

**MINUTES OF THE
TUPELO PLANNING COMMITTEE
APRIL REGULAR MEETING
Monday, April 3, 2023
6:00 PM Council Chambers**

CALL TO ORDER

Chair Lindsey Leake called the meeting to order. Committee members Mark Williams, Bentley Nolan, Pam Hadley, Leslie Mart, Patti Thompson, Victor Fleitas, Gus Hildenbrand and Scott Davis were present. Staff members present included City Planner Jenny Savely and Zoning Administrator Russ Wilson. Director of Development Services Tanner Newman was absent. Chair Leake asked Bentley Nolan to open with a prayer and Mark Williams to lead the pledge. Chair Leake then presented an opening statement of the committee purpose and reviewed how the committee would conduct its business. The Staff and Committee were then asked to introduce themselves and did so.

REVIEW OF MINUTES

Chair Leake asked if there were any corrections to the minutes. Leslie Mart said that she recalled that Jenny Savely had mentioned that the Chickasaw Study was underway but was not reflected in the minutes for the January meeting. Savely said that she would make sure that was corrected. Scott Davis made a motion to approve the minutes of the January meeting with those corrections, seconded by Bentley Nolan and passed unanimously. Leake then opened the regular session of the meeting asking for a report on Council Actions.

REPORT ON COUNCIL ACTIONS

City Planner Jenny Savely mentioned that MAJSUB22-05, Maplewood Subdivision had been approved by City Council on February 7th.

OLD BUSINESS

Planner Savely mentioned old business TA-22-02 remains in legal review.

NEW BUSINESS

Savely welcomed new member Victor Fleitas representing Ward 4 to the committee. Past Chair Pam Hadley will be rotating off the leadership but remaining on the committee, Lindsey Leake will now be serving as chair, Bentley Nolan will serve as Vice Chair, Mark Williams will then be next to advance to Vice Chair at the end of this next year.

Leake announced the first item on the agenda, FLEX23-01, Lakefront Gardens requests to add an 8th duplex on the property which requires a modification to an existing site plan. He asked the applicant to come forward. Mark Summers, representing Lakefront Gardens. Savely mentioned that previously Summers development was approved as FLEX20-02 at 1030 South Veterans in June of 2020. Due to Covid-19 the project had been delayed. He seeks to add an additional duplex to the plan. Thus two things are needed. Approval of modifications to the

Major Site Plan moving landscaping and adding one more unit, and a Flexible Variance is needed to increase density to 16 total dwellings on this 1.33 acre lot.

Staff recommends approval of the site plan and adding in landscaping around the northern side. Chair Leake mentioned that the first item to review would be the Major Site Plan.

Since there was no one from the public to offer input, Chair Leake opened the floor for discussion between committee members. Leslie Mart mentioned after making a site visit, she had concerns about access for fire trucks and a turnaround. Savely mentioned that Fire would review the plans for compliance before construction begins. Summers said there would be more than 22 feet and the 96 foot turning radius available. Mart also asked where the HVAC units would be installed. Summers said in the back of the units. Mart asked about distance between buildings. Savely mentioned 10 feet is required between buildings. Hildenbrand asked about parking requirements. Wilson explained parking requirements had been met. Mart expressed concerns about dimensions on the drawings and landscaping placement. Savely explained landscaping requirements for modified site plans that have already been approved. Summers mentioned that there is more landscaping than is included on the drawings saying it was only required previously to show typical landscaping on two of the units with the understanding that all of the units would be landscaped in a similar fashion and explained that in more detail in response to Mart's questions. Fleitas asked for confirmation that there were 25 parking spaces on the plan. Summers confirmed. Mart asked about green space. Summers said the "garden" was west of the southwest-most building, a 25 x 70 foot area next to the road. Mart expressed concerns about parking, space between buildings, layout of the buildings, location of the HVAC units. Hildenbrand mentioned that all of this had been approved before in 2020. Scott Davis said, so if this is approved, and the Fire Department sees something out of line, it will have to be changed? Savely said that if this has to be amended, it will come back to the committee. Wilson stated that it had already been before the Plan Review team and approved. Davis said that the details are left up to Plan Review, the committee looks at the big picture. Fleitas clarified that what we are approving is going from 7 to 8 units with this preliminary site plan with a firm understanding that the ultimate approval will be with the city and fire department addressing Ms. Mart's concerns which will still have to be addressed within code before construction can begin. Savely agreed. Leake asked for a motion. Wilson added that the construction permits have been signed off on for the first seven units, so the only one in question would be the new unit #8. Williams asked is parking was being considered for all or just number 8, Wilson said unit 8 is the only one and it's ready to go. This will then all go before Plan Review one last time to check all of this in totality. Patti Thompson then asked if the scope of the decision tonight is just to give it the go ahead on allowing an 8th unit so they can start looking at the other things that go with it. Mart once again expressed her concerns. Savely said that's why you are being asked to review the density also at the higher level. A motion to approve the modification of a major site plan was offered by Gus Hildenbrand, seconded by Patti Thompson. All in favor except Leslie Mart voted No. The Flexible Use to allow duplexes was brought up for a motion just so it was on the record. Mart made the motion to approve, seconded by Pam Hadley and approved unanimously. Then a motion was made to approve the flexible variance to increase 12 units per acre for a total of 16 units by Mark Williams, seconded by Scott Davis, all approved except Mart who voted against.

Savely then advised the applicant of the next steps.

Chair Leake then announced the next item on the agenda, FLEX23-02, Change of a Non-Conforming fence at 2215 Reagan Cove. Melvin Orr came forward to present his application. Mr. Orr said that his existing fence encloses a pool in the back yard and is in need of repair. He wants to redo the fence but found out that he has two front yards on his corner lot. The Nixon Street side has 80 feet of 6 ft. tall fence which is 10 feet off Nixon. He wants to move it back off of Nixon another 16 feet and keep a wrought iron gate adjacent to the house, but is requesting to be allowed to exceed the 4ft max height in this front yard by installing an 8 ft. fence there so they can have privacy for the pool. Wilson stated that there was not a drawing for the proposed fence, that it was simply 16 feet further back from the street, which would put it a total of 24 feet from the curb. Mart asked that it looked like the neighbor on the east side was doing something there. Orr said that he wanted to go 8ft in height on the east side because some of the previous trees and shrubs had been lost when they died from the freezing temps and beetle infestation last year. Mart confirmed that he was just wanting to replace what he has currently got with new fence, but moving it back 16 feet further on the Nixon side. Orr agreed. Hildenbrand asked if that was tornado damage and Orr replied no.

Leake asked if anyone wanted to speak to the issue. Wilson said that 59 letters went out and only one call came in for clarification. Savely explained the reason the fence is non-conforming and the change being requested. A motion to approve was made by Mark Williams, seconded by Bentley Nolan. All voted in favor so the approval was unanimous. Savely advised the applicant of their next steps.

FLEXVAR23-01 – 589 North Coley Road, adding electronic media to a non-conforming multi-tenant sign. Adam Cleveland, 1979 North Coley Road wants to add an LED reader board to a non-conforming sign. Mart asked if there were any residences nearby. Cleveland said this is the location just north of Chesterville Road. Wilson stated that 6 letters went out to adjacent property owners. Mart asked for clarification. Cleveland mentioned that they wanted to update the multi-tenant panels as well as the “LQ portion” and then add electronic media, or a digital reader board measuring 65 inches by 17 feet underneath the top LQ portion. Wilson stated that the board is a high quality Watchfire brand board. Hadley asked if they were putting landscaping at the base. Cleveland replied yes. Mark Williams noted that there was a planter at the base. Cleveland said they were going to modify that to work better for permanent landscaping instead of placing potted plants. Fleitas asked if the Airport Authority needed to approve this. Wilson stated that this was not required until the height gets to 100-200 feet, and that the height will remain the same at 30 feet, which is the same height that is allowed for a multi-tenant sign with 2+ tenants. Savely stated that the recommendation was that the lighting be 4,000 kelvin or less at this location. Wilson stated that he spoke with the sign company that assured him that the sign is capable of automatically controlling these specifications during all times of the day in bright light or at night. Cleveland agreed that this was fully compatible with any standards required. Leake closed the public input portion. Wilson said that a letter did go out to the Airport Authority and no response was received. Patti Thompson made a motion to approve and Leslie Mart seconded, with the vote unanimous

for approval. Savely advised the applicant of next steps. And Savely clarified that the approval also included the landscape requirements, and that was unanimous to include the previously stated landscaping.

Leake moved on to the next application, FLEXVAR23-02, 1890 McCullough Boulevard, calling the applicant forward. Josh Roberson was asking for a variance on the required lot width for a two lot minor subdivision at 1890 McCullough Boulevard. This development originally started out as a one lot project with two buildings on one block of land. One of the businesses decided that they wanted to own the property instead of leasing, thus the need to divide the parcel, which required dividing the lots in a manner which left the shared parking on the other lot. The access isn't actually off of McCullough, but off of a drive to the west side of the two lots. MDOT would not allow additional curb cuts on McCullough thus dictating that access come off of a shared drive that Storage City also uses.

Mart asked who owned the drive. Roberson said they had an irrevocable easement from Storage City to use the drive. Wilson said that this was really a technicality since frontage is defined in the code as being off of a city street, not on a drive. Savely explained the principle and stated that the City recommends approval since the easement runs across the front of both lots. The developer said there are several easements that run with the property via deeds so that these will not cause any problems going forward. Mart asked about the use of the buildings. Roberson stated one was a crossfit gym and the other a shell building possibly a multi-tenant office building. Mart asked about Plan Review for parking. Wilson explained the way that parking is allocated by use and that the proposed uses would have to follow available parking. Savely mentioned that a landscaping plan was included. Wilson stated that 15 letters went out with only two question calls for clarification. Mart asked about the house that had been on the lot. Roberson said there was a house on a lot just east of their lot. Wilson explained that this house could probably not be used as a residence in the future due to the renovation costs exceeding 50% of the assessed value. Mart asked about buffers required. Wilson and Savely both mentioned that no buffer is required because both lots are zoned similar off of McCullough, but there is residential to the north, but Storage City owns a portion in between. Savely mentioned that the Land Development permit allowed cutting of most of the previous trees and that a 10 foot buffer was left. Leake closed the public input section and opened the meeting for committee discussion. Mart asked a question about setbacks in MUCC. Usually developers clear it out and then landscape back when building. Leake asked for a motion. Bentley Nolan moved to approve, Pam Hadley seconded the motion, with all in favor of approval. Savely informed the applicant of the next steps. Thompson asked if there was anything on the agenda for May. Savely mentioned three possible applications.

Chair Leake mentioned that the next work session will be Monday, April 24th at 5:15 PM, and the regular planning committee meeting will be scheduled for Monday, May 1st at 6 PM. There being no further business, Patti Thompson made a motion to adjourn which passed unanimously.