeting the Commission voted unanimously by present Planning Commission members to approve the subject rezoning.

PURCHASING: N/A

DEADLINE: N/A

AUTHORIZATION HISTORY:

<u>AMOUNT</u>	<u>DATE – DESCRIPTION</u>
---------------	---------------------------

ADDITIONAL INFORMATION: N/A

ADDITIONAL INFORMATION: A legal ad was published, letter mailed and a sign was posted at least fifteen days prior to the subject Board of Aldermen meeting.



THE CITY OF STARKVILLE
 COMMUNITY DEVELOPMENT DEPT
 CITY HALL, 101 E. LAMPKIN STREET
 STARKVILLE, MISSISSIPPI 39759

STAFF REPORT

TO: Members of the Planning & Zoning Commission
FROM: Daniel Havelin, City Planner (662-323-2525 ext. 136)
CC: Moreland Real Estate LLC, Applicant
SUBJECT: RZ 14-08: Rezoning request for parcel located at 1769 Louisville Street. 105L-00-008.00
DATE: December 9, 2014

The purpose of this report is to provide information regarding the request of Moreland Real Estate LLC to rezone their property from R-3 Multifamily to C-2 General Business. The applicant is seeking to Rezone a +/- 0.59 acre parcel that is currently vacant. The parcel is located on the west side Louisville Street between Henderson Road and Warrior Drive. Please see attachments 1-7.

BACKGROUND INFORMATION

The earliest zoning map (1960's-1970's Map) that staff has available illustrates the subject property as being not within the city limits of Starkville. This is also the case for the 1982 zoning. The 2000 Map has the property within the city limit lines and zoned R-3. The property is currently zoned R-3 of the Current Map.

The subject property is part of a two parcel purchase made by the applicant. The other parcel, located to the north, is the former meeting hall for the Shrine Club. The meeting hall was used from 1976 to November 2013 when the main building was severely damaged by fire. The parcel that the meeting hall is located on is zoned C-2 and has been since being incorporated into the City of Starkville. The subject parcel is currently an open field located south of the meeting hall and is zoned R-3.

Zoning Change Subject Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
105L-00-008.00	Not in Qty	Not in Qty	R-3	R-3
Zoning Change Adjacent Properties				
Properties	1960s-1970s Map	1982-1991 Map	2000 Map	Current Map
North	Not in Qty	Not in Qty	C-2	C-2
East	Not in Qty	Not in Qty	R-3	R-3
South	Not in Qty	Not in Qty	R-3	R-3
West	Not in Qty	Not in Qty	R-3	R-3

Zoning and land uses adjacent to the subject property		
Direction	Zoning	Current Use
North	C-2	Former Shriner's Building Destroyed by fire
East	R-3	Single Family Residence
South	R-3	Single Family Residence
West	R-3	Single Family Residence

NOTIFICATION

32 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 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 call against this request.

REZONING REQUEST

The subject rezoning requests are from R-3 Multifamily to C-2 General Business. Differences between R-3 and C-2 zones are:

Current Zoning District

Sec. E. - R-3 residential zoning regulations.

These [R-3 residential] districts are intended to be composed mainly of multifamily residential properties, with single-family and duplex properties permitted. Under special conditions, mobile home subdivisions and mobile home parks are also permitted. Appropriate neighborhood supporting facilities are provided for and the district's open residential character is protected by requiring certain minimum yard and area standards. [The following regulations apply to R-3 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, one-family dwelling: 5,000 square feet.
 - b. Minimum lot area, duplex dwelling: 7,000 square feet.
 - c. Minimum lot area, triplex dwelling: 9,000 square feet.
 - d. Minimum lot area, fourplex dwelling: 11,000 square feet.
 - e. Minimum lot width at the building line:
 - One-family dwelling: 50 feet.
 - Duplex, triplex or fourplex: 70 feet.
 - f. Minimum depth of front yard: 25 feet.
 - g. Minimum depth of rear yard: 20 feet.
 - h. Minimum width of each side yard: Five feet.
 - i. Maximum height of structure: 45 feet.
4. Off-street parking requirements: See article VIII of this ordinance for requirements for other uses.

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 maybe used as long as the panels make up less than 40% 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 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.

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 parcel was zoned R-3 when the City annexed the area. The parcel that the meeting hall is located on has been zoned C-2 since annexation. The subject parcel has always been a part of the Shriner's Club property. There appears to be an error in the zoning map for the subject parcel.

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.

REQUIRED CONDITIONS

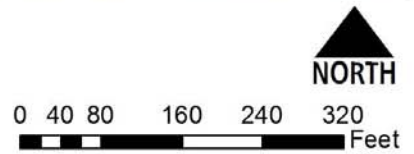
1. If the property were to be rezoned C-2, a 30' Buffer Yard between the property and residential property would be required per Landscape Ordinance Section 8 Buffer yard and screening of low impact and high impact uses.

Attachment 1
RZ 14-08 Aerial

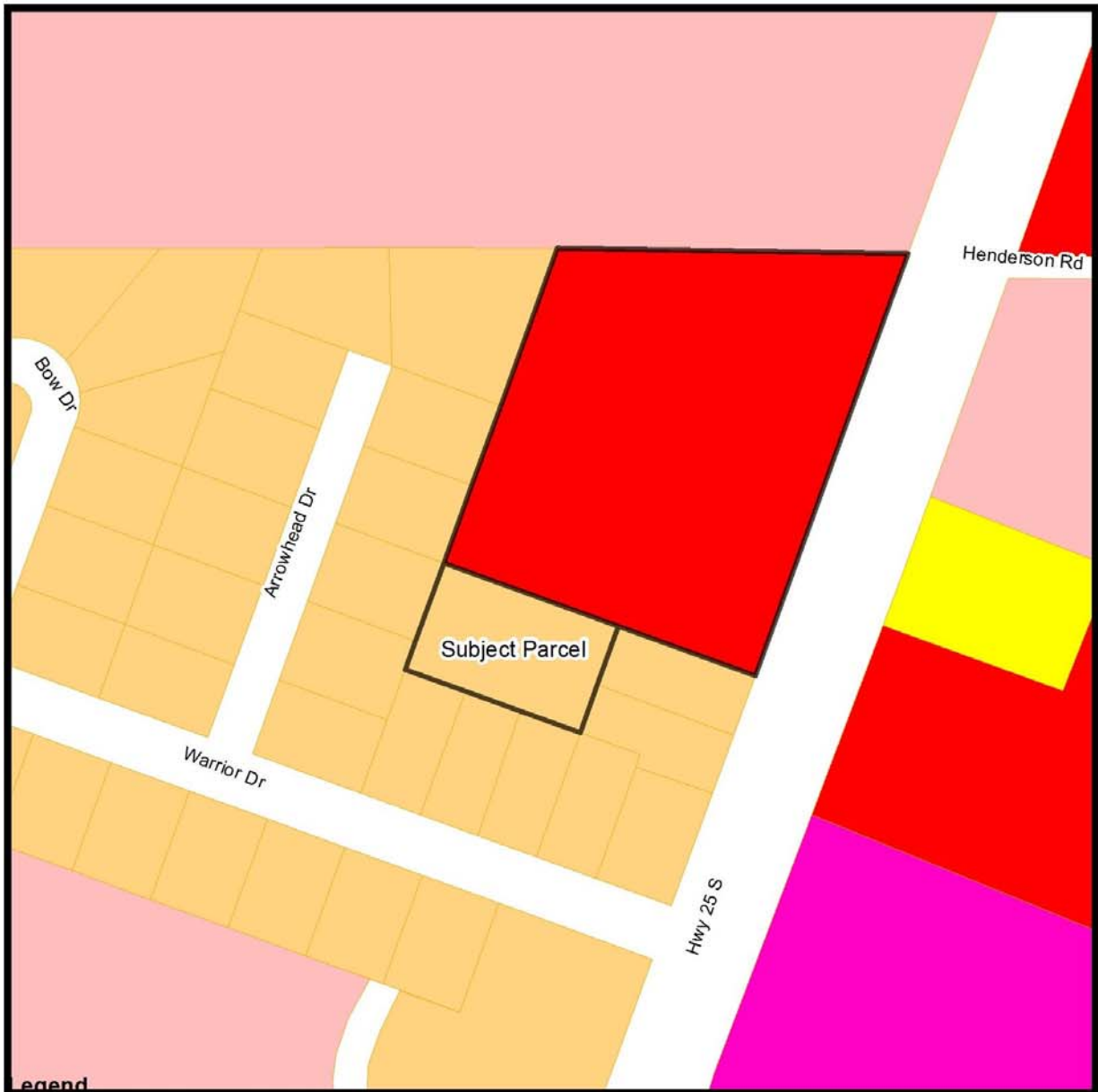


Legend

 property

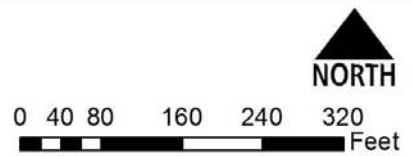


Attachment 2
RZ 14-08 Zoning

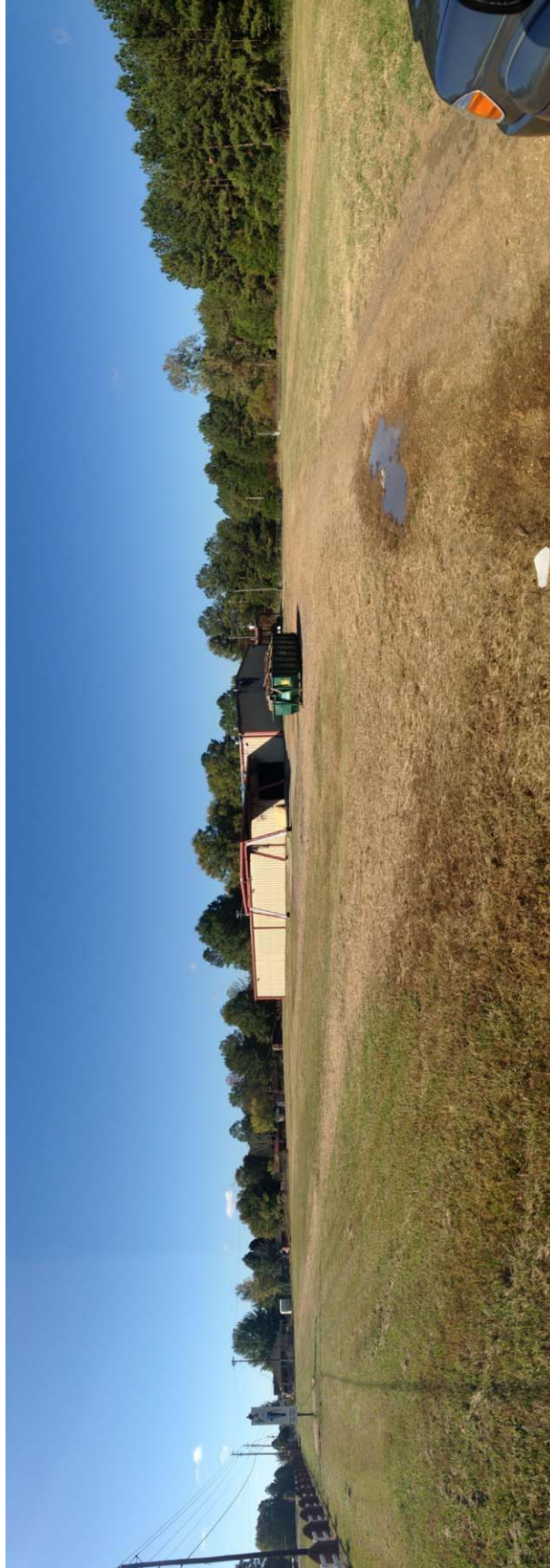


Legend

-  property
-  C-2 General Business
-  R-1 Single Family
-  R-3 Multi-Family
-  R-5 Multi-Family, High-Density
-  R-6 Mobile Homes/MHP/MHS



Attachment 3



View looking west from Louisville Street at existing Meeting Hall

Attachment 4



View looking south at Subject Parcel

Attachment 5



View looking east from Subject Parcel

Attachment 6



View looking west from subject parcel

Attachment 7

Dan Moreland
PO Box 1250
Starkville, MS 39760

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

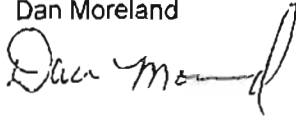
Mr. Sanders,

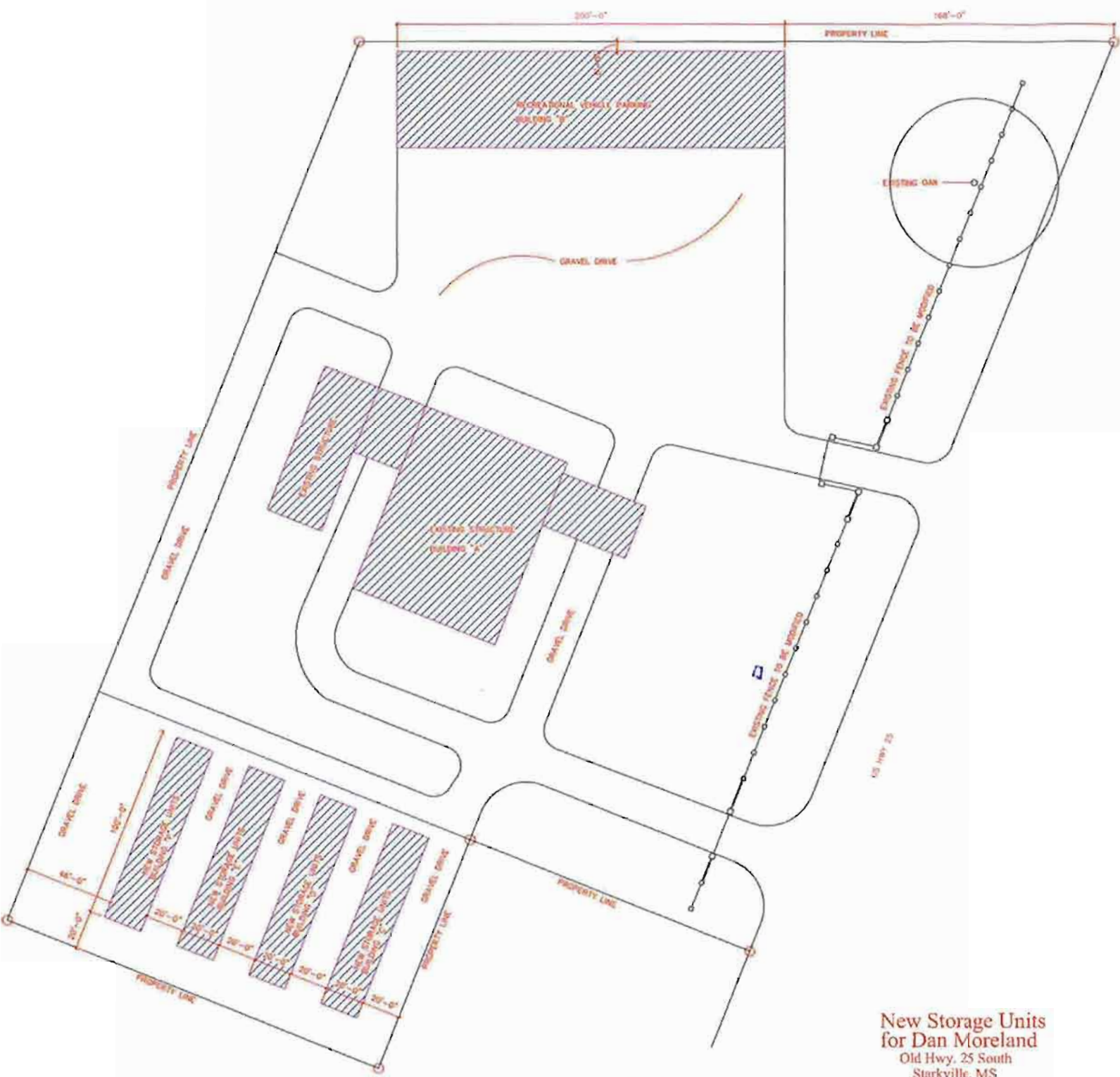
I purchased the property on old Highway 25 south formerly known as the Shrine Club. The property was in two parcels, both was suppose to be zoned C-2. When requiring the deed for Moreland Real Estate LLC, Julie Brown discovered that one parcel (.6 acres) is zoned R-3. My plans are to build storage units on the .6 acres. In order to do this I am requesting this .6 acres to be rezoned to C-2

I have enclosed a sight plan for the two parcels. The property is located within 300 yards of the county line and the rezoning would improve this part of the city.

Thank you,

Dan Moreland

A handwritten signature in cursive script that reads "Dan Moreland". The signature is written in black ink and is positioned below the printed name.



SITE PLAN

SCALE: 1/32" = 1'-0"



**New Storage Units
for Dan Moreland**
Old Hwy. 25 South
Starkville, MS