

**MINUTES OF THE
TUPELO PLANNING COMMITTEE
August 2, 2021**

CALL TO ORDER

Chairman Scott Davis called the meeting to order. Mr. Lindsey Leake, Ms. Pam Hadley, Mr. Jimmy Swann, Ms. Leslie Mart, Ms. Patti Thompson, Chairman Scott Davis and staff member Russ Wilson, Zoning Administrator for the City were present. Mr. Gus Hildebrand arrived during discussion of the Old Business item.

Chairman Davis asked Mr. Leake to open with a prayer and Ms. Patti Thompson to lead the pledge. Afterwards, staff and committee members introduced themselves to those present.

REVIEW OF JULY 12, 2021 MINUTES

Chairman Davis asked the group if they had reviewed the minutes of the last meeting. Ms. Thompson made a motion to approve the minutes, and Ms. Mart seconded. The motion carried by unanimous vote.

REPORT ON COUNCIL ACTIONS

Mr. Wilson reported that all July 12 actions were approved by the City Council at their July 20 meeting through approval of their minutes.

OLD BUSINESS

MSP18-01/REZ21-01 (Revision/Rezoning): Request to modify the site plan for the Landmark project on North Gloster Street, which was initially reviewed and approved by Planning Committee in June and July of 2017, and revised in 2018 to change locations of hotels and allow additional height on one of the hotels. This current proposed change affects only lots 6 and 7 of the overall development, to replace the retail space on these two lots with additional hotel space, which is limited to three stories by current zoning. (Rezoning) The applicant wishes to rezone lots 6 & 7 from Mixed Use Residential to Mixed Use Commercial Corridor (MUR to MUCC) in order to allow 4 story hotels to be built.

Mr. Bruce Patel with Fusion Hospitality and Mr. Greg Carrico with Pickering Engineering addressed the committee. Mr. Patel explained how Covid-19 has expanded the e-commerce market, which has negatively affected the retail market. He said major retailers are shutting down during the Pandemic and it just didn't make sense to have retail located further back off Gloster. Also domestic tourism had reached an all-time high and is predicted to go higher, thus the reason for the requested changes, with a hotel with suites in back and restaurants and a scaled down retail plan in front due to these market changes. Mr. Wilson showed maps on-screen of the original and revised plans and explained the history of the project. Mr. Patel reviewed the plans on screen and gave more details on the history of the project and the current request. He hoped to eventually have two Hilton and two Marriott hotels on the property. Mr. Davis asked if he could make the three story hotel work. Mr. Patel said that it just didn't work financially and that 4-story hotels are all that have been built in Tupelo in recent years. Ms. Thompson asked how the 4-story hotel would affect the houses behind the proposed hotel. Mr. Patel said that these homes were not for sale, but rather CCRC (Continued Care Retirement Community) leased units and that fences are included on the site plan, each unit has fewer windows than normal with window treatments and that they have had no problems at other facilities in similar locations. Ms. Thompson asked if the applicant would consider moving the plan closer to Gloster to

reduce its impact on the residences and Mr. Patel agreed to do so and submit photometric plans which show that for City approval. Mr. Pickering added that this could easily be accomplished and Mr. Patel said that it would actually increase visibility of the hotel from Gloster. Mr. Wilson asked if the additional height would be a problem for the residents on Sunnyside and also if the retail would still help making the development mixed use and more self-sustaining to reduce to need for aging residents to leave the property. Mr. Patel mentioned that pharmacy and dry cleaning is delivered directly to residents and that there are on-site laundry facilities.

Mr. Hildenbrand arrived and asked why there were four hotels, and why there was a need to move them since they could be allowed on the Gloster Street side. Mr. Patel repeated his earlier justification of why retail was in less demand and only commanded lower rental rates. Mr. Swann asked again if the hotel on lot 6 could be moved forward and Mr. Pickering explained that it would not be a problem at all and Mr. Patel agreed to do so. Staff member Mr. Wilson asked how long it would be before they could determine when Lot 7 could be built with a hotel and asked if it might be wise to delay rezoning of that portion. Mr. Patel said it might be two years so he didn't have an issue delaying rezoning that parcel. Mr. Wilson also asked about the tree buffer on the West side of those lots and the proposed tree buffer. Mr. Pickering stated that it would be easy to work toward planting trees that would be better buffers for the residences. Mr. Patel pointed out that he has a record of exceeding minimum landscape plans on his previous developed properties in Tupelo. Mr. Swann reminded the applicant that the proceeding is being recorded so his promises are documented. Mr. Wilson reminded that a new site plan must be presented for approval in order to address these issues.

Mr. Davis opened the floor for public comments. Karen Thompson who lives off Sunnyside asked about the future of Rial Drive. Mr. Patel mentioned that Rial Drive terminates as shown on the plan. The 1309 Rial resident asked about the buffer between the development and her property. Mr. Pickering showed the 20 ft. landscaping buffer that was shown on the plan to address her issue. Mr. Patel mentioned that he demolished an abandoned house that was on the adjacent property. Ms. Mart asked about the elevation differences between the Rial Drive properties and the development. Mr. Pickering mentioned that it was a gentle slope and that the plan will adequately address that issue and Mr. Patel reiterated that Rial Drive had been abandoned just past the houses on Rial Drive. Mr. Davis closed the Public portion of the hearing and opened up discussion for committee and staff. Mr. Davis asked Mr. Wilson what the staff recommendation was.

Mr. Wilson stated that The Department of Development Services would recommend approval of the rezoning request provided that an adequate landscape buffer was in place to protect the residents to the West from any negative impact of the 4-story hotel development proposed for lot 6. However, since there was no hurry to develop lot 7, Mr. Wilson recommended that it not be included in the rezoning right now.

Mr. Wilson explained that there are two actions being considered tonight which are both related. It was recommended that the most recent request for the site plan changes be approved, but to move the two 3-story hotels on lot 6 closer to Gloster and approve the plan for lot 7 as presented. The next action should then be to rezone only lot 6 to MUCC from MUR in order to allow the hotel to be built to 4 stories, with the understanding that an adequate landscape buffer be added to protect the residential area to the West.

Mr. Davis further explained this process again with several questions asked about current zoning, sidewalks, clarification for the two actions needed, both the proposed site plan approval and the proposed rezoning.

Mr. Hildenbrand made a motion to approve the site plan changes as presented and tabled earlier, with the only change being that the 3-story hotel on lot 6 be moved to the east side of the lot 6. Ms. Mart seconded the motion. The motion was approved unanimously.

Ms. Mart made a motion to approve the rezoning of Lot 6 from MUR to MUCC, allowing the hotel on that lot to be 4-stories. Mr. Leake seconded the motion and it passed unanimously. Mr. Wilson advised those present of their right to appeal the decision within three days to the Department of Development Services, otherwise the committee's minutes will be sent to the Council for consideration at their next City Council Meeting.

NEW BUSINESS

REZ21-02: Request to rezone two parcels off of Priscilla Lane near the intersection of North Veterans and I-22 from Agricultural/Open Space (A/O) to Mixed Use Commercial Corridor (MUCC).

Mr. Wilson asked to make a correction to the application. It was overlooked when preparing the packet that one of the two lots being considered is actually zoned LDR while the other is zoned A/O. The notice was correct on one side of the map sent out with the notice, but incorrectly shown on the actual map of the two parcels. This doesn't change the intent of the rezoning but was seen as a small error, not requiring that new notifications be sent.

Mr. Davis requested that the applicant present his information.

Mr. Eddie Carnathan, 132 Union Bell Blvd, Saltillo. Mr. Carnathan introduced his family and gave a history of the property and the general area of his proposed development. His parents and grandmother had lived on part of the property, but after they passed away, both houses were vacant for years and eventually sold and moved. They have since had Tombigbee Electric and Thompson Machinery interested in purchasing the property years ago when the property did not have adequate acreage or public utility infrastructure to support their plans. Since then, the City of Tupelo annexed this area in 2012 and has improved the water and sewer to support commercial development all along that intersection with I-22 and even on across on the North side of 1-22. With this infrastructure in place, now seems to be a good time to sell.

Recently, Mr. Carnathan has signed a contract to sell this area for development of a convenience store/gas station, with a possible addition of a restaurant and strip center retail area with 3-4 businesses. He asked to rezone these areas and noted that they had been encourage to go ahead and rezone the additional property at the same time since that seemed to be the best use for that vacant property. He mentioned that there are only two other properties remaining on these lots and that Cooley Trucking had recently located just South of there. Mr. Carnathan said that the flooding in that area has been greatly reduced in the Town Creek area by flood control measures added over the years.

Mr. Duke Loden, who lives in Ridgeway in Tupelo mentioned that this area is ready for development due to the "big water, big sewer, and big electrical capacity" in that area. He said they don't get big areas like 25-30 acre developments very often and this site is ready. Mr. Loden passed out renderings of the proposed initial development from a company in Cordova TN, similar to the development off Hwy 45 at Eason with the gas station and restaurant. Mr. Hildenbrand mentioned that if the proposed developer had done business in Collierville or Cordova, TN, it had to be of high quality.

Mr. Davis opened the public input portion of the meeting.

Mr. Reed Booth of Boca Raton, FL, and "part time" resident of 121 Priscilla Lane spoke about his Dad living there now, and his grandparents before that. He considers that to be "home" and stays there when he visits

and along with his sister, Robin does not want a gas station across from his house at 121 Priscilla Lane. He said gas stations off the interstate, “draws drugs, prostitution, and sex trafficking”, and that would be right outside their front door.

Robin Clark of Brandenton, FL said she also lives in the home in Tupelo. She said that she knew that someday that this would be valuable commercial property. Her parents had told her that this would happen with I-22 coming through, the property being brought into the city - that it would someday be sought as commercial property but doesn't think now is the time. They do see a future of a large development, but doesn't see how such a small development now could benefit the area. Maybe in the future a large development that Tupelo could want in the future, something big that we could all benefit from would be better.

Mr. Booth added that his dad could not be there tonight because he fell recently and broke his hip and couldn't get out of the hospital to come to the meeting. They all love Tupelo, but don't want a gas station in their front yard.

Ashley Norman, 133 Priscilla Lane lives near the property with her husband and children. They have lived there since 2016 and recently purchased the property and wanted to keep this property in their family. She said she understands why they want to sell the land, but she is not for it because of a gas station 500 feet in front of her house. They own lots 133 and 133A on the map located between the two parcels requested to be rezoned. She said she would like to wait until a bigger development that benefits all of us are considered. They don't want this in their front yard.

Mr. Hildenbrand stated that the gas station location was unclear. Mr. Davis asked for clarification on how you get to the gas station, that the concern seems to be where will the road actually be to access the property? Will it be Priscilla Lane, which is a narrow street.

David Smith, a brother-in-law, spoke to how small the property is, how narrow the road is. He said he had been a sheriff before and what these gas stations draw off the interstate, and that would be 50 yards away from the property. He understands that this is a property that will develop, but he doesn't think anyone would want this in their front yard.

In response, Mr. Carnathan explained more of the history of the property and mentioned that the land is now vacant and that he owns more property in the area and doesn't want to see development that would be degrading to his other property. The larger site would be ripe for a large development. He has turned down other offers that he didn't think would be good. He wants it to look good and be something others would appreciate.

Mr. Davis closed the public portion and opened it up to committee discussion.

Mr. Hildenbrand thought that the development would be a nice place and that it wouldn't be beneficial to allow something that would bring property values down. He thought it looked like a good opportunity, similar to the Brooks Grocery Development. Others on the committee disagreed and pointed out that no homes were as near as at this location

Several committee members asked if this was the right time to develop this property as commercial, is this the right place to develop this property. Ms. Thompson asked if there were other houses on the LDR portion, to which Mr. Carnathan said that all the houses were vacant or ready to be removed from the property. Mr. Wilson and Mr. Carnathan each clarified the zoning of each lot and where the opponents to the rezoning actually live and how they currently access their property. Mr. Leake asked about a landscape buffer between the commercial and the residential. Mr. Davis mentioned that this was just preliminary but that a buffer

would be required as usual between commercial and residential. Ms. Mart asked if they could rezone only one lot. Mr. Wilson said that was a possibility, however, with one being zoned A/O it was in a holding position to be rezoned in the future as Commercial with its location to the Interstate. Mr. Hildenbrand said that all the traffic would have to access the commercial via Priscilla LN. Ms. Thompson suggested tabling the item. Mr. Davis said that this situation was different with homes nearby and thought it ought to be decided now, which is why we have a Planning Committee. Ms. Hadley questioned if we were voting on the gas station or just the rezoning. Mr. Davis clarified that. Mr. Davis asked for a motion. Ms. Thompson made a motion to deny. Ms. Mart seconded the motion with 4 voting to deny and three abstaining, so the motion to deny passed 4-3.

Mr. Wilson informed Mr. Carnathan of his right to appeal the decision in writing to the City Council within three days, and if he wishes to revise the plan with other parcels added, he would not have to wait one year to submit an application to rezone since it would be different.

FLEX21-03: Request to allow expansion of a non-conforming use at 6481 Chesterville Road. This non-conforming use was grandfathered in when this area was annexed into the City. Applicant wishes to expand this non-conforming use to add RV rental spaces.

Mr. Davis called the next applicant forward.

Rick Tudor, 148 Bellwood Hills Circle in Tupelo bought the business about 2 years ago and wishes to add RV/Boat storage. Mr. Wilson showed an aerial map of the property located across the street from Chesterville Grocery. Due to the turn radius of RVs, the original site plan was revised to move the storage areas. Mr. Wilson also pointed out 5 recently built rental houses which back up to the property and the existing tree line which would mostly be removed to make space for the RV/Boat stalls. Mr. Hildenbrand asked about trees. Mr. Tudor mentioned that those would have to come down. The entrance is located in a curve of Chesterville Road. This was the only place on the lot to place the new spaces. Ms. Mart asked about whether the storage units were there when the applicant bought the business. He said yes. Ms. Thompson asked whether there was a need for this. Mr. Tudor went to a self-storage conference recently and learned a lot about this as being a service to an area and now plans to add electrical service to the units to accommodate RVs and battery chargers for boats. Mr. Davis asked about a landscape buffer requirement. Mr. Wilson said there is a requirement but didn't know the specifics. Mr. Tudor intends to gravel the parking lot and the new units will be 35'x12'canopy style steel structures. Mr. Swann asked about calls from surrounding property owners. There had been no calls. Ms. Thompson asked about drainage and Mr. Tudor said that it wouldn't add any extra drainage or shouldn't create any drainage problems. Ms. Mart asked if the applicant had looked at any other possible locations and he said he has not. Mr. Hildenbrand and Mr. Davis discussed the buffer area. Mr. Davis said he thought this was a good service, but creating a buffer was the challenge. Mr. Davis suggested that the committee table the item and see if the applicant can improve the landscape buffer. A motion was made to table by Gus Hildenbrand and the motion carried unanimously and will be moved to the September agenda.

The committee discussed the September meeting due to the Labor Day Holiday. It was decided to have the work session on August 30, with the Planning Committee meeting moved to September 13th. MS. Thompson made a motion to adjourn, seconded by MS Mart and it passed unanimously.