

**APPROVED**

**MINUTES OF THE OF THE PLANNING & ZONING COMMISSION  
SPECIAL CALL MEETING OF MAY 20, 2010  
THE CITY OF STARKVILLE, MISSISSIPPI**

The Planning & Zoning Commission of the City of Starkville, Mississippi held a special call meeting in the Building Department at 101 E. Lampkin Street, Starkville, Mississippi, commencing at 5:30 PM. Present were Commissioners Dora Herring, James Hicks, Jerry Emison, Jason Walker, Jeremy Murdock, Ira Loveless and John Moore. The meeting was called to order by Commission Chairman Dora Herring. Attending the Commissioners were City Attorney Chris Latimer, City Planner Ben Griffith and Recording Secretary Sara McHann.

**AN ORDER APPROVING THE WRITTEN AGENDA**

The Commission considered the matter of approval of the written agenda dated May 20, 2010. After discussion and upon the motion of Commissioner Moore, seconded by Commissioner Loveless, the Commission voted unanimously to approve the written agenda as presented.

**CITIZEN COMMENTS**

Chairman Herring asked if any member of the public cared to address the Commission. Real Estate Agent Terry McFarland addressed the Commission concerning the conditional use item on the agenda. Mr. McFarland stated that he believes this is a good project and throughout his travels, he has seen this type of project all over the country and it seems to work very well. No other comments were received from the audience.

**A PUBLIC HEARING REQUESTED BY TABOR PROPERTIES, LLC TO APPROVE A  
CONDITIONAL USE TO ALLOW MULTI-FAMILY RESIDENTIAL USE IN A C-2  
(GENERAL BUSINESS) ZONE, LOCATED AT 703 SPRING STREET IN WARD 4**

Next there came before the Commission item #CU 10-02: a public hearing requested by Tabor Properties, LLC to approve a conditional use to allow multi-family residential use in a C-2 (General Business) zone, located at 703 Spring Street in Ward 4.

This request was tabled at the May 11, 2010 Planning & Zoning meeting. Commissioner Emison made a motion to remove the request from the table. Commissioner Hicks seconded the motion and the Commissioners voted unanimously to remove the request from the table.

After a brief discussion and a motion by Commissioner Emison, which was seconded by Commissioner Loveless, the Commission voted unanimously to reopen the public hearing.

The City Planner read a brief introduction of the item for the benefit of the Commissioners who were not present at the May 11<sup>th</sup> meeting. Mr. Larry Tabor of Tabor Properties, LLC addressed the Commission, presenting two letters of support; one from the Greater Starkville Development Partnership and another from Albert C. Clark. Mr. Tabor stated that the existing University Inn would be converted into fifty condominiums which would be offered for fee-simple sale, with each unit being individually owned. He stated that the owners would be offered the opportunity to participate in a proposed condominium-hotel program which would be operated in conjunction with a proposed hotel which would be part of the Cotton Mill Marketplace. There would be a condominium association and covenants will be required. The project would be renovated according all city requirements and building codes. Mr. Tabor stated that Tabor Development, LLC will purchase the entire University Inn hotel site but that the conditional use only applied to the northern building. He added that there have been several hotel and restaurant chains who have contacted the Tabors concerning locating in this area.

Mr. Steve Langston of Sullivan Office Supply spoke in support of the project. Mr. Langston said he believes this project will be an asset to the area. He added that the Tabor's are residents of the community and whatever they do will be in the community's best interest.

Mr. Jeremy Tabor of Tabor Development, LLC addressed the Commission and stated that he is the president of Tabor Development, LLC and will personally oversee all construction associated with the project. He added that the project is similar to a successful one in Oxford and that this project would produce income and improve the looks of the area.

Chairman Herring then asked for additional public comments and when none were received, closed the public hearing.

Commissioner Hicks and Chairman Herring discussed the differences between a condo and a condo-hotel. Larry Tabor stated that the Cotton Mill Marketplace has plans for a 120-room hotel and that his project could make extra rooms available, if needed, for a conference. Terry McFarland explained how the condo-hotel would work and the benefits to the City, especially for MSU and SEC sporting events.

Commissioner Emison stated that he is concerned with the land use and asked if this is the best use of the land. He added that whether they were condominiums or apartments was not the primary concern, but whether it was the best use of the land. He and Commissioner Loveless discussed the actual use which was being requested and which would be approved. Commissioner Loveless recalled the "Belfry" condo project on Russell Street and wondered aloud if there was really as much demand as being reported.

Commissioner Emison stated that even though the property was zoned C-2, the Commission was being asked to allow an R-5 land use and that he was having a hard time visualizing the larger picture without seeing how the building to the south and the swimming pool area would be included. Jeremy Tabor answered by reviewing the Cotton Mill Marketplace project and used the chicken-and-egg dilemma for development, stating that retail attracts residential and that residential attracts retail. He added that eventually it would be a mixed-use development and that these mixed-uses work especially well in college towns. Commissioner Emison acknowledged this and added that the site has great strategic value due to its location and that the larger picture should be considered, adding

that undesirable uses could take place in C-2 which could be detrimental to future development. Larry Tabor stated that he had been in discussions with different hotels and several restaurants and that by the time remodeling is underway, he should have a better idea of how the rest of the site would be developed and used.

Commissioner Walker stated that he is concerned with the drainage pipe that runs through the property and underneath the building. He stated that he would like to see it opened and perhaps create an amenity of Catalpa Creek like the “Riverwalk” in San Antonio, Texas, which in reality is just a drainage ditch. Commissioner Walker stated that what Starkville really needed was a great vision, not just selling condos to alumni. He added that he had just returned from Holland and that they didn’t simply put water in a pipe.

Mr. Latimer stated that the request was a conditional use, not a zoning change. He added that the Commissioners should filter all the evidence through the five test criteria on page 3 of the staff report, as that test provides the framework for the decision.

Jeremy Tabor stated that the proposed floor plans were more similar to a hotel such as an “Embassy Suites” since most stays would be about two nights, which was far different from his development at “Pitot House” at the former “Gales” apartments, which was more residential in nature. Larry Tabor reviewed the amenities proposed and stated that his proposal would be a good project for the City of Starkville.

Commissioner Moore asked if someone else had made the request would the Commission be consistent because he felt there were outstanding questions concerning the property surrounding the hotel. Commissioner Emison answered that the applicant was purchasing two parcels but that the request was only for the northern parcel. Commissioner Murdock stated that the Commissioners review all requests on a case-by-case basis, and that despite some technical issues, he likes the project and believes it would breathe new life into a property which truly needs it.

Commissioner Moore asked about liability if the request was denied and Mr. Latimer answered that if the Commissioners’ decision was based on substantial evidence and was not arbitrary or capricious, liability would be unlikely.

After much discussion among the Commissioners regarding occupancy, use and conditions, Commissioner Emison made a motion to recommend approval of the request with the conditions recommended by staff and the addition of two more. First, that the applicant shall convey a drainage easement to the city which shall be approved by the City Attorney and Engineer; and second, that the applicant shall obtain Certificates of Occupancy within 18 months of approval by the Board of Aldermen. Commissioner Walker seconded the motion and the Commission voted unanimously to recommend approval of the request to the Mayor and Board of Aldermen.

## **ADJOURNMENT**

Commissioner Hicks made a motion to adjourn the meeting at 6:50 PM. The next scheduled meeting will be Tuesday June 8, 2010, at 5:30 PM in the City Hall Courtroom.

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Dora Herring, Chairman

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Ben Griffith, AICP, City Planner