

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, March 18, 2014, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, Sonny Bryant, Andrew Miller, Gary Higdon, Michael McLendon, Cathy Brooks, and Jeff Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Planning Director Jared Darby, Fire Chief Hubert Jones, Public Works Director Gary McElhannon, Robert Long, Henry Bailey, John Tippitt, Tina Bailey, and Bob Ginn.

INVOCATION

Alderman Higdon gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

March 18, 2014

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 102606 – 102789 less 102628, 102791, 102792, 102662, and 102663
- 5) Approve Docket of Claims No.'s (Lauderdale) 102791
- 6) Approve Docket of Claims No.'s (Bryant) 102662 and 102663
- 7) Approve Docket of Claims No.'s (Miller) 102628 and 102792
- 8) Authorize to pay OneBeacon invoice for our property insurance in the amount of \$3,542.00 (did not make the docket)
- 9) Approve Minutes
- 10) Consent Agenda
 - A) Authorize Chief Hubert Jones, Fire Inspector Matt Massey, LT. Bubba Early, and Driver Jason Desmond to attend the MS Association of Public Fire Safety Conference in Hattiesburg MS, on April 14-17, 2014 and also authorize to pay registration and travel expenses
 - B) Authorize Tiffany Brown to attend the Annual Spring Clerks Conference in Biloxi, MS March 19-21, 2014, also authorize to pay registration and travel expenses (replacing Julie Harris on this trip)
- 11) Planning Commission
 - A) Application for Zoning Map Amendment, submitted by Bob Ginn of AERC, is requesting a zoning amendment for 4.63 acres from M-1, light industrial to C-2, highway commercial. The subject property is vacant and has the following parcel number: 208736000000801 and is located north of I-69 and west of I-55; situated in Section 36, Township 2, Range 8.

- B) Application for Zoning Map Amendment, submitted by Bob Ginn of AERC, is requesting a zoning amendment for 4.52 acres from A, agricultural to C-2, highway commercial. The subject property is vacant and has the following parcel number: 3081010000004300 and is located south of I-69 and west of I-55; situated in Section 1, Township 3, Range 8
- C) Application for Zoning Map Amendment, submitted by John Tippitt, is requesting a zoning amendment for 2.09 acres from C-4, Planned Unit Commercial to R-12, Residential Single Family District (Medium Density). The subject property is located north of West Robinson Street and west of Highway 51 South; situated in Section 13, Township 3, Range 8. Better known as the Hardin House
- 12) Authorize to call the construction bond on Deer Creek section K
- 13) Proclamation declaring April Safe Digging month
- 14) Request from Tina Bailey (Desoto Image Photography) to temporarily close Ice Plant Street from 4:00-7:00 on April 4, 2014, for grand opening
- 15) Final approval of the CGI videos
- 16) Approval of a review appraiser for Safe Routes to School sidewalk project
- 17) Discussion of 2014 asphalt street overlays and possible authorization to advertise for bids
- 18) Adjourn

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to approve the agenda as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

APPROVE DOCKET OF CLAIMS NO.'S 102606 – 102789 LESS 102628, 102791, 102792, 102662, AND 102663

The Board of Aldermen were presented with a docket of claims No. 102606 – 102789 less 102628, 102791, 102792, 102662, and 102663 in the amount of \$1,120,723.86 for approval.

Motion was duly made by Alderman Bryant, and seconded by Alderman Higdon to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

APPROVE DOCKET OF CLAIMS NO. 102791 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.102791 in the amount of \$194,619.25 for approval.

Motion was duly made by Alderman Hobbs, and seconded by Alderman McLendon to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014

APPROVE DOCKET OF CLAIMS NO. 102662 AND 102663 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.102662 and 102663 in the amount of \$641.60 for approval.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Brooks to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014

APPROVE DOCKET OF CLAIMS NO. 102628 AND 102792 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.102628 and 102792 in the amount of \$37,646.93 for approval.

Motion was duly made by Alderwoman Brooks, and seconded by Alderman Higdon to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014

AUTHORIZE TO PAY ONEBEACON INVOICE FOR PROPERTY INSURANCE IN THE AMOUNT OF \$3,542.00

Motion was duly made by Alderman Hobbs, and seconded by Alderwoman Brooks to authorize to pay One Beacon invoice for property insurance in the amount of \$3,542.00. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON MARCH 4, 2014

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to approve the Minutes from the regular Board Meeting on March 4, 2014 as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014

CONSENT AGENDA

- A) Authorize Chief Hubert Jones, Fire Inspector Matt Massey, LT. Bubba Early, and Driver Jason Desmond to attend the MS Association of Public Fire Safety Conference in Hattiesburg MS, on April 14-17, 2014 and also authorize to pay registration and travel expenses
- B) Authorize Tiffany Brown to attend the Annual Spring Clerks Conference in Biloxi, MS March 19-21, 2014, also authorize to pay registration and travel expenses (replacing Julie Harris on this trip)

Motion was duly made by Alderwoman Brooks, and seconded by Alderman Hobbs to approve the consent agenda. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014

PLANNING COMMISSION

- C) Application for Zoning Map Amendment, submitted by Bob Ginn of AERC, is requesting a zoning amendment for 4.63 acres from M-1, light industrial to C-2, highway commercial. The subject property is vacant and has the following parcel number: 2087360000000801 and is located north of I-69 and west of I-55; situated in Section 36, Township 2, Range 8.
- D) Application for Zoning Map Amendment, submitted by Bob Ginn of AERC, is requesting a zoning amendment for 4.52 acres from A, agricultural to C-2, highway commercial. The subject property is vacant and has the following parcel number: 3081010000004300 and is located south of I-69 and west of I-55; situated in Section 1, Township 3, Range 8
- E) Application for Zoning Map Amendment, submitted by John Tippitt, is requesting a zoning amendment for 2.09 acres from C-4, Planned Unit Commercial to R-12, Residential Single Family District (Medium Density). The subject property is located north of West Robinson Street and west of Highway 51 South; situated in Section 13, Township 3, Range 8. Better known as the Hardin House

APPLICATION FOR ZONING MAP AMENDMENT, SUBMITTED BY BOB GINN OR AERC, IS REQUESTING A ZONING AMENDMENT FOR 4.63 ACRES FROM M-1, LIGHT INDUSTRIAL TO C-2, HIGHWAY COMMERCIAL. THE SUBJECT PROPERTY IS VACANT AND HAS THE FOLLOWING PARCEL NUMBER: 2087360000000801 AND IS LOCATED NORTH OF I-69 AND WEST OF I-55; SITUATED IN SECTION 36, TOWNSHIP 2, RANGE 8

Jared Darby, Planning Director, presented the information to the Board.

Bob Ginn, 342 W Valley St, was present to speak on this request.

MAYOR AND BOARD OF ALDERMEN
18, 2014
REPORT: PL-1020
18, 2014

DATE: February
SET PUBLIC HEARING: March

CAPTION: Zoning Amendment; M-1, Light Industrial, to C-2, Highway Commercial; Parcel #: 2087360000000801

INTRODUCTION:

Land Development Resources, LLC, representing the owner of the property: Cal Wilkins, is requesting a zoning amendment for 4.63 acres located along the west side of I-55 and north of I-69. The current zoning is "M-1", light industrial. The requested zoning is for "C-2", highway commercial.

DESCRIPTION:

The property is currently vacant and is surrounded by interstates I-55 to the west and I-69 to the south. To the north the property is zoned M-1, light industrial with the Masonic Lodge and the NCI Group buildings as the closest structures to the subject property. The east is zoned planned business park; however, the land is currently used for agricultural purposes. The subject property has recently been cleared of its vegetation and the topography leveled.

ZONING AMENDMENT CRITERIA:

The Mayor and Board of Aldermen can recommend a different zoning district, if the Board should find suitable evidence supporting the following criteria:

1. Why the existing zoning district classification of the property is inappropriate or improper?

Applicant: The applicant states that the proposed use of the property is retail sales and services. The current zoning district of M-1, light industrial does not allow for retail sales in general. The applicant continues on by stating that the Kapik/Whitfield Planned Unit Development was originally industrial, but was amended to PUD, planned unit development to allow the incorporation of retail and assembly occupancies.

Planning Commission: The Commissioners found that the applicant's statements are correct in regards to the current zoning of the subject property and the need for a map amendment if retail sales beyond wholesale merchandising is to occur. Furthermore, the Commission finds that the applicant's assessment of neighboring properties to be correct in regard to existing structures taking on a more commercial character. For example, Magnolia Lighting and more recently DeSoto Outdoors Archery.

2. What major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate?

Applicant: The applicant states that through the extension of I-69 the visibility the parcel provides is better suited for retail than industrial.

Planning Commission: The Commission agrees with the applicant's statement. The parcel is a comparatively small in regards to the parcels associated with manufacturing and warehousing. Although the Commission cannot rule out industrial uses for small parcels; such as, a laboratory, the likelihood of such a use is remote given the placement of the parcel at the intersection of two international thoroughfares. Therefore, the Commission found C-2, highway commercial appropriate.

The Commissioners examined the Future Land Use Map from the City's General Development Plan and found that the property is labeled as Industrial Employment centered on manufacturing. Based upon staff's recommendation and the physical properties of the parcel itself the Commission found that physical and social changes have occurred to a degree that warrants a C-2, highway commercial district.

3. The public need for the rezoning.

Applicant: The applicant states that other properties in the surrounding areas have been rezoned to allow for retail sales and that I-69 has created more visibility and traffic that would be best for sales and would be compatible with surrounding uses.

Planning Commission: The Commissioners found that the applicant did not address the criteria directly. The applicant does describe how the zoning amendment

would benefit the owner of the parcel, but does not go into any details that describe how the public would benefit or why there is need for it.

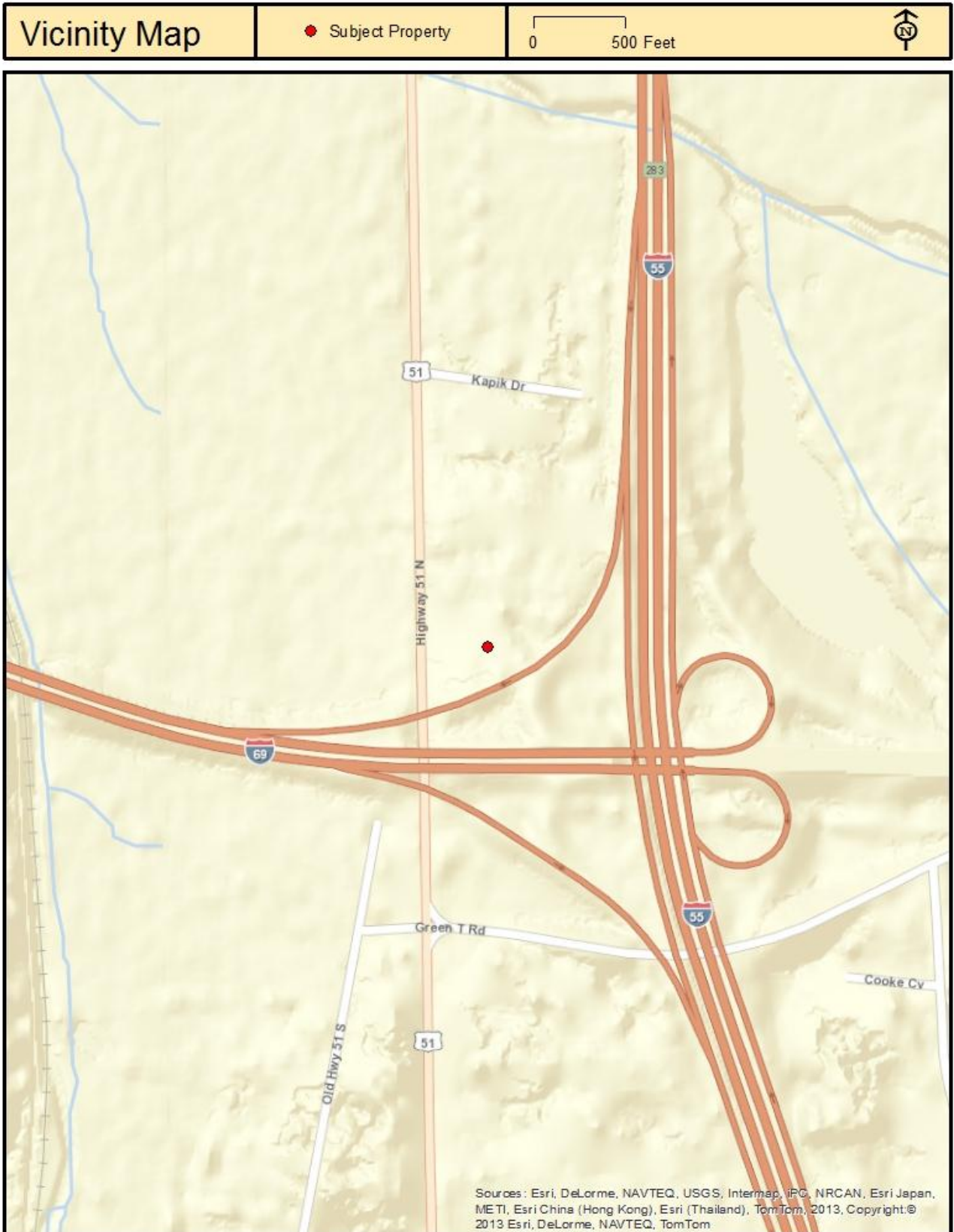
The Commission considered the public need for the rezoning and given the location of the parcel and the potential uses for an industrial zoning the Commission found that a commercial zoning presents land use opportunities that are more in character with the City’s General Development Plan’s Vision Statement. (City of Hernando General Development Plan, Section III, Page 8).

PLANNING COMMISSION COMMENTS:

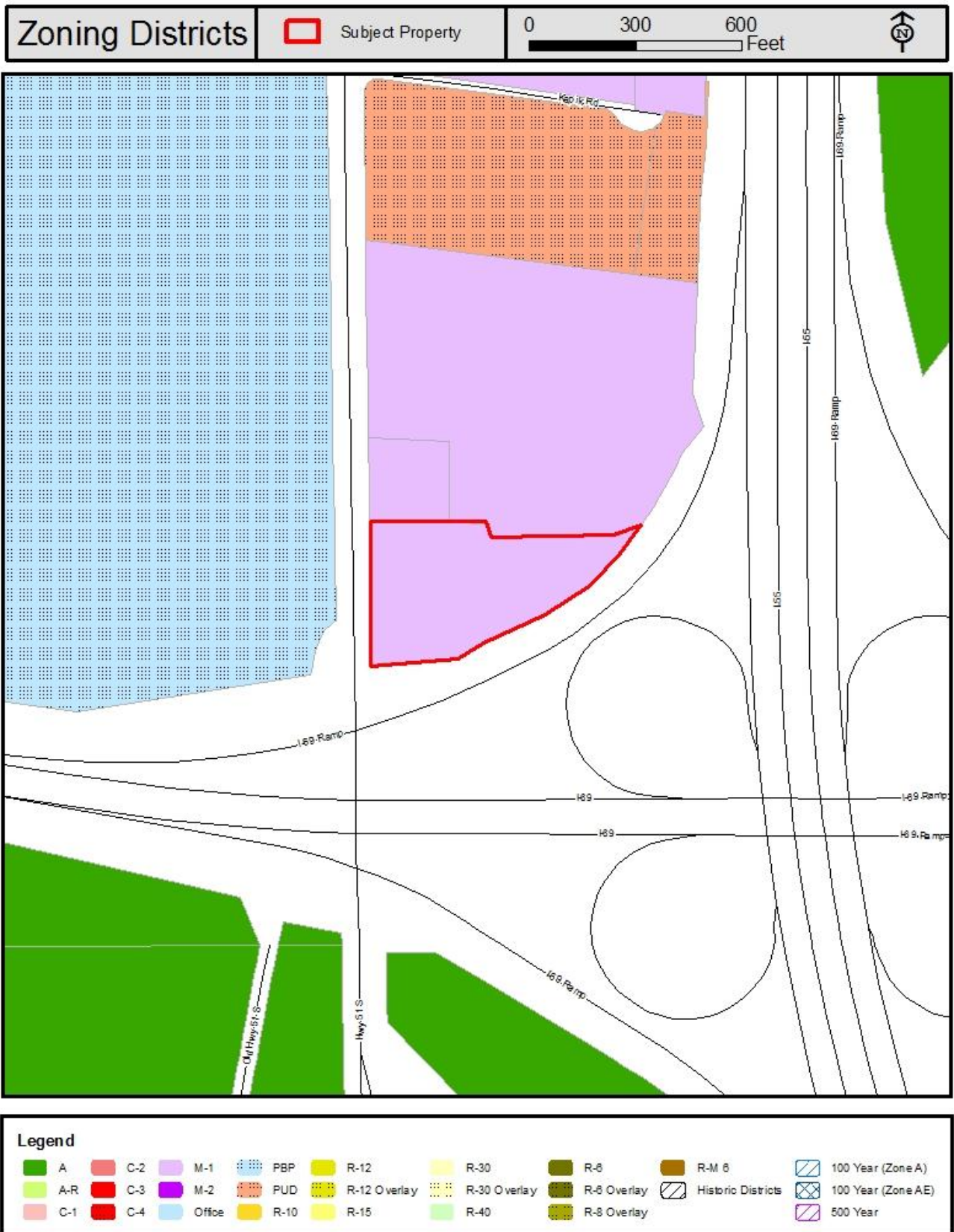
Chairman, Cobb asked for the representative of the application, Bob Ginn, to come forward. The Commissioners had a few questions in regards to the Kabota dealership relocating to the vacant parcel. No one was present to speak against the application. A motion was made to approve the zoning map amendment request to C-2, highway commercial by Commissioner Fernandez with Commissioner Wolf seconding the motion. The motion passed unanimously with Commissioners Jernigan and Pirtle being absent.

DATE:
MOTION:

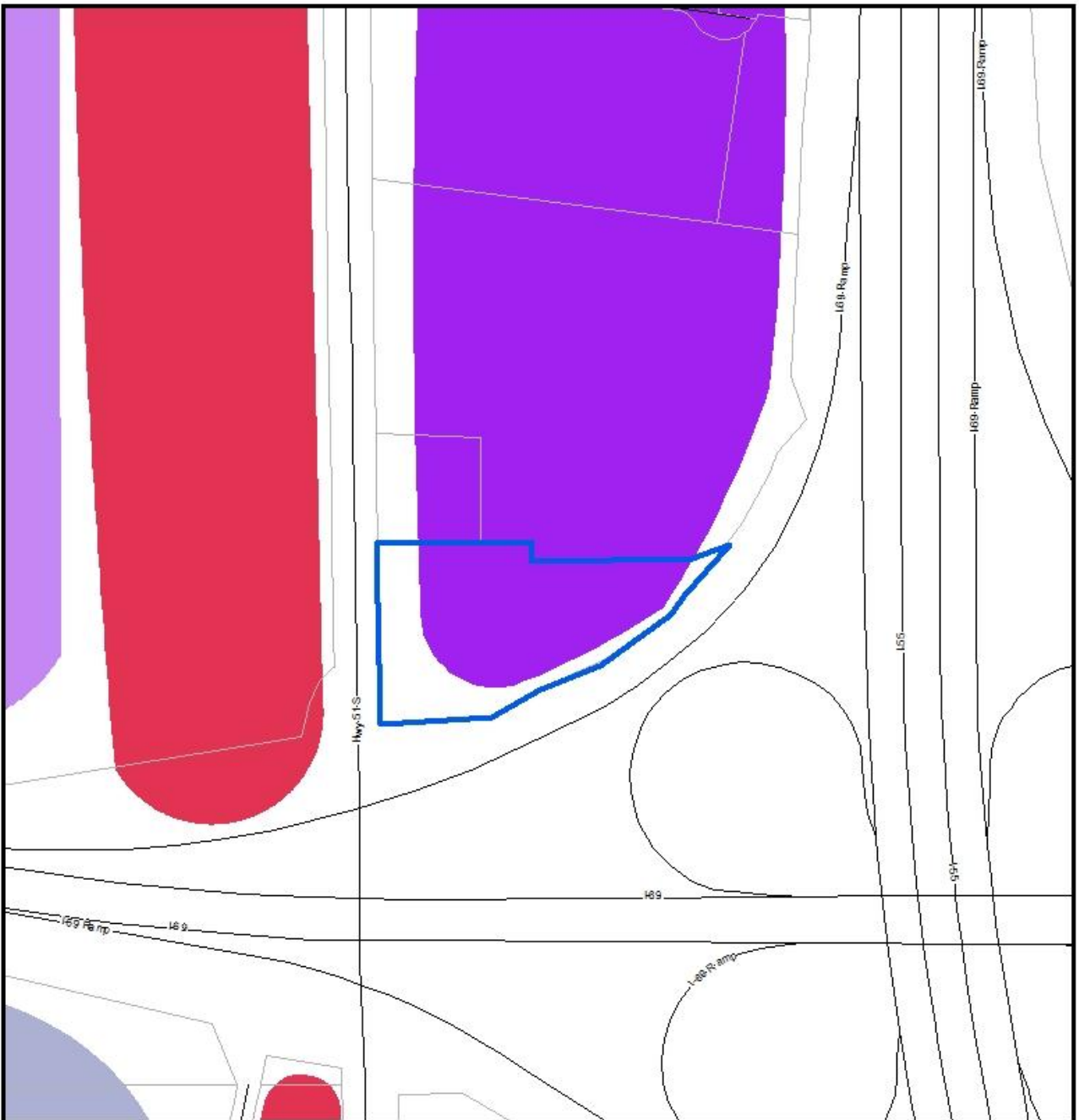
Johnson	Lauderdale	Bryant	Miller	Higdon	Mclendon	Brooks	Hobbs



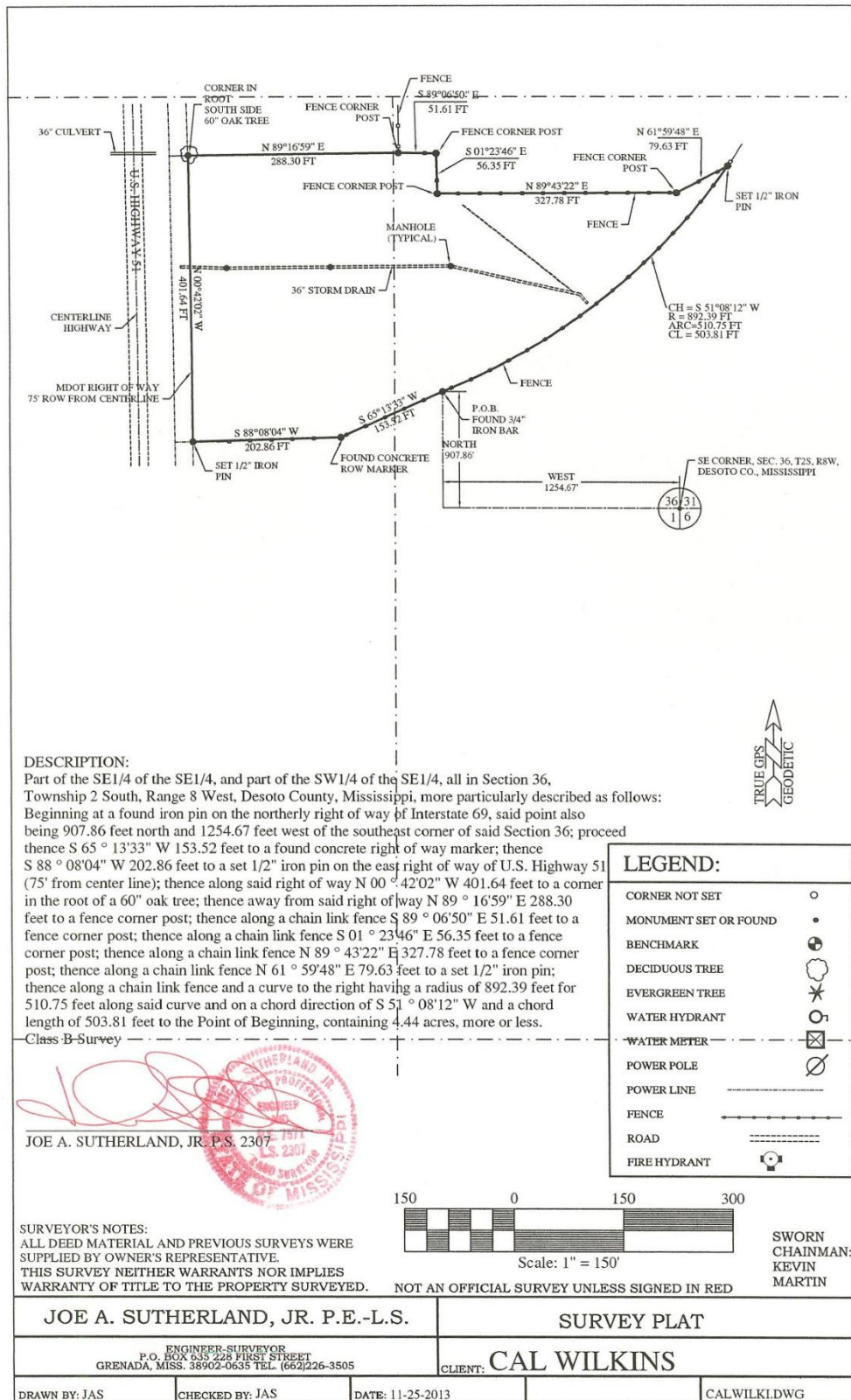




General Development Plan: Future Land Use Map	Subject Property	0 200 400 Feet	
--	------------------	-----------------------------	--



Districts		
Activity - Institutional	Employment - Industrial	Residential - High Density Multi Family
Activity - Master Planned Commercial	Employment - Planned Business	Residential - Master Planned High Density
Activity - Medical	Employment - Professional Services	Residential - Master Planned Low Density
Activity - Recreation	Mixed Use	Residential - Master Planned Medium Density
Activity - Retail	Residential - Dependent Medium Density	Rural Residential
Activity - Service Commercial	Residential - Dependent Single Family Low Density	Traditional Neighborhood Development



Motion was duly made by Alderman Higdon, and seconded by Alderman Miller to approve the application for a zoning map amendment, amending parcel number 2087360000000801, 4.63 acres, which is located north of I-69 and west of I-55; situated in section 36, township 2, range 8, from M-1, light industrial to C-2, highway commercial. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014

APPLICATION FOR ZONING MAP AMENDMENT, SUBMITTED BY BOB GINN OF AERC, IS REQUESTING A ZONING AMENDMENT FOR 4.52 ACRES FROM A, AGRICULTURAL TO C-2, HIGHWAY COMMERCIAL. THE SUBJECT PROPERTY IS VACANT AND HAS THE FOLLOWING PARCEL NUMBER: 3081010000004300 AND IS LOCATED SOUTH OF I-69 AND WEST OF I-55; SITUATED IN SECTION 1, TOWNSHIP 3, RANGE 8.

Jared Darby, Planning Director, presented the information to the Board.

Bob Ginn, 342 W Valley St, was present to speak on this request.

**MAYOR AND BOARD OF ALDERMEN
18, 2014
REPORT: PL-1021
18, 2014**

**DATE: February
SET PUBLIC HEARING: March
18, 2014**

CAPTION: Zoning Amendment; A, Agricultural, to C-2, Highway Commercial; Parcel #: 3081010000004300

INTRODUCTION:

Land Development Resources, LLC, representing the owner of the property: Cal Wilkins, is requesting a zoning amendment for 4.52 acres located along the west side of I-55 and south of I-69. The current zoning is "A", Agricultural. The requested zoning is for "C-2", highway commercial.

DESCRIPTION:

The property is currently vacant and is surrounded by interstates I-55 to the east and I-69 to the north. To the south the property is zoned PUD, planned unit development. The PUD is the Crossroads and is owned by Cal Wilkins. The Crossroads remains undeveloped. The east parcel is zoned A, agricultural and has a vacant metal building located on the parcel. The subject property is unique as it is totally surrounded by roads.

ZONING AMENDMENT CRITERIA:

The Mayor and Board of Aldermen can approve a higher density zoning district, if the Board should find suitable evidence supporting the following criteria:

1. Why the existing zoning district classification of the property is inappropriate or improper?

Applicant: The applicant states that the General Development Plan allows for commercial at this location, and that the property has never been rezoned.

Planning Commission: The Commission found that the applicant did not address the criteria directly. The Commissioners found that the property is zoned agricultural, but is positioned in such a unique location that a commercial rezoning seems warranted.

2. What major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate?

Applicant: The applicant states that the existing zoning is left over from a time when the parcel was in the County, and part of a farm. In recent years I-69 has been built and Green T Road has been relocated placing this parcel in a high traffic, high visibility position. It's location and its size has changed its highest and best use to commercial.

Planning Commission: The Commissioners found that the applicant has confirmed that physical and social changes have occurred to the parcel due to the transportation improvements in the vicinity of the property.

Furthermore, the Commission found the Future Land Use Map from the City's General Development Plan illustrates an anomaly in the sense that there is no land use district associated with this particular parcel. Staff related to the Commissioners that this occurred due to Mississippi Department of Transportation originally acquiring the parcel for the new I-269 corridor while the General Development Plan was being compiled. The Commission considered surrounding Land Use Districts and determined that a C-2 zoning was warranted to serve surrounding residential areas as well as the future planned business park.

3. The public need for the rezoning.

Applicant: The changes, as described in Criteria 2, may or may not have been anticipated by the General Development Plan, but because of the changes, C-2 zoning is appropriate. The parcel is well positioned to provide retail or service outlets serving not only nearby residential areas, but distant areas as well. The parcel is located on a heavily traveled federal highway, and not within a residential area, which is the criteria for C-2, highway commercial.

Planning Commission: The Commission found that the applicant statements lends further support to criteria #2 rather than addressing the public need for the rezoning. However, the Commission ascertained through planning staff that the general idea is to have an area of retail that serves the traffic on Highway 51 and some of the surrounding residential communities.

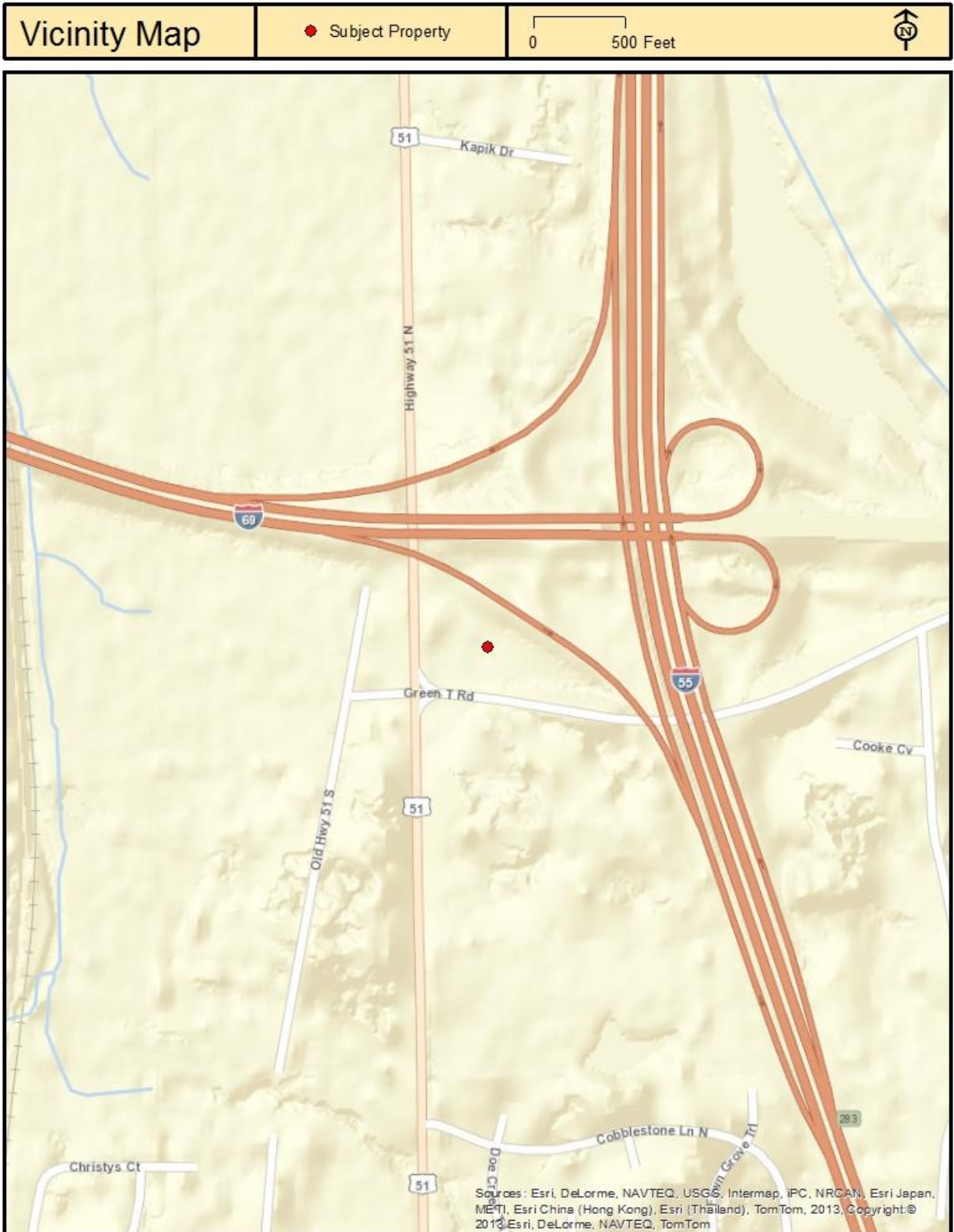
PLANNING COMMISSION COMMENTS:

Again, as in the previous zoning map amendment request that has been reviewed this particular parcel is unique in its placement to transportation corridors. As the applicant points out this parcel is highly visible and any development of the parcel would need to represent the City well and be developed in accordance with the City's Design Standards.

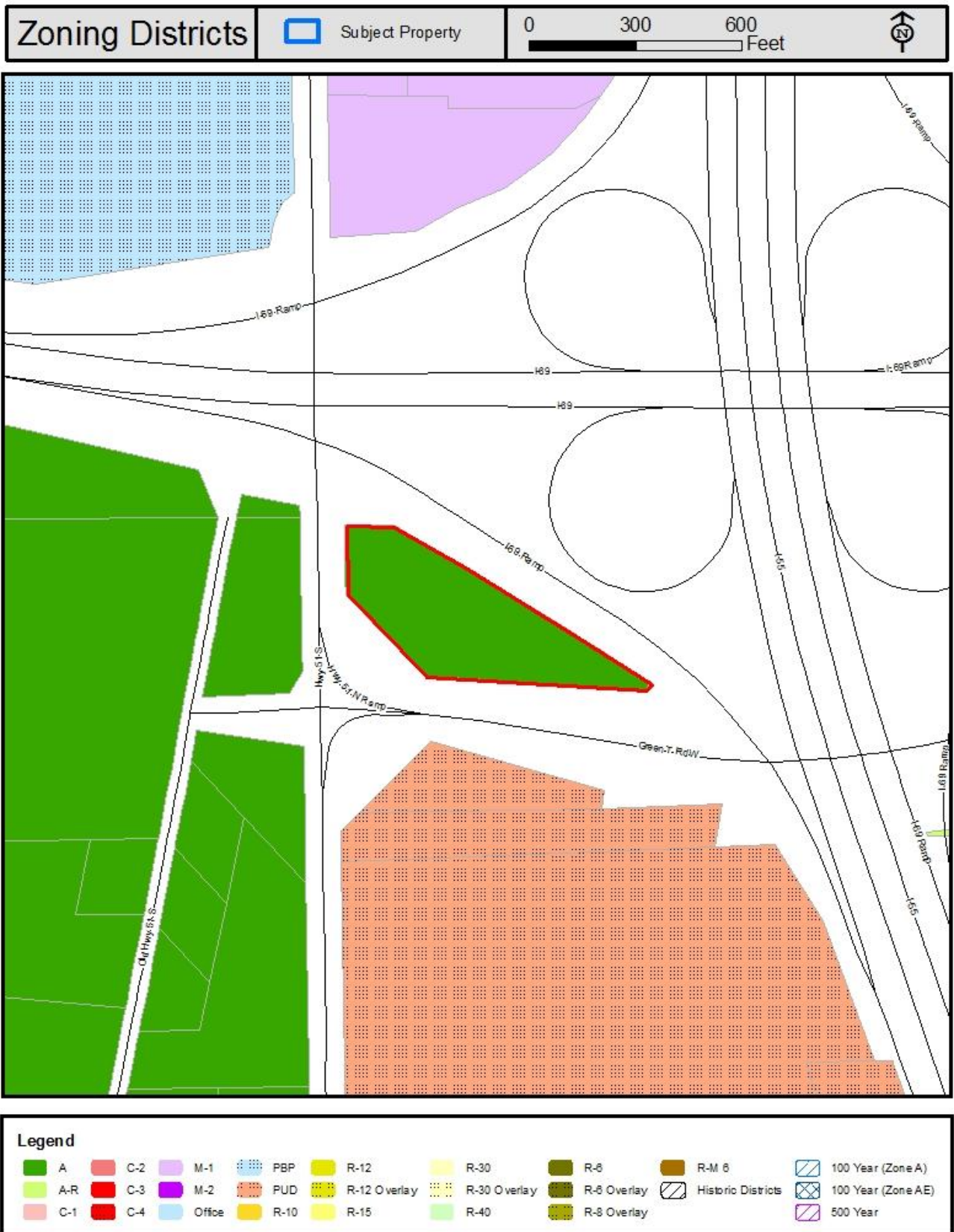
Chairman, Cobb asked for the representative of the application, Bob Ginn, to come forward. The Commissioners had no further comments or questions for the applicant. No one was present to speak against the application. A motion was made to approve the zoning map amendment request to C-2, highway commercial by Commissioner Carter with Commissioner Wills seconding the motion. The motion passed unanimously with Commissioners Jernigan and Pirtle being absent.

DATE:
MOTION:

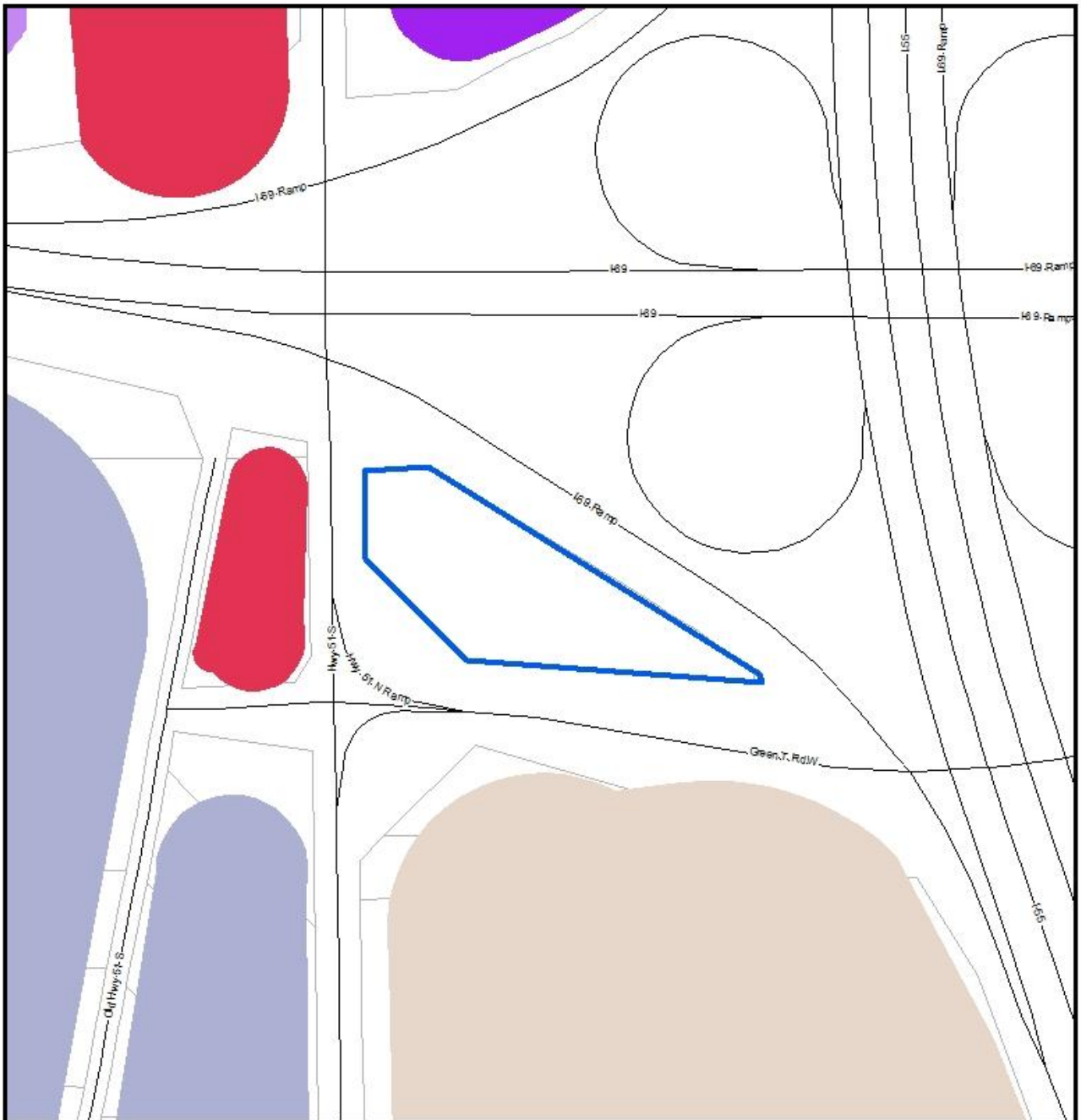
Johnson	Lauderdale	Bryant	Miller	Higdon	McLendon	Brooks	Hobbs



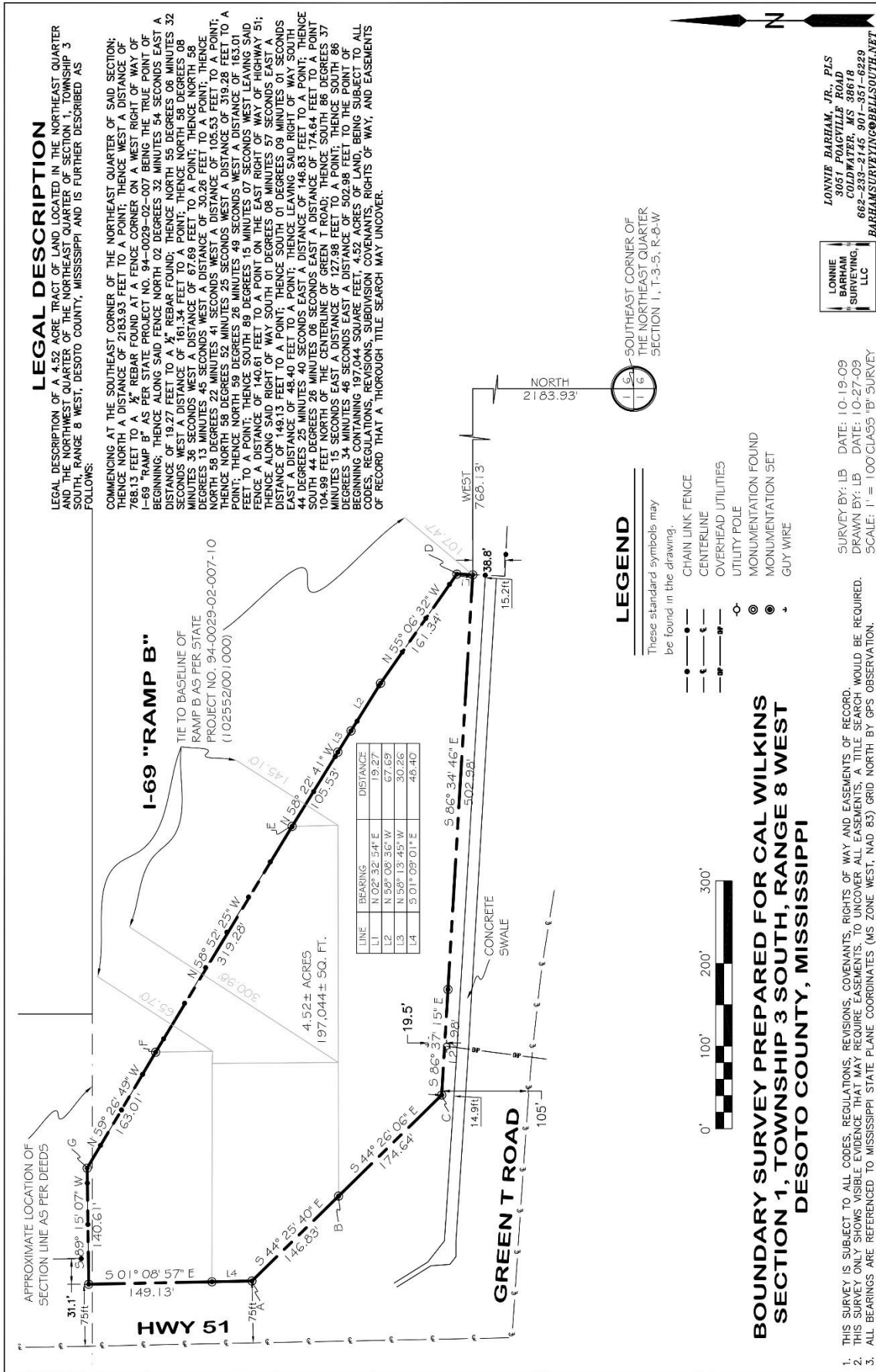




General Development Plan: Future Land Use Map	Subject Property	0 200 400 Feet	
--	------------------	-----------------------------	--



Districts		
Activity - Institutional	Employment - Distribution	Residential - High Density Multi Family
Activity - Master Planned Commercial	Employment - Industrial	Residential - Master Planned High Density
Activity - Medical	Employment - Planned Business	Residential - Master Planned Low Density
Activity - Recreation	Employment - Professional Services	Residential - Master Planned Medium Density
Activity - Retail	Mixed Use	Rural Residential
Activity - Service Commercial	Residential - Dependent Medium Density	Traditional Neighborhood Development
	Residential - Dependent Single Family Low Density	



Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon to approve the application for a zoning map amendment, amending Parcel 3081010000004300, 4.52 acres, which is located south of I-69 and west of I-55; situated in section 1, township 3, range 8, from A, Agricultural to C-2, highway commercial. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

Alderman McLendon abstained from voting.

ORDERED AND DONE this the 18th day of March, 2014.

APPLICATION FOR ZONING MAP AMENDMENT, SUBMITTED BY JOHN TIPPITT, IS REQUESTING A ZONING AMENDMENT FOR 2.09 ACRES FROM C-4, PLANNED UNIT COMMERCIAL TO R-12, RESIDENTIAL SINGLE FAMILY DISTRICT (MEDIUM DENSITY). THE SUBJECT PROPERTY IS LOCATED NORTH OF WEST ROBINSON STREET AND WEST OF HIGHWAY 51; SITUATED IN SECTION 13, TOWNSHIP 3, RANGE 8

Jared Darby, Planning Director, presented the information to the Board.

John Tippitt, 185 N Parkway, was present to speak on this request.

Alderman McLendon asked if a person could live in a house that they are buying that is listed on C4?

Jared Darby answered Alderman McLendon stating that if it is lived in currently and they are just switching owners then yes. If it has been vacant for more than a year, then no.

Alderman McLendon asked why that was.

Jared Darby answered because C4 normally does not allow for single family use.

Alderman McLendon asked that if there is a historic home in Hernando, zoned C4 and someone wants to buy it and move into it, they can't do it.

Jared Darby answered that they can if it has been occupied.

Alderman McLendon asked that if it has been over a year they can't.

Jared Darby answered that it depends on what the C4 plan unit development text language states, but for the most part yes.

Alderman McLendon stated that may be something we may need to change. Kenny Stockton advised that there was a good reason that it is that way.

Alderman McLendon asked why?

Jared Darby stated that when a legal non-conforming status is lost, it allows the uses of the current zone to come to fruition.

Alderman McLendon asked, so we are going to penalize him because he is buying a piece of commercial property and wants to live in it.

Jared Darby answered that we are not penalizing anyone.

Alderman Miller stated that they know that but the property, so if you buy it under that condition, you are not penalizing people. They know the zoning when you buy it.

**MAYOR AND BOARD OF ALDERMEN
18, 2014
REPORT: PL-1034**

DATE: March

CAPTION: Zoning Amendment; C-4, Commercial Planned Unit Development to R-12 Single-Family District (Medium Density), 2105 Highway 51 S.

INTRODUCTION:

John Tippitt, applicant, is requesting a zoning amendment for 2.09 acres located along the west side of Highway 51 South and north of West Robinson Street. The current zoning is "C-4", Commercial Planned Unit Development. The requested zoning is for "R-12" single-family district, (medium density).

DESCRIPTION:

The subject property currently has three structures, which are all vacant. The DeSoto County Tax Assessor has determined that there are two residential structures one with a 2,254 sq. ft. the other with 960 sq. ft. The third building is classified as a utility building with 1,616 sq. ft. The subject property was rezoned from residential to C-4, Planned Unit Commercial in late 2009. Ever since the rezoning the property has not been occupied or developed. The applicant wishes to alter the zoning district so that he may purchase the home and occupy it as a single-family residential.

ZONING AMENDMENT CRITERIA:

The Mayor and Board of Aldermen can recommend a different zoning district, if the Board should find suitable evidence supporting the following criteria:

1. Why the existing zoning district classification of the property is inappropriate or improper?

Applicant: The property has never been occupied commercially. The original rezoning was sought on the basis of a failed commercial transaction.

Planning Commission: The Commission agreed with planning staff that the transaction portion of the applicant's statement has no relevance in regards to the criteria. However, the Commission did agree that the current "C-4" zone has not garnered much development interest.

2. What major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate?

Applicant: Even at drastically reduced prices, (at one time, \$450,000+, vs. the sale price of \$280,000) the property failed to attract a commercial buyer. The commercial market has demonstrated, unequivocally, no serious interest in this property given the length of time the property has been offered for sale with no buyers.

Planning Commission: The Commissioners found that the applicant provided compelling evidence that the 2009 zoning amendment was not warranted based upon not sales price, but the lack of development. Therefore, the Commissioner concluded that a residential district is proper zoning designation for the subject property.

In addition, the Commissioners found that the Future Land Use Map from the City's General Development Plan does illustrate the subject property as a Neighborhood Mixed Use. The description for the Neighborhood Mixed Use Land Use Category is as follows: A transition between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live work spaces May include limited commercial-only space oriented to neighborhood or specialty retail markets. The Commission finds that the General Development Plan would support the continuance of the "C-4" district or the requested amendment to "R-12".

3. The public need for the rezoning.

Applicant: Out of the 55 properties within the 500 foot radius of inquiry sought for zoning decisions, only 6 properties could be identified as commercial. This figure includes a church.

In addition, all 6 commercial properties in the vicinity are on the east frontage of Highway 51 (opposite the property in question). The properties on the east side of Highway 51 include the only other residential property in the vicinity known to the applicant to have been fully rezoned from residential to commercial- the former Couch home at the southeast corner of Highway 51 and Robinson.

The subject property of this rezoning request is conspicuously, and integrally, a part of the residential subdivision consisting of Gale Street and Gale Cove. The applicant states that other properties in the surrounding areas have been rezoned to allow for retail sales and that I-69 has created more visibility and traffic that would be best for sales and would be compatible with surrounding uses.

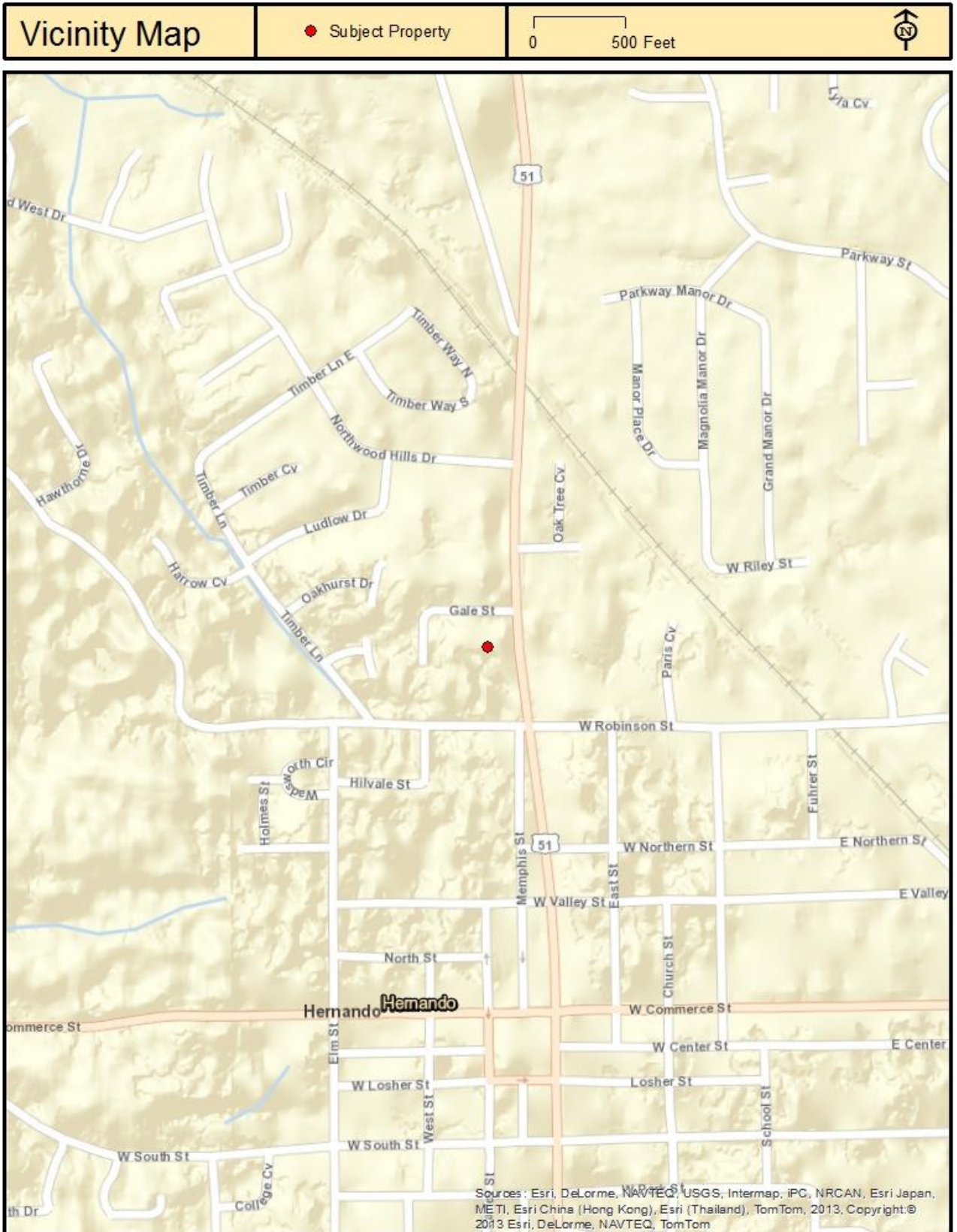
Planning Commission: The Commission found that the applicant formed a convincing argument that the subject property should be converted back to a residential zone. Given that no commercial development has taken place in five years since the commercial zoning amendment, and the character of the neighborhood has remained residential the Commissioners are in support of the R-12 single family residential district.

PLANNING COMMENTS:

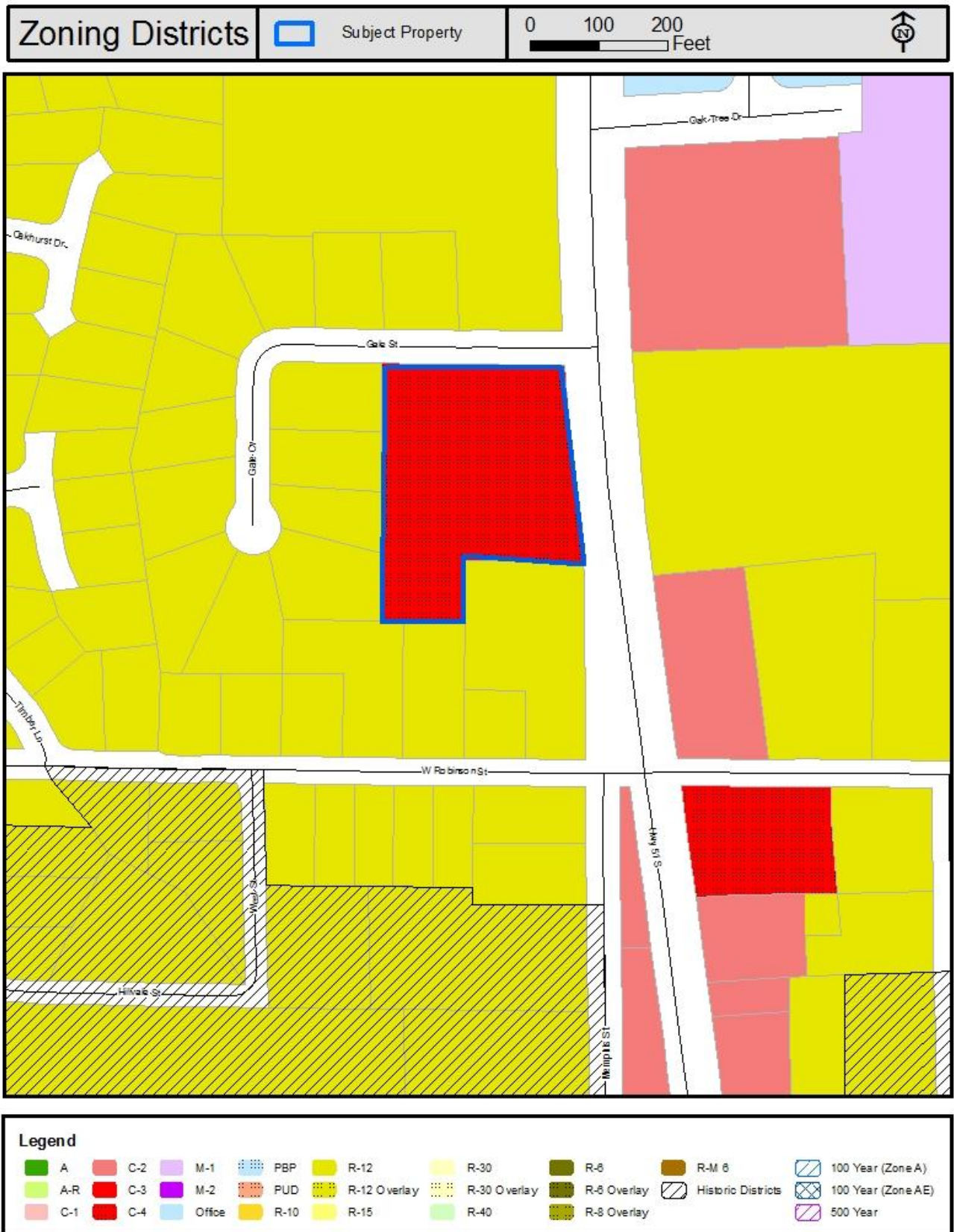
Chairman, Cobb asked for the representative of the application, John Tippitt, to come forward. The Commissioners had no further comments or questions for the applicant. No one was present to speak against the application. However, staff would like to make a note that former Mayor Gale was present in support of the application. A motion was made to approve the zoning map amendment request to R-12, Single-family district by Commissioner Carter with Commissioner Fernandez seconding the motion. The motion passed unanimously with Commissioners Jernigan and Pirtle being absent.

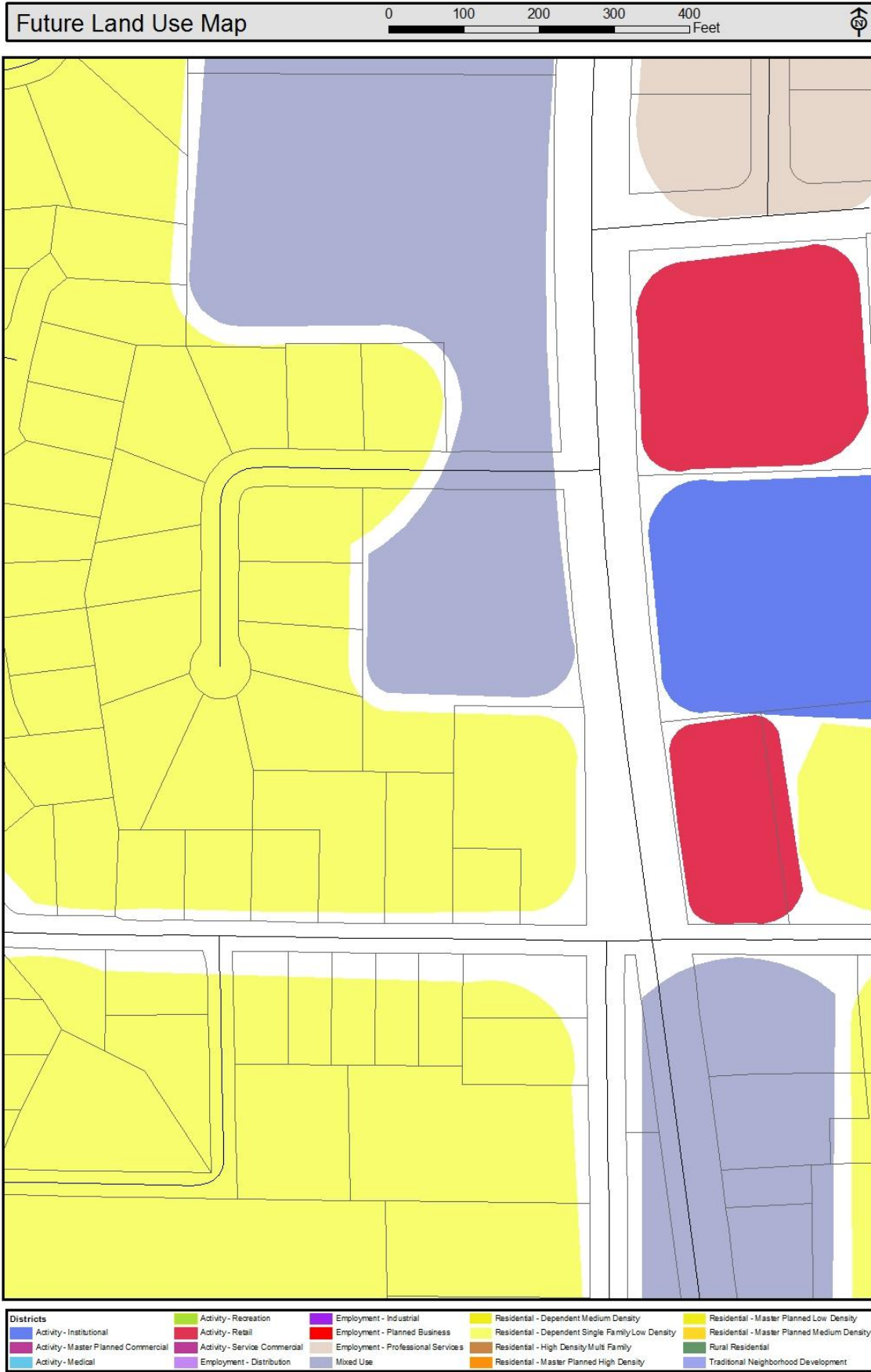
DATE:
MOTION:

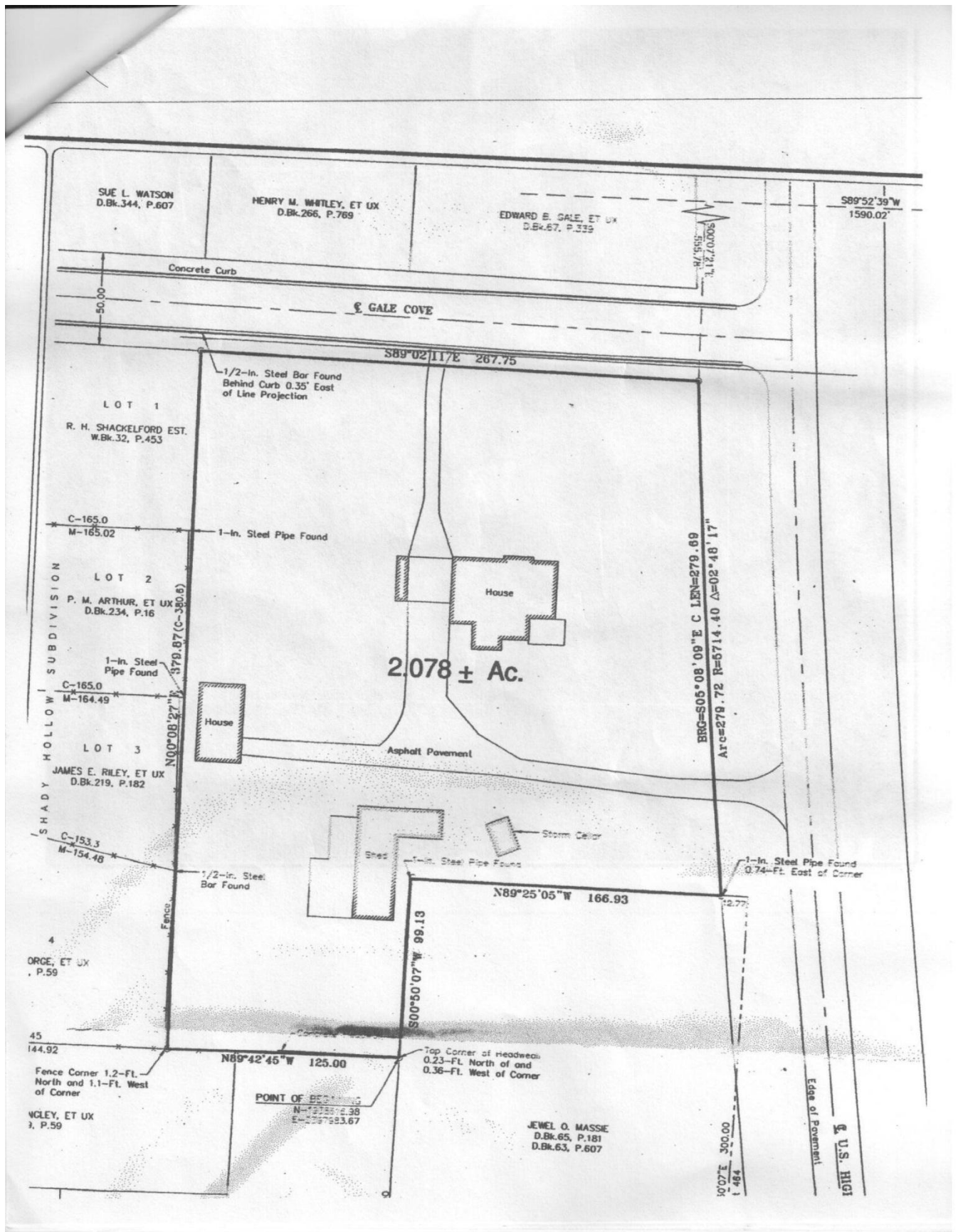
Johnson	Lauderdale	Bryant	Miller	Higdon	McLendon	Brooks	Hobbs











Motion was duly made by Alderman Lauderdale, seconded by Alderman Miller approved the application for zoning map amendment, amending 2.09 acres, located north of W Robinson St and west of Highway 51; situated in section 13, township 3, range 8, from C-4 planned unit commercial to R-12, residential single family district (medium density) . A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

**AUTHORIZE TO CALL THE CONSTRUCTION BOND ON DEER CREEK SECTION
K**

Jared Darby, Planning Director, presented the information to the Board.

Joe Frank Lauderdale, City Engineer, stated that it would take \$40,000.00 to take care of the repairs that need to be done.

Motion was duly made by Alderman Miller, seconded by Alderman Lauderdale to authorize to call the bond on Deer Creek section K if not renewed for six months at \$42,000.00. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

PROCLAMATION DECLARING APRIL SAFE DIGGING MONTH

Motion was duly made by Alderman Miller, seconded by Alderman Lauderdale to approve the Proclamation declaring April Safe Digging Month, and waive the reading of the proclamation. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

**REQUEST FROM TINA BAILEY (DESOTO IMAGE PHOTOGRAPHY) TO
TEMPORARILY CLOSE ICE PLANT STREET**

Tina Bailey, Desoto Image Photography, was present to speak on her request.

Motion was duly made by Alderman Lauderdale, seconded by Alderman Miller to approve the request from Tina Bailey, Desoto Image Photography, to temporarily close Ice Plant Street on April 4, 2014 from 4-7pm, for a grand opening. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

FINAL APPROVAL OF THE CGI VIDEOS

Motion was duly made by Alderman Higdon, seconded by Alderman McLendon to approve the CGI videos. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

**APPROVAL OF A REVIEW APPRAISER FOR SAFE ROUTES TO SCHOOL
SIDEWALK PROJECT**

Joe Frank Lauderdale, City Engineer, presented information on the review appraiser for Safe Routes to School sidewalk project.

Motion was duly made by Alderman Lauderdale, seconded by Alderman Miller to approve hiring a Review Appraiser for the Safe Routes to School Sidewalk project. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of March, 2014.

**DISCUSSION OF 2014 ASPHALT STREET OVERLAYS AND POSSIBLE
AUTHORIZATION TO ADVERTISE**

Joe Frank Lauderdale, City Engineer, presented the information on the list of streets that need overlays.

ESTIMATED COST ASPHALT PAVING 2014 CITY OF HERNANDO
MARCH 11, 2014

Item No.	Item	Quantity	Unit Cost	Total Cost
1.	Grove Park		\$78,000- \$30,000	48,000
2.	Center St. At City Hall	100 tons	\$82/ton	8,000
3.	Repairs(Banks Cv., Caffey St., Mason Dr., McIngvale-Curb Sec) Patching Before Paving			31,000
4.	Caffey St. At Adm Bldg	100 tons	No Data	8,000
5.	McIngvale Road at Hernando Hills	120 tons	9,800	11,000
6.	North Parkway West of Parkway Church	950 tons	No Data	76,000
7.	Mt. Pleasant St. Front of Coop	650 tons	7,400	53,000
8.	E.Parkway, Park Lane Village Cove Riley at 155	420 tons	No Data	32,000
9.	Robertson Rd To Robinson Place	450 tons	No Data	38,000
10.	Saline Cv.So.	210 tons	No Data	17,000
11.	Crenshaw Cove Palmer Dr. Nicklaus	550 tons		50,000
12.	Motor Scooter	500 tons		47,000
13.	Vaiden Residential & Industrial	530 tons		50,000
14.	East Commerce East of WalMart	550 tons		43,000
15.	Old Hwy 51-Nesbit			95,000

ESTIMATED COST ASPHALT PAVING 2014 CITY OF HERNANDO
March 11, 2014

Item No.	Item	Quantity	Unit Cost	Total Cost
16.	Hill St.	400 tons		36,000
17.	LaBauve	130 tons		11,700
18.	South St (West of College)	650 tons		58,500
19.	Wren St.	180 tons		16,200
20.	Edwin	125 tons		11,250
21.	Industrial West	19,000-13,000		6,000
22.	Oak Grove (East of Magnolia	350 tons		31,500
23.	Magnolia Commons	Bond Money Only		

Prepared By: Joe F. Lauderdale P.E.

Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon to authorize to advertise for overlays on streets # 1 - # 13. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Higdon.

Those voting "Nay": Alderman Miller.

ORDERED AND DONE this the 18th day of March, 2014.

ADJOURN

There being no further business at this time a motion was duly made by Alderman Lauderdale, seconded by Alderman Bryant to adjourn.

Motion passed with a unanimous vote of "Aye".

MAYOR CHIP JOHNSON

ATTEST:

KATIE HARBIN, CITY CLERK