

CITY OF TUPELO

PLANNING COMMITTEE MEETING MINUTES

Date: June 1, 2026, 6:00 P. M.

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

CALL TO ORDER

Ms. Leslie Mart called the meeting to order at 6:00 P.M.

- **Invocation:** Mr. Lindsey Leake
- **Pledge of Allegiance:** Ms. Patti Thompson

Board and staff introduced themselves for the record.

Committee Members Present:

Mr. Mark Williams via conference call, Mr. Aaron Washington, Ms. Pam Hadley, Ms. Leslie Mart, Ms. Patti Thompson, Mr. Scott Davis, and Mr. Lindsey Leake.

Staff Present:

Mr. Tanner Newman, Director of Development Services, Mr. Pat Falkner, Planning Consultant, Ms. Kim Rushing, Community Development and Outreach Coordinator, Mr. Patrick Reagan, Chief Building Inspector

APPROVAL OF MINUTES

- **Action:** Mr. Scott Davis moved to approve the May 4, 2026, meeting's minutes, seconded by Ms. Pam Hadley.
 - **Vote: Approved** by a show of hands. **Motion carried.**
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REPORT OF COUNCIL ACTION

- No appeals were made following the May meeting.
- **RZ26-02 Zoning Map Change** (Parcels 084S-18-001-18, 084S-18-001-04, 084S-18-001-19, 083U-07-066-06, 083U-07-003-00, 083U-07-005-00) public hearing will be held during the June 2, 2026, City Council meeting.

NEW BUSINESS

MAJSUB 26-03: Sunny Way Spring Lake Subdivision - West side of South Thomas St., south of Yates Acres subdivision (Parcel – 101A-02-211-00)

Location: West side of South Thomas Street, south of Yates Acres Subdivision MDR

Request: Preliminary Plat Approval of an eight (8) lot major subdivision on currently vacant land of 6.65 acres.

Notices: Mr. Newman confirmed that adjoining property owners were notified. There were several phone inquiries regarding the application.

Applicant: VIVAAN, Inc. Vinod Kumar 880 Eads Creek Rd. Saltillo, MS 38866

- The proposal is to create eight lots: two one-acre lots and six approximately half-acre lots.
- Mr. Kumar plans to build his own house on one lot and sell the remaining lots or build homes to sell on the remaining lots.

Public Hearing: Ms. Mart opened the public portion of the meeting.

- **Leigh Murphy**, 2808 Columbine Place, Tupelo, MS – Ms. Murphy, a resident of the Spring Lake subdivision and a member of the Spring Lake Homeowners Association Board, addressed the Planning Committee regarding concerns and recommendations submitted by homeowners in the subdivision regarding the proposed development. Ms. Murphy presented three recommendations for the committee's consideration. Ms. Murphy requested that, if the proposed development is approved, the committee include a recommendation in the minutes that the developer not be permitted to use the "Spring Lake" name for the new subdivision unless the development becomes part of the Spring Lake Homeowners Association and adheres to the subdivision's restrictive covenants. She stated that homeowners believe that the use of the Spring Lake name without such affiliation could create confusion or mislead prospective homebuyers about the relationship between the proposed development and the existing Spring Lake subdivision. Ms. Murphy noted that the developer has proposed a gated access point from Thomas Street. She requested that, should the development become part of the Spring Lake Homeowners Association and operate under its covenants, residents of the existing Spring Lake subdivision be provided access through the gate, including access to any required entry codes. Ms. Murphy requested that, if the development joins the Spring Lake Homeowners Association and adopts its covenants, any common areas and green spaces within the proposed development be designed and maintained in a manner consistent with the appearance and character of the existing Spring Lake subdivision. Ms. Murphy thanked the committee for its consideration and requested that these

recommendations be included in the meeting minutes and considered as part of the review process.

- **Sherry Webb**, 1448 Columbine Drive, Tupelo, MS –Ms. Sherry Webb, a resident of the Spring Lake subdivision and a member of the Spring Lake Homeowners Association Board, addressed the Planning Committee regarding the proposed development adjacent to Spring Lake. Ms. Webb reiterated concerns previously expressed about the proposed development's use of the Spring Lake name if it is not formally affiliated with the existing Spring Lake subdivision and homeowners' association. She emphasized, however, that Spring Lake residents and HOA leadership are supportive of the proposed development becoming part of the Spring Lake community. Ms. Webb stated that homeowners would welcome the development's inclusion in the Spring Lake Homeowners Association and believe such affiliation would be beneficial to future residents. Ms. Webb noted that inclusion in the homeowners association would provide access to Spring Lake amenities, including the neighborhood pool, lake, tennis courts, and other common facilities. She also stated that future residents would benefit from the protections and standards provided by the subdivision's restrictive covenants. Regarding gated access, Ms. Webb expressed support for reciprocal access between the existing subdivision and the proposed development. She indicated that, should the development become part of the homeowners' association, residents would support sharing gate access codes to ensure equal access between the connected areas. In closing, Ms. Webb stated that the Spring Lake community would welcome residents of the proposed development and would like them to become part of the existing neighborhood and community.
- **Keith Kantack**, 1810 Sunflower Circle, Tupelo, MS – Mr. Keith Kantack, a resident of Spring Lake for approximately ten years, addressed the Planning Committee regarding the proposed development adjacent to the Spring Lake subdivision. Mr. Kantack noted that a significant majority of those in attendance (at or slightly above 75% of the audience, as shown by the raising of hands) were present due to concerns about the proposed development. He expressed concern that the developer had not provided sufficient details about the project, stating that residents had received limited information regarding the scope, construction plans, housing types, and overall development standards. Mr. Kantack acknowledged the developer's stated language barrier and requested that the committee allow adequate time for communication and understanding throughout the review process. He also noted uncertainty about who was officially representing the developer, citing conflicting information from the developer's realtor and statements made during the meeting about the potential adoption of Spring Lake's restrictive covenants. Speaking both as an individual resident and on behalf of Spring Lake Homeowners Association President Dr. Marty Herman, who was unable to attend, Mr. Kantack outlined several concerns raised by neighborhood residents, including Preservation and use of the Spring Lake name in connection with the proposed development. Architectural standards and compatibility with the existing neighborhood. Construction and building process standards. Long-term enforcement of restrictive covenants. Potential adoption of Spring Lake's existing covenants and participation in the

homeowners' association. Access to neighborhood amenities and common areas. Future identification and management of residents and visitors if the development remains separate from the existing association. Mr. Kantack also raised concerns regarding the proposed access point to Thomas Street, describing the location as a heavily traveled area with a downhill grade and a nearby four-way stop. He expressed concerns about traffic safety, vehicle movements, and potential confusion for motorists attempting to enter Spring Lake through the proposed gated development. He suggested consideration of alternative access arrangements, including the possibility of a cul-de-sac. Additionally, Mr. Kantack referenced what he understood to be historical Planned Unit Development restrictions and deed requirements associated with the Spring Lake property, indicating that covenants may be relevant to the proposed development. In closing, Mr. Kantack stated that residents believe additional discussion and clarification are needed before any decision is made. He requested that the Planning Committee postpone action on the proposal to allow further communication between the developer, neighborhood representatives, and other interested parties.

- **Janet Gaston**, 1764 Columbine, Tupelo, MS – Ms. Janet Gaston, a resident of the Spring Lake subdivision, addressed the Planning Committee regarding the proposed development adjacent to Spring Lake. Ms. Gaston stated that previous speakers had already discussed many of the concerns she intended to raise. She noted that she had received numerous inquiries from residents regarding the proposed development and indicated that many questions remain unanswered. A primary concern raised by Ms. Gaston was whether the proposed development would be compatible with the existing character and standards of the Spring Lake subdivision. She stated that, if the developments are physically connected by roads, the transition between the existing neighborhood and the proposed development should be seamless and consistent in appearance and design. She emphasized the importance of maintaining compatibility so that residents do not perceive the areas as separate or significantly different neighborhoods. Ms. Gaston also referenced information provided by the original developer of Spring Lake, indicating that the subdivision was approved by the City as a master-planned community or Planned Unit Development (PUD) in the 1990s. She expressed uncertainty regarding whether those approvals, restrictions, or covenants remain applicable and requested that the matter be researched and verified. Ms. Gaston stated that, if such requirements remain in effect, it is her understanding that the existing covenants could potentially extend to the proposed development. She indicated that clarification of this issue could help address many of the questions and concerns raised by residents. Additionally, Ms. Gaston expressed concern regarding the potential use of the Spring Lake name by the proposed development. She stated that such use could create confusion for motorists and visitors who may assume they can access the existing Spring Lake subdivision through the proposed entrance. She further noted concerns regarding traffic safety along Thomas Street, citing the roadway's traffic conditions and driving patterns as factors that could increase the potential for confusion or unsafe situations. In closing, Ms. Gaston requested that the applicability of any master-planned community or Planned Unit Development requirements be researched and verified. She also stated that

she would welcome the proposed development as part of the Spring Lake community if it chose to join the homeowners association and participate in the neighborhood's existing amenities and standards.

- **Cathy Fitzpatrick**, 2709 Columbine Place, Tupelo, MS – Ms. Kathy Fitzpatrick stated that the primary goal of many residents attending the meeting was to encourage the proposed development to become part of Spring Lake and participate in the neighborhood covenants and HOA structure. She noted that this meeting represented the first opportunity many residents had to publicly comment on the proposal.
- **Emery Pittman**, 605 South Thomas Street, Tupelo, MS –Mr. Emory Pittman, a nearby resident, expressed concern regarding the long-term oversight and governance of the proposed development if it remained separate from the Spring Lake HOA and covenants.

Applicant Response – Mr. Kumar

- Mr. Kumar responded to comments raised during the public hearing. He stated that he believed some comments regarding his English-speaking abilities were personal in nature. He emphasized that he had complied with all City requirements and development procedures, including retaining professional legal and architectural assistance.
- Mr. Kumar also discussed his business ownership and community involvement, including charitable contributions and donations within the community.
- Regarding Spring Lake affiliation, Mr. Kumar stated that he had previously discussed the possibility of joining the Spring Lake community and homeowners association with neighborhood representatives and remained open to further discussions. He also indicated willingness to discuss gate access arrangements and stated that he intended to comply with all City development requirements and standards.
- Mr. Kumar presented photographs of homes he had previously constructed and stated that he intended for the proposed development to include high-quality homes compatible with the area.
- Mr. Kumar also spoke about his involvement in the community, stating that he owns a business in Mooreville and contributes through taxes, charitable donations, and community support efforts. He referenced a recent donation commitment of building materials to a local fire department project as an example of his community involvement.
- Regarding concerns about the use of the Spring Lake name and affiliation with the Spring Lake Homeowners Association, Mr. Kumar stated that he now better understands residents' concerns and indicated he would revise the subdivision name application. He stated that he had previously expressed a willingness to discuss potential inclusion in the Spring Lake community and homeowners association with neighborhood representatives, including Dr. Marty Herman, but that no additional meetings or follow-up conversations had occurred after that initial discussion.
- Mr. Kumar stated that he intends for the proposed development to comply with all City requirements and standards. He emphasized that he would follow any conditions or

regulations established by the City regarding lot sizes, setbacks, roadway requirements, or gate placement.

- In response to comments regarding the proposed gated access and roadway connection, Mr. Kumar stated that he did not object to discussing shared access arrangements. He reiterated that he would comply with any spacing or setback requirements established by the City.

The Planning Committee Chair then concluded the public comment exchange and indicated that the committee would proceed with questions and discussion.

STAFF ANALYSIS AND COMMITTEE DISCUSSION:

Mr. Newman stated that the proposed development met the requirements of the Tupelo Development Code. He noted that the property was zoned Medium Density Residential, where significantly smaller lot sizes would ordinarily be permitted. Mr. Newman explained that the City had requested the larger-lot flexible variance specifically to make the development more compatible with the adjacent Spring Lake subdivision and that the applicant had complied with that request.

Mr. Newman further clarified that:

- The Planning Committee's role was limited to determining whether the application met Development Code standards.
- The City does not regulate or enforce private subdivision covenants or homeowners association agreements.
- Gate access, fire access requirements, and roadway engineering details would be addressed during the development process.
- Any approved lot sizes and layout would be fixed unless future modifications were approved through an additional review process.

Committee members discussed concerns raised by residents about neighborhood compatibility, covenants, roadway access, and the original Spring Lake master plan. Interim planning official Mr. Faulkner provided historical context regarding the original Spring Lake development, noting that the broader area had historically been intended for continued residential expansion but had not been fully platted in advance.

Ward 6 Councilman Mark Williams, who recused himself due to residing in Spring Lake, participated remotely and suggested that additional discussions between the developer and the Spring Lake HOA could be beneficial in resolving concerns and improving coordination between the parties.

During committee discussion, staff reiterated that the application met all applicable City development standards and that matters relating to private covenants and HOA participation were outside the authority of the Planning Committee and City Council.

Motion and Vote:

- **Action:** Motion was made by Ms. Patti Thompson to **approve MAJSUB 26-03** plat as presented. Ms. Pam Hadley seconded the motion.
- **Vote: Approved** by a show of hands. **Motion carried** (approval). Mr. Mark Williams recused himself from voting.

Appeal Notice:

Mr. Newman advised attendees that the application would next proceed to the Tupelo City Council for final consideration at a future public meeting, with additional public notice to be provided prior to that hearing.

FLEXVAR 26-04 West side of South Thomas St. (Parcel- 010A-02-211-00)

Location: West side of South Thomas Street, south of Yates Acres Subdivision MDR

Request: Request by flexible variance to allow larger lot sizes rather than the required minimum lot size of 4,000 sq. ft. and 50-foot frontage.

Notices: Mr. Newman confirmed that adjoining property owners were notified. There have been no responses.

Applicant: VIVAAN, Inc. Vinod Kumar 880 Eads Creek Rd. Saltillo, MS 38866

Staff Analysis: Department of Development Services staff stated that the request for larger lot sizes had been initiated at the recommendation of City staff to encourage compatibility with the surrounding Spring Lake development pattern.

Public Hearing:

Ms. Mart opened the public portion of the meeting.

Keith Kantack, 1810 Sunflower Circle, Tupelo, MS –

Mr. Kantuack asked for an explanation of what the variance meant. After an explanation from Mr. Newman, Mr. Kantack stated that Spring Lake residents supported larger lot sizes and appreciated the effort to maintain compatibility with the existing neighborhood.

Motion and Vote:

Action: Motion was made by Mr. Scott Davis to **approve FLEXVAR 26-04**; Mr. Lindsey Leake seconded the motion.

• **Vote: Approved** by a show of hands. **Motion carried** (approval). Mr. Mark Williams recused himself from voting.

Next Steps:

Staff advised attendees that the flexible variance approval constituted a final administrative action subject to the applicable appeal period and noted that the major subdivision application would proceed to the Tupelo City Council for further consideration.

Motion was made to take a five-minute break by Ms. Thompson, seconded by Mr. Aaron Washington.

OLD BUSINESS

Item T826.0

Request: Consider proposed amendments to chapters 2, 4, 5, and 11 of the Tupelo Development Code.

Notices: Mr. Newman stated at the May meeting that this was strictly a public notice, advertised under the statute governing public notices. (Daily Journal ad #1716410) A public hearing was held at the May meeting on the congregate living text amendments and the Downtown Guidelines.

Tupelo Development Code Amendments

- Proposed amendments to chapters 2, 4, 5, and 11 of the Tupelo Development Code for Congregate living and mixed-use downtown guidelines.
- The primary purpose is to amend the Development Code to establish definitions, classifications, and regulations for congregate living uses.
- Chapter 2 amendments include removing the existing priority congregate living definition and redefining "family" and "congregate living."
- The definition of "family" is clarified as an individual or two or more persons related by blood, marriage, legal guardianship or adoption living together as a single house housekeeping unit where a group of not more than five unrelated persons living together as a single housekeeping unit in a dwelling unit. A family shall not include an arrangement meeting the definition of congregate living.

Congregate Living Classifications and Locations

- Congregate living is classified into three uses: Congregate Living 1, 2, and 3, with specific criteria for each.
- **Congregate Living 1:** Not more than five residents, no on-site staff or structured services, functionally equivalent to a single housekeeping unit but not meeting the definition of a family. Allowed in the same location as a single-family residential unit.

- **Congregate Living 2:** Six to 16 residents OR provides on-site supervision/staffing OR provides supportive services. Recommended for residential zones as a flexible or compatible use, requiring additional Chapter 11 guidelines.
- **Congregate Living 3:** More than 16 residents with continuous or scheduled staffing supervision, typically for medical/custodial care, high turnover, or transient occupancy, resembling an institutional setting. Generally allowed in the same locations as institutional uses.
- The use of "or" and "and" in the definitions is deliberate; Congregate Living 1 requires all conditions to be met, while Congregate Living 2 requires only one of the listed conditions.

Regulatory Requirements and Approval Process

- Existing separation requirements remain: 1500ft between facilities in mixed-use zones and 2500 foot buffer outside mixed-use zones.
- New buffering and landscaping requirements are instituted between residential and congregate living uses.
- Applications for compatible and flexible use must include a "full site plan, operational plan, occupant load, staff plan, parking analysis, fire safety plan and an accessibility plan."
- Congregate living uses shall be registered as a rental property and are subject to a rental inspection program every two years and the Tupelo Fire Department annual inspection program.

Downtown Design Guidelines & Decisions

- 12 revisions to the downtown Tupelo Main Street design guidelines were presented by Director Lucia Randle, marking the first updates since 2012.
- Key revisions include guidelines for paint colors in the downtown overlay and maintaining historic integrity during remodeling of commercial and residential buildings.

Motion and Vote:

Action: Motion was made by Mr. Davis to **approve** proposed amendments to chapters 2,4,5, and 11 of the Tupelo Development Code. Mr. Washington seconded the motion.

Vote: Motion carried; the matter was **approved**.

Motion and Vote:

Action: Mr. Leake made a motion to **approve** the proposed Tupelo Downtown Main Street Association design guideline revisions, and Ms. Hadley seconded.

Vote: Motion carried; the matter was **approved**.

OTHER BUSINESS

Upcoming Planning & Meetings

- The next work session, originally scheduled for June 29th, has been canceled due to key members being out of town and no applications on the agenda.
 - The comprehensive plan is expected to be ready for review and a vote within the next few weeks.
 - A special call meeting will be called for either late June or early July, specifically for the comprehensive plan review.
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ADJOURNMENT

Action: Motion was made by Ms. Hadley to adjourn, seconded by Mr. Washington. Motion carried.

Meeting adjourned.
