

CITY OF TUPELO

PLANNING COMMITTEE MEETING MINUTES

Date: September 8, 2025

Location: City Council Chambers, City Hall, 71 East Troy Street, Tupelo, MS

CALL TO ORDER

The meeting was called to order by Chairman Victor Fleitas.

- **Invocation:** Ms. Pam Hadley
- **Pledge of Allegiance:** Mr. Mark Williams

Board and staff introduced themselves for the record.

Members Present:

Chairman Victor Fleitas; Mr. Mark Williams; Mr. Aaron Washington; Ms. Pam Hadley; Mr. Lindsey Leake; Ms. Leslie Mart; Ms. Patti Thompson; Mr. Scott Davis

Staff Present:

Mr. Tanner Newman, Director of Development Services; Ms. Mandolyn Shurden, Zoning Technician; Mr. Pat Faulkner, Planning Consultant; Mr. Ben Logan, City Attorney

APPROVAL OF MINUTES

Action: Motion by Mr. Scott Davis, seconded by Ms. Patti Thompson, to approve the minutes of the August 4, 2025, meeting.

Vote: Unanimous approval.

REPORT OF COUNCIL ACTION

Mr. Newman reported that the City Council had approved the Park Hill Residential Overlay District and MAJSUB25-02. Several text amendments were returned to the Committee for further review.

OLD BUSINESS

FLEXVAR25-03 – Request for side setback reduction from 10 feet to 4.5 feet in the Low Density Residential District.

- Mr. Newman reported that the application had been withdrawn and resolved.
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NEW BUSINESS

RZ25-01 – Rezoning Request

Applicant: Dr. Max Hutchinson

Location: 12.8 acres between McCullough Boulevard and Pecan Grove Road

Request: Rezone from Mixed-Use Commercial Corridor (MUCC) to Low-Density Residential (LDR)

Chairman Victor Fleitas asked whether the surrounding property owners had been notified. Mr. Newman confirmed that they had. Chairman Fleitas then asked if there had been any responses. Mr. Newman stated that there had been quite a few.

Applicant #1, Dr. Max Hutchinson, 1632 Pecan Grove, addressed the committee. Dr. Hutchinson stated that he filed the request to rezone approximately 12.8 acres from Mixed-Use Commercial Corridor (MUCC) to Low Density Residential (LDR). He explained that the property is largely landlocked, with no significant frontage on a major street, making it unsuitable for commercial development. However, he noted that the property is well-suited for large lot residential subdivision development, which would be compatible with adjacent properties.

Dr. Hutchinson further explained that the property has essentially no frontage on McCullough. A tributary of Town Creek, serving as a large drainage ditch, prevents access on the west side. The Natchez Trace Parkway bounds the property on the east, and an existing subdivision borders the north, leaving very limited access for commercial development.

Chairman Fleitas asked whether any committee members had questions for the applicant. He then inquired of Dr. Hutchinson: given the property's constraints, while it may not be feasible for commercial development, could it still potentially be developed for commercial use under MUCC zoning?

Dr. Hutchinson responded that commercial access would require construction from the west side, across the drainage ditch. This would necessitate a concrete culvert bridge, which would be cost-prohibitive. Further, he did not own the property to the west, and this area does not have access to Mt. Vernon Road.

Chairman Fleitas asked whether that expense eliminated feasibility. Dr. Hutchinson replied that while it did not make commercial development impossible, it significantly limited the viability. He added that there are currently no plans to develop the west side of the property, further restricting access.

Public Comment:

Bradley Dixon (1641 Pecan Grove) voiced concerns regarding traffic, road capacity, and drainage.

Ryan Russell (1912 Pecan Grove) objected to additional traffic through a single-access subdivision; he expressed concerns regarding emergency response and pedestrian safety near Montessori School.

Melinda McElroy (1838 Pecan Grove) opposed the rezoning, citing drainage concerns and loss of cul-de-sac character.

Beau Hill (1837 Pecan Grove) reported existing drainage issues; stated that site clearing began before permit issuance.

Jackie Newell (1792 Pecan Grove) objected to an entrance from Pecan Grove, citing potential conflict of interest with the applicant's role as HOA president.

Jim Spencer (1684 Pecan Grove) expressed conditional support for development under the applicant's oversight.

Scott Eaves (1720 Pecan Grove) opposed the rezoning, citing traffic, reduced property values, and entrance location.

Chairman Fleitas asked Mr. Newman to read an email from the Natchez Trace Land Resource Manager, clarifying that subdivision access from McCullough Boulevard would not be possible due to proximity to the Parkway boundary.

Staff analysis by Mr. Faulkner found the request consistent with rezoning criteria, compatible with surrounding uses, and recommended approval.

Mr. Davis asked if the property would be landlocked without road access. Mr. Faulkner responded that road construction would be the developer's responsibility. Dr. Hutchinson explained that he doesn't own the property to the west and has no right of way to cross that property to link to Mt. Vernon Road. Ms. Mart asked Dr. Hutchinson if the space that was the boggy area has been mitigated with MDEQ. He confirmed it has and that it will remain the green space.

Mr. Williams asked about tree preservation on the lot between Pecan Grove and the property in question. Dr. Hutchinson stated that only trees creating erosion risks were removed, and the property will remain green space. When asked about clearing without a permit, Dr. Hutchinson said the work was necessary for drainage stabilization and to improve flow in King Creek. He added that riprap would be installed before winter. Ms. Mart asked if the rip rap would be seen from Pecan Grove and Dr. Hutchinson said it was possible. Ms. Mart further asked if he would landscape with trees and shrubs to hide the rip rap and he agreed.

Committee members discussed traffic and drainage concerns. Dr. Hutchinson emphasized that the subdivision would be a cul-de-sac with 11 lots, generating far less traffic than commercial development and likely attracting retired residents. Mr. Faulkner explained that traffic, drainage, and street standards are reviewed at the subdivision stage. He also confirmed that 11 lots would not trigger a traffic study.

Chairman Fleitas summarized that drainage must be managed on-site, that portions along the ditch will remain green space, and that engineering standards will be enforced at the subdivision stage. Mr. Davis asked if rezoning to residential remained the best use even without a site plan, and Mr. Faulkner confirmed that residential is the highest and best use. Committee members, including Ms. Thompson and Mr. Davis, agreed that the property is better suited for residential than commercial use.

Action: Motion by Ms. Mart, seconded by Ms. Hadley, to **approve RZ25-01**.

Vote: Unanimous approval.

MAJSUB25-01 – Major Subdivision

Applicant: Dr. Max Hutchinson

Location: 12.8 acres between McCullough Boulevard and Pecan Grove Road

Request: To develop 11 residential lots

Chairman Fleitas asked if surrounding properties had been notified and whether there were any responses. Mr. Newman stated that notices were sent, and a few responses were received. Before moving into public comment, Mr. Newman asked Mr. Faulkner to present the staff analysis.

Mr. Faulkner explained that the code requires the preliminary plat to conform to applicable adopted plans, subdivision standards, and all relevant codes. Mr. Faulkner stated that the lots had been revised so that each one meets the minimum width and size requirements for Low Density Residential zoning, he noted that a traffic impact study is only needed when more than 130 peak-hour trips are anticipated, which does not apply to this project. Stormwater management and drainage will be reviewed during the construction plan phase. Street right-of-way and cul-de-sac

designs were adjusted to meet Fire Department requirements for equipment access. Sidewalks are not shown on the plat, but sidewalks are required only where connections exist; if none exist, a fee-in-lieu must be paid. Tree preservation is not required for residential subdivisions. The project requires 10 percent open space, which equals 1.28 acres; the plat provides approximately 2.67 acres. Mr. Faulkner stated that the only outstanding issue is the sidewalk or fee-in-lieu requirement and recommended approval.

Chairman Fleitas asked for clarification of the staff's recommendation, and Mr. Faulkner confirmed staff recommended approval.

Ms. Mart asked about a green area shown on the plat and whether it was considered part of the subdivision. Mr. Faulkner stated that the area is controlled by Dr. Hutchinson and would need to be assembled into the subdivision. Mr. Newman clarified that the lot referenced along Pecan Grove was not platted in prior phases but would become part of Phase III if approved. Mr. Faulkner added that this would be finalized when the final plat is drawn up and recorded at the courthouse.

Ms. Mart asked if all of the lots meet Low Density Residential standards. Mr. Faulkner confirmed they do. She also asked about mailboxes. Mr. Faulkner explained that the Postal Service now requires a cluster mailbox location in new developments, though it was not shown on the plat.

Mr. Williams asked if the committee could approve the subdivision with restrictive covenants to require specific green space usage. Mr. Faulkner replied that subdivision approval is considered ministerial, not discretionary, meaning the committee may not attach conditions, though suggestions may be made to the developer. Ms. Mart asked if suggestions could still be offered, and Mr. Newman confirmed that they can be communicated to the developer.

The public portion of the hearing was opened. Dr. Hutchinson addressed the committee, stating his intent to develop eleven high-quality residential lots in the heart of Tupelo, emphasizing the property's prime location and his commitment to preserving as many trees as possible. He confirmed that the new lots would be incorporated into the existing Pecan Grove Homeowners Association with similar covenants and that the development would not negatively affect current property values.

Dr. Hutchinson stated he was willing to accept restrictive covenants to preserve the designated green space, including the approximately 2.4 acres that include frontage on Pecan Grove. He explained that previous understory clearing and minor tree removal in a wooded strip between the new development and Pecan Grove were necessary to stabilize erosion and improve drainage, with riprap to be installed before winter, and that he consulted city engineer Dennis Bond and an Oxford-based engineer to complete a water study. Dr. Hutchinson noted he has a two-year construction easement for access across property west of the ditch to Mount Vernon Road.

Public Comment:

Ryan Russell (1912 Pecan Grove) expressed concern regarding the Mount Vernon access road and noted a prior agreement that had not been honored.

Melinda McElroy (1838 Pecan Grove) raised concerns about tree removal, inclusion of Phase Three within existing covenants, and the location of the proposed new entrance.

Jackie Newell (1792 Pecan Grove) stated that a lot previously approved by the homeowners' association was not reflected in the plat. She stated that Phase 3 is not noted in the Pecan Grove HOA information.

Mr. Newman clarified that the committee's decision is a recommendation to the City Council and that the council would hold a subsequent public hearing, likely in early October. Mr. Davis questioned whether adding eleven homes to the existing twenty would require two entrances for the neighborhood, and Mr. Newman explained that the threshold is thirty lots and that the fire marshal has discretion in determining additional access. Dr. Hutchinson confirmed he had discussed the matter with the fire marshal and received preliminary approval for a single entrance.

During committee discussion, Chairman Fleitas noted that development services had already reviewed the application and raised questions about the requirement for two points of ingress and egress for subdivisions with thirty or more lots, which is determined at the fire marshal's discretion. Ms. Mart inquired about the developer's right to place a street on property he owns and the legal obligations of the committee to grant access, and Mr. Newman confirmed that access to one's own property cannot be denied. Ms. Mart also raised additional issues, including sidewalk contributions, curbing, tree preservation, mailbox locations, construction entrances, and landscaping buffers, which were noted for further review.

Action: Motion by Ms. Patti Thompson, seconded by Ms. Leslie Mart, to **table MAJSUB25-01**.
Vote: Unanimous approval.

TA25-01 – Proposed Amendments (Chapters 2, 4, 5, 11)

Mr. Williams suggested to Chairman Fleitas that, due to the lateness of the evening and the remaining agenda items, it might be better to table the matter until the next meeting. Chairman Fleitas asked the staff if there was any urgency for action at this meeting. Mr. Newman explained that the public hearing for TA25-01 had already been held and that this item was only an update to the Planning Committee on amendments and changes recommended after the hearing.

Action: Motion by Ms. Pam Hadley to table, seconded by Mr. Mark Williams, to **table TZ25-01**.
Vote: Unanimous approval.

Later brought back on the table for consideration, Mr. Faulkner then reviewed the amendments, which included restricting convenience stores with fuel sales to arterial streets and requiring a

separation distance of 1,500 feet between such establishments, the removal of the billboard replacement option, extending billboard restrictions to mixed-use corridors consistent with Chapter 10, and adding a 1,500-foot separation requirement to Chapter 11.

Action: Motion by Ms. Leslie Mart, seconded by Mr. Aaron Washington, to **approve TA25-01 as written**

Vote: Unanimous Approval.

TA25-03 – Proposed Amendments (Chapters 10 and 12)

Amendments presented by Mr. Faulkner regarding signage, billboards, subdivision definition, mailbox requirements, tree protection plans, and development agreements.

Ms. Mart raised concerns about missing definitions in Chapter 2 for microbreweries, native wineries, and pubs. Mr. Faulkner noted these are defined by state statute and proposed adding "native winery" for consistency. Mr. Faulkner then outlined text amendments, including updated sign permit requirements, expanded definitions, new restrictions on placement, materials, and window signage, as well as billboard changes reducing height, limiting zones, and increasing separation. City Attorney Ben Logan provided additional information on MDOT billboard regulations

Mr. Faulkner further reviewed changes proposed to Chapter 12 regarding subdivisions. These included clarifications to the definition of minor subdivisions, the addition of requirements for cluster mailboxes and tree protection plans, updates to the process for addressing, inspections, and development agreements, and revisions to security amounts for construction to better reflect current costs. After the public hearing was opened and closed with no comments, the committee discussed the matter. Mr. Davis requested that the requirement for two parallel parking spaces at cluster mailboxes be added.

Action: Motion by Mr. Scott Davis, seconded by Mr. Aaron Washington, to **approve TA25-03.**

Vote: Unanimous approval.

OTHER BUSINESS

- **Next Work Session:** September 29, 2025
 - **Next Public Hearing:** October 6, 2025
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ADJOURNMENT

Action: Motion by Ms. Patti Thompson, seconded by Ms. Pam Hadley, to adjourn.
Vote: Unanimous approval.

Meeting adjourned.