APPROVED

MINUTES OF THE PLANNING & ZONING COMMISSION MEETING OCTOBER 8, 2013 THE CITY OF STARKVILLE, MISSISSIPPI

The Planning & Zoning Commission of the City of Starkville, Mississippi, held its regularly scheduled meeting in the City Hall Courtroom at 101 E. Lampkin Street, Starkville, Mississippi, commencing at 5:30 PM. Present were Commissioners Michael Brooks, Jerry Emison, Dora Herring, James Hicks, Ira Loveless, John Moore, and Jeremy Murdock. The meeting was called to order by Commission Chair Jerry Emison. Attending the Commissioners were City Attorney Chris Latimer, City Planner Buddy Sanders, and Recording Secretary Bill Green.

AN ORDER APPROVING THE WRITTEN AGENDA

The Commission considered the matter of approval of the written agenda dated October 8, 2013. Commissioner Murdock made a motion to approve the written agenda as presented. The motion was duly seconded by Commissioner Moore, and without further discussion the Commission voted unanimously to approve the written agenda as presented.

AN ORDER APPROVING THE MINUTES OF THE SEPTEMBER 10, 2013, MEETING

The Commission considered the matter of approval of the minutes of the September 10, 2013, meeting. Commissioner Herring noted that her name was omitted from those being present. City Attorney Chris Latimer asked to be recognized on two points: First, he noted that the August 13, 2013, minutes were tabled and verified that Recording Secretary Green would include the corrected minutes for Commission approval at next meeting. Second, he noted that the listing of Conditional Use criteria on page 3 should be remedied to include Mr. Snowden's explanation of the Use by Exception criteria under the T-District, which are the correct criteria. Mr. Latimer made the request that a paragraph be inserted on page 4, right after number 5, about what the Use by Exception criteria are in a T-District; specifically, does it comport with the comprehensive plan, and does it comport with the principles behind T-6, because those are the criteria the Commission used to make its decision. Commissioner Herring made a motion to approve the minutes as corrected. Commissioner Murdock seconded the motion, and the Commission voted unanimously to approve the minutes as corrected.

CITIZEN COMMENTS

Chair Emison asked if any member of the public cared to address the Commission, reminding them that there was a Public Hearing on the agenda and comments regarding that item would be called for at the appropriate time. No citizen comments were received.

OLD BUSINESS

There being no old business to discuss, Commissioner Emison proceeded to new business.

NEW BUSINESS

A. Agenda Item RZ 13-12:

A REQUEST TO REZONE A 5.77 ACRE AREA LOCATED NORTH OF THE INTERSECTON OF MISSISSIPPI AND RESEARCH BOULEVARDS IN THE THAD COCHRAN RESEARCH PARK. THE AREA TO BE REZONED IS NOW CLASSIFIED AS R-1 SINGLE FAMILY AND THE APPLICANT IS SEEKING A B-1 BUFFER ZONE

Considering that Commissioner Emison is employed by Mississippi State University, and that MSU is adjacent to the property in the Thad Cochran Research Park, Commission Chair Emison recused himself from the deliberation, departed the hearing room, and relinquished his role to Vice Chair Herring. Commissioner Herring opened the Public Hearing.

There came before the Commission the matter of the consideration of rezoning a 5.77 acre area located in the Thad Cochran Research Park. City Planner Buddy Sanders began the Public Hearing and presented the request.

C Spire would like to place a data center in the Thad Cochran Research Park, at the intersection of Mississippi Boulevard and Research Boulevard. The majority of the property has been zoned as R-1, which includes the property C Spire desires. Most of the property has been used for agricultural purposes. In the B-1 zone that the applicant is requesting, a data center would be a Permitted Use.

In the State of Mississippi, there are two criteria to be met in a rezoning request: 1) Change in Land Use circumstances in the vicinity of subject property and Public Need for rezoning or 2) Manifest Error in the zoning map.

Based on the opinion that the applicant meets the three criteria for a zoning change, Staff recommends that zoning be changed from R-1 Single Family to a B-1 Buffer district.

City Attorney Latimer suggested that the decision be made on the criteria of Change in Land Use and Public Need for rezoning.

To meet the notification requirement for change in zoning, public notice was placed in the newspaper 15 days prior to today's Public Hearing, adjacent property owners were mailed notices, and signage was placed on the subject.

There being no discussion offered by any of the Commissioners, and no comments offered by the applicant, Vice Chair Herring closed the Public Hearing.

After a short discussion, Vice Chair Herring called for a motion. Commissioner Brooks motioned approval, seconded by Commissioner Murdock, based on Change in Land Use and Public Need. The resulting vote was unanimous and passed.

Commissioner Emison returned to the room following the vote.

B. Agenda Item CU 13-08

A REQUEST FOR CONDITIONAL USE APPROVAL FOR A SMALL LOANS BUSINESS AT 122 HIGHWAY 12 WEST IN A C-2 ZONE

There came before the Commissioners the case of First Metropolitan Financial Services in proposing to open a small loans business located in the former Quick Cash location in the strip mall west of Piggly Wiggly, more specifically, at 122 Highway 12 West. The subject use and shopping center is located in a C-2 zone, and all properties surrounding the strip mall are in a C-2 zone.

In City Ordinances, under C-2 zoning, a small loans business is classified as a Conditional Use. Considering that the business is proposing a business in a C-2 building in a C-2 zone, the size and site specifications and mitigative techniques are really not required due to the fact they are going into an existing office building. No onsite or offsite improvements are needed, all utilities are available, and the requirements for proper access to city streets and highways have already been met. There is no hazardous waste being produced. The applicant has complied with applicable laws, having a current State of Mississippi Small Loans License. Based on these criteria, Staff recommends approval of a Conditional Use small loans business at 122 Highway 12 West.

Fifteen days prior to this hearing, a public notice was published in the *Starkville Daily News*, a sign was placed along Highway 12, and letters went out to adjacent property owners.

There being no discussion offered by any of the Commissioners, and no comments offered by the applicant, Chair Emison closed the Public Hearing.

Following a short discussion, the applicant, Branch Manager Ms. Sheila Vance, clarified that the proposed business will be a small finance company, rather than a check-cashing company, which will serve customers who normally do not go to banks for loans. The company has been in business since 1987, long before title loan companies began to operate.

Commissioner Loveless moved to approve Conditional Use 13-08, First Metropolitan Financial Services, and was seconded by Commissioner Herring. There being no further discussion, all Commissioners voted in favor of the Conditional Use. The motion carried unanimously.

PLANNER'S REPORT

City Planner Buddy Sanders queried the Commission regarding moving forward with a possible rezoning of the Thad Cochran Research and Technology Park. Commissioner Murdock indicated interest in finding out what work would be entailed in that endeavor. Commissioner Herring suggested that the Commission needs to look at the area and draw the boundaries exactly. Mr. Sanders will prepare a report of what the process would entail and present at the next meeting of the Planning & Zoning Commission.

Commissioner Murdock suggested that the Planning & Zoning Commission initiate a study to assess Starkville's inventory of rental properties to ascertain whether there is indeed a need for more rental property in the area, which would be helpful in making decisions on requests for rezoning of properties to allow rental units or high-density residences based on the Public Need criterion. Mr. Sanders will calculate how much work will be required to carry out this request so that the Commission can present to the Board an approximate cost for outsourcing the study.

ADJOURNMENT

Commissioner Murdock made a motion, seconded by Commissioner Herring, to adjourn the meeting at approximately 6:25 PM, and the members in attendance voted unanimously to approve the motion. The Chairman declared the motion carried.

The next regularly scheduled meeting will be Tuesday, November 12, 2013, at 5:30 PM in the City Hall Courtroom.

Jerry Emison, Chair

Buddy Sanders, City Planner