

City of Tupelo
 Planning Committee Meeting
 May 6, 2024, 6:00 PM

Project: Guaranty Bank Drive Through Service

Project Proposal Summary: A rezoning of the subject parcel is requested from City Center Retail sub-district of the Mixed Use Downtown zoning district to the adjacent sub-district Gateway West of the Mixed Use Downtown zoning district. A drive through service ATM for Guaranty Bank is requested in the existing rear parking area of the structure. Drive Through Service accessory uses are disallowed in the City Center Retail sub-district. Drive Through Service services are allowed by Flexibility within the Gateway West sub-district. Compatible Use review is also included for all Commercial Occupations for an establishment closing at or before 5:00pm

Planning Committee Action Required: Decision to recommend to City Council rezoning approval, approval with contingencies, denial, or tabling. Decision to approve, approve with conditions, deny, or table Flexible Use for Drive Through Service accessory use subject to rezoning approval by City Council.

Staff Recommendation: Staff recommends recommendation to approve rezoning and approval of flexible use, SEE CONDITIONS BELOW

Application Number:	FLEX 24-02; RZ24-01	Application Type: Rezoning; Flexible Use
Parcel Numbers:	089P-31-006-00	Meeting Date: May 6, 2024
Applicant:	Barry Replogle	Agent
Location:	431 West Main Street	
Purpose:	Rezoning to allow Drive Through Service Flexible Use Review; Flexible Use review	
Present Zoning:	Mixed Use Downtown (MUD)	
Existing Land Use:	Commercial structure (offices, former bank)	
Size of Property:	2.04 Acres	
Surrounding Land Use and Zoning:	North – Church, City Center Retail; East – Offices, City Center Retail; West – Church, Gateway West; Offices, City Center Retail	
Future Land Use:	MUD – Conceptual Greenway/ Bike Path	
Applicable Regulations:	Section 12.8, Zoning map changes, 12.12 – Flexible Use,	

Driving Directions: From Tupelo City Hall continue west on Main Street. Location is at Southeast corner of South Church and West Main

Special Information: Corner lot location occupies approximately ½ of the City block fronting West Main Street and South Church Street between South Green Street and South Church. Location includes a 46,228 square ft structure containing approximately 20 office “suites” leased to separate entities. A 38,650 square ft parking lot with 78 stalls is located on the parcel along with

the adjacent, now combined parcel, where 34 stalls are located. Proposed kiosk will reduce parking by 9 stalls. Existing tenant off-street parking requires 106 parking stalls. Total stalls after the proposed kiosk is 103. Mixed Use Downtown Zoning district allows for exemption of off-street parking requirements where public parking is available. Public parking exists along Main Street, Troy Street, Spring Street, and Front Street near the location. These lots currently have a shared parking agreement with 417 West Main and 420 Magazine Street.

Vehicular access from South Church Street and Magazine is available. Previous occupation of the structure has included a banking facility with location of Drive Through Service ATM on site.

Support has been provided by the Downtown Tupelo Main Street Association and Mixed Use Downtown Overlay Design Review Committee.

The Gateway West subdistrict is defined as an “Entry corridor from historic Crosstown to the downtown center supporting diverse social experiences, support services, and retail establishments”

City Center Retail is defined as a “Major daytime and evening pedestrian circulation route intended to draw retail, restaurant, and entertainment clustering and upper story residential development to gain additional pedestrian activity alongside artistically and historically significant structures and communities”

STAFF ANALYSIS

Development Code Section 12.8 Zoning Map Change Requirements:

The threshold to require a traffic impact analysis is not met. City of Tupelo Engineering will review and approve all traffic patterns and site plan improvements as part of the commercial construction review of any new structure or parking lot renovation.

The proposal to rezone has been set forth by the applicant with a preliminary development plan. Development and/or site plans are not required for developments less than 5 acres.

All parcels proposed for rezoning must be approved first by the Planning Committee by a 2/3rd majority, followed by approval of the City Council.

A notice of this public hearing was published in the Daily Journal, April 17, 2024.

Comprehensive Development Plan Compliance (per Section 12.8.14):

- 1) Compatibility and conforming uses: Existing land uses in the immediate vicinity are compatible with the proposed use, rezoning, and Flexible Use. Due to the presence of existing churches and other facilities not open after 5:00 as well as established use of the structures on the subject parcel, the proposal is conforming with continued development of the Mixed Use Downtown zoning district as established by current zoning and the 2008 Comprehensive Plan

- 2) Suitability of proposal: The desired purpose of the City Center Retail sub-district is not met at the parcel or adjacent parcels providing the boundary between City Center Retail and the Gateway West sub-district. Variety of uses in Gateway West and variety of uses adjacent to the subject parcel indicate suitability of the proposed rezoning.
- 3) Balance of use and City demand: Established and increasing presence of financial institutions in the City of Tupelo as well as demand for Drive Through Service banking for ease of access to customers provides for demand of residents. The Mixed Use Downtown zoning district is heavily populated by financial institutions which have been provided specific use approvals in the Financial Sub-District. Expansion of allowed use of financial institutions outside of this sub-districts is unavoidable at this location given the development of the structures and current and prior use as a financial institution.
- 4) Availability of schools, roads, parks, wastewater treatment, water supply, and storm water drainage: City infrastructure and school district have sufficient capacity to support commercial development.

Development Code: Flexible Use (12.12.2)

12.12.2. [Flexible Use] Application Process.

- (7) *Criteria for Approval of Compatible and Flexible Use Permits.* Applications for compatible or flexible use permits shall be approved only if the approving authority finds that the use as proposed or the use as proposed with conditions:
 - (a) Is in harmony with the area and is not substantially injurious to the value of properties in the general vicinity;
 - (b) Conforms with all special requirements applicable to the use; and
 - (c) Will not adversely affect the health or safety of the public.

Allowable Variances and Administrative Adjustments: None requested or required

Summary Analysis and Recommendations:

The principal intent of regulating Drive Through Service in the City Center Retail is to prevent dedication of service and land use to vehicular service in the primary walkable corridor of Tupelo's Downtown. Re-establishment of the previous Drive Through in an established parking lot that does not require expansion of the parking lot footprint does not work in contrast to this intent.

The boundary of City Center Retail was established along the lines of the Mixed Use Downtown zoning district that existed prior to 2022 when expansion of the MUD along West Main Street to Crosstown was codified. It is reasonable that parcels previously in the MUD at the existing boundary would be compatible with the goals of the Gateway West sub-district.

Inclusion of this parcel into the Gateway West sub-district is unlikely to disrupt the walkability or "core" development of surrounding parcels that will remain in the City Center Retail sub-district due to the diverse use on the existing parcels.

Drive through service is not expected to disrupt traffic patterns due to multiple points of ingress and egress allowing access to the heavily trafficked Church Street as well as the smaller, less traversed Magazine Street, allowing safe points of exit in multiple directions of travel.

Final Recommendation: Recommended approval of rezoning, Approval of Flexible Use, contingent on the following

1. Documented notification of project and loss of parking stalls to and consent from tenants of 431 West Main and the owner and tenants at 417 West Main and 420 Magazine Street for who share parking with parcel 089P-31-055-00
2. All currently reserved spaces in the parking lot of 431 West Main for "FedEx" or other tenants no longer occupying units on the parcel will need to be removed
3. Egress out of the lot from the kiosk must be directed by signage, striping, and other asphalt paving to Magazine St. Kiosk exit should not empty onto Church Street
4. Ingress from 417 West Main Street should be marked "One Way"
5. Directional "wayfinding" signage at Church and Magazine as well as internal to the lot should be placed to direct client to the kiosk
6. Inclusion of outdoor seating along the Main Street corridor in coordination with Downtown Tupelo Main Street Association

REZONING APPLICATION



City of Tupelo
Department of Development Services
P O Box 1485, Tupelo, MS 38802-1485
(662) 841-6510
permits@tupeloms.gov

MUNIS R224-01
Received By: OF
Date Received: 4/9/24
(for office use only)

\$200 owed

Pre-Application conference required prior to application submittal.

Please contact City Planner or Zoning Administrator. All materials required 4 weeks prior to Planning Committee Review. Fee must be paid before application can be processed. See current fee schedule.

Please complete the application front and back and provide all required attachments. All fields are required. Incomplete applications will be returned to the applicant. Applicants must be present at Planning Committee review.

Applicant Name: Barry Reptogle Phone: 662-521-1201

Email: breplogle@trirealestate.net Address: 6982 Chestnut Rd

Property Owner: Name: Tupelo G Phone: 662-521-1201

Email: breplogle@trirealestate.net Address: _____

Project Location/Address: 431 West Main

Parcel number(s) of location: _____

Request to Rezone from _____ Zoning District to _____ Zoning District

To allow use of property for Banking (ATM Drive thru)

Is location in an Overlay District? (If yes, please attach and Overlay Application to this form) Yes ___ No ___

Required Attachments (please initial or indicate Not Required "NR" below):

- 1) Recorded deed; if owner and applicant are not the same, current lease and owner permission NA
- 2) Legal description of area to be rezoned in Microsoft Word format via e-mail. _____
- 3) Applicant must adequately address the criteria for granting a Rezoning, see below _____
- 4) Site Plan or Development Plan, see reverse _____
- 5) Geo-referenced AutoCAD .dwg file of parcel surveys _____

NOTE: The Planning Committee shall consider each proposed amendment and shall make recommendations to the City Council regarding whether to approve or deny each proposed amendment. City Council must approve all zoning map requests. Planning Committee recommendation is based on the following criteria:

- Conformance with the Comprehensive Plan;
- Otherwise, that changes have occurred in the area since the Comprehensive Plan and Zoning Ordinance were adopted which warrant the requested zone;
- City utilities and sewer can accommodate the uses allowable in the requested zone;
- The allowable uses in the requested zone will not adversely affect the character of the area and result in a decrease of property values;
- There is a need for additional land within the City to be zoned the classification which is requested.

The burden of proof shall be on the applicant to prove that these criteria are satisfied.

I hereby certify the above information is true and correct and completed in accordance with the Tupelo Development Code and that I have received, or retained, a copy of this application. I understand that if I or my representative do not attend the Planning Committee meeting, the application may be tabled or denied. I further understand that if I am not the property owner, notarized permission from the property owner is required for application to be processed.

Applicant Signature [Signature] Date: 4/8/24

FLEXIBLE USE AND/OR VARIANCE APPLICATION



City of Tupelo
 Department of Development Services
 P O Box 1485, Tupelo, MS 38802-1485
 (662) 841-6510
 permits@tupeloms.gov

MUNIS FLY 27-02
 Received By: 98
 Date Received: 7/19/24
 (for office use only)

\$100 owed

A Pre-Application conference is required with a member of the Planning Division prior to application.
 All materials required 4 weeks prior to scheduled Planning Committee Review.

A Major Site Plan is required for all Flexible Use reviews.
 Fee must be paid upon application, see current fee schedule.

A Certificate of Occupancy, Subdivision, Accessory Use, Rezoning, Major Site Plan, Land Development, Commercial Construction, Residential Construction, or Demolition application is required with this application.

Applicant Name: Barry Replege Phone: 662-321-1201
 Email: breplege@trivestates.com Address: 6982 Chestnutville Rd
 Property Owner: Name: Tupelo Co Phone: 662-321-1201
 Email: breplege@trivestates.com Address: _____
 Project Location/Address: 451 West Main
 Parcel number(s) of location: 089D-31-006-00
 Current Zoning: _____ Parcel Acreage: _____
 Current Land Use: office Proposed Land Use: office
 Flexible Use to allow: Bank talker ITM

Is a Flexible Variance also requested (for required dimensions only) Yes ___ (Additional fee) No ___

If yes, Request by Flexible Variance to allow _____

Rather than the required _____

Required Attachments (please initial or indicate Not Required "NR" below):

- 1. Major Site Plan _____
- 2. Subdivision, Accessory Use, Rezoning, Commercial or Residential Construction application _____
- 3. Approval Criteria, See Development Code Section 12.12.2(7), see reverse _____

Planning Committee Mtg Scheduled for May 6, 2024 at 6:00
 (for office use only) (day) (date) (time)

I hereby certify the above information is true and correct and completed in accordance with the Tupelo Development Code and that I have received, or retained, a copy of this application. I understand that as the applicant, I must be present for Planning Committee review held in Council Chambers on the 2nd floor of Tupelo City Hall at 71 E Troy St.
 Applicant Signature: Barry Replege Date: 4-9-24



Dabbs Corporation
 1050 N. EASON BLVD., TUPELO, MS 38804
 OFFICE: 601.927.4012 | info@dabbscorp.com

DATE	DESCRIPTION	BY	APP'D
02/20/20	PRELIMINARY	JAC	
02/20/20	REVISED	JAC	
02/20/20	REVISED	JAC	
02/20/20	REVISED	JAC	
02/20/20	REVISED	JAC	

Guaranty Bank ITM

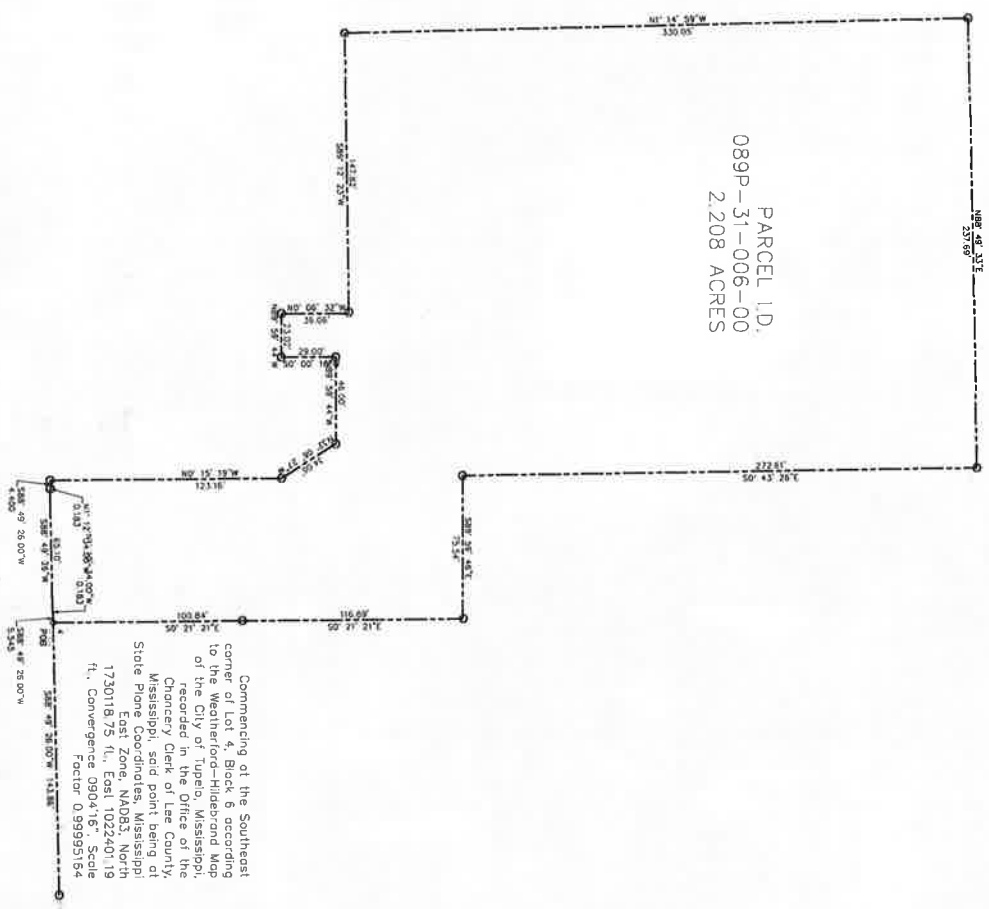
C-1

Guaranty Bank ITM Project

**CITY OF TUPELO,
 LEE COUNTY, MISSISSIPPI**



PARCEL 1.D.
089P-31-006-00
2.208 ACRES



Commencing at the Southeast corner of Lot 4, Block 6 according to the Weatherford-Hildebrand Map of the City of Tupelo, Mississippi, recorded in the Office of the Chancery Clerk of Lee County, Mississippi, said point being at State Plane Coordinates, Mississippi East Zone, NAD83, North 1730118.75 ft., East 1022401.19 ft., Convergence 0904'16\".

Dabbs Corporation
1850 N. EASON BLVD., TUPELO, MS 38804
OFFICES: 601.927.4012 dabbscorp@gmail.com

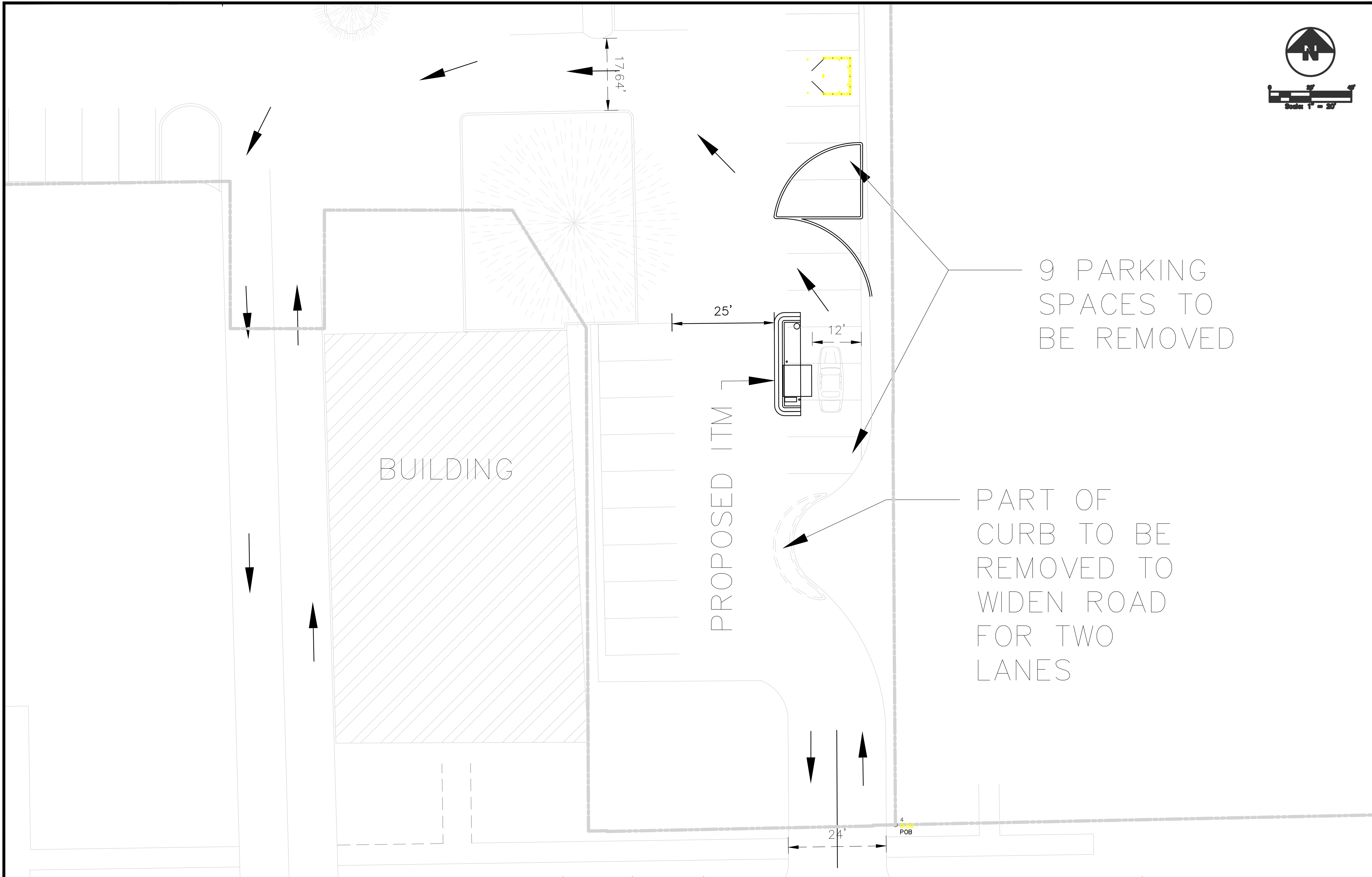
DESIGNED BY	DATE	SCALE	PROJECT

SURVEY

C1

GUARANTY BANK ITM

**CITY OF TUPELO,
LEE COUNTY, MISSISSIPPI**



CITY OF TUPELO,
LEE COUNTY, MISSISSIPPI

Guaranty Bank ITM Project

PREPARED BY:



1050 N. EASON BLVD. TUPELO, MS 38804
OFFICE: 601.927.4012 dabbscorp@gmail.com

DRAWN: KR SCALE: 1" = 10'
DESIGNED: DD DATE: 5/6/2024
CHECKED: DD PROJECT: 0

DRAWING REVISIONS					
NO.	DATE	REMARKS	NO.	DATE	REMARKS

SHEET TITLE:

SITE LAYOUT

SHEET NO:

C1

FILE: P:\11E\20\Draws\Comp\115\Guaranty Bank ITM\Tupelo\Drawings\Guaranty Bank ITM 5-6-24.dwg



CITY OF TUPELO,
LEE COUNTY, MISSISSIPPI

Guaranty Bank ITM Project

FILE: P:\ITM\23\Draws\Comp\115\Guaranty Bank ITM\Tupelo\Drawings\Guaranty Bank ITM 5-24-24\1.dwg

PREPARED BY:



1050 N. EASON BLVD. TUPELO, MS 38804
OFFICE: 601.927.4012 dabbscorp@gmail.com

DRAWN: KR	SCALE: 1" = 20'
DESIGNED: DD	DATE: 5/6/2024
CHECKED: DD	PROJECT: 0

DRAWING REVISIONS

NO.	DATE	REMARKS	NO.	DATE	REMARKS

SHEET TITLE:

SITE LAYOUT

SHEET NO:

C1

TENANT LIST / PARKING REQUIREMENTS - 431 W. MAIN ST.

No.	Name	Type	SF	1 Sp. / SF	P.S. Req'd
1	Corbett Leg	Research & Development	4012	500	8.02
2	Barrow Industries	Commercial Office	775	400	1.94
3	No Tenant	Commercial Office	1350	400	3.38
4	Guaranty Bank	Financial	4036	300	13.45
5	Dept. of Probation and Labor	Federal Gov	4583	300	15.28
6	Pryor Morrow Corp	Research & Development	5775	500	11.55
7	US Army Corp of Engineers	Federal Gov	1409	300	4.70
8	The MS Public Service Commission	Public Utility Facility	2385	500	4.77
9	NCS Pearson Inc	Commercial Office	1040	400	2.60
10	Renaissance Community Loan Fund	Financial	2249	300	7.50
11	Cross Country Mortgage	Financial	1250	300	4.17
12	Courage Technologies	Research & Development	750	500	1.50
13	Mortgage Solutions of Colorado, LLC	Financial	350	300	1.17
14	Ginger Hardy Insurance	Commercial Office	1600	400	4.00
15	Trent Kelly House of Representatives	Federal Gov	3300	300	11.00
16	No Tenant	Commercial Office	1333	400	3.33
17	Tupelo Symphony Orchestra Association	Commercial Office	1535	400	3.84
18	Debra's Tax Service	Financial	225	300	0.75
19	No Tenant	Commercial Office	730	400	1.83
20	Ginger Hardy Insurance Storage	Commercial Office	194	400	0.49
TOTAL					105.24

Northeast Mississippi Daily Journal, P O Box 909, Tupelo MS 38802

Account: 3486	Ad ID: 1663887
Name: TIFFANY MAY	Description: #1663887 LEGAL NOTICE NOTICE OF PUBL
Company: CITY OF TUPELO	Run Dates: 05/10/24 to 05/10/24
Address: P.O BOX 1485	Class: 1401
TUPELO, MS 38802	Orig User: JSH
Telephone: (662) 841-6487	Words: 149
	Lines: 32
	Agate Lines: 32

Other Charges:	\$10.00	Net Cost:	\$27.88
Discount:	\$0.00	Paid Amount:	- \$0.00
Surcharge:	\$0.00	Amount Due:	\$27.88
Credits:	\$0.00		
Bill Depth:	3.125		

Notes:
Email address: mandolyn.shurden@tupeloms.gov

#1663887

LEGAL NOTICE

**NOTICE OF PUBLIC HEARING
CITY OF
TUPELO, MISSISSIPPI**

A Public Hearing will be held by the Tupelo City Council to consider a request to change properties at 431 West Main St, Parcel number 089P-31-006-00 from the City Center Retail Sub District of Mixed Use Downtown to the Gateway West Sub District in MUD.

A Public Hearing has been scheduled to consider this application on Tuesday, May 21, 2024 at 6:00 P.M. This Public Hearing will be held in the Council Chambers on the second floor of City Hall, located at 71 East Troy Street.

Copies of the rezoning application and supporting information are available for inspection during the regular business hours at the Department of Development Services on the third floor of City Hall, 71 East Troy Street, Tupelo, Mississippi.

WITNESS MY SIGNATURE, THIS
THE 7th DAY OF MAY, 2024.

TODD JORDAN, MAYOR
May 10, 2024.