

**MINUTES OF THE
TUPELO PLANNING COMMITTEE
December 4,2023**

CALL TO ORDER

Chairman Lindsey Leake called the meeting to order. Lindsey Leake, Pam Hadley, Victor Fleitas, Leslie Mart, Patti Thompson, Mark Williams, Bentley Nolan Scott Davis and staff members Russ Wilson, Zoning Administrator and Jenny Savely, City Planner for the City were present

Chairman Leake asked Mr. Davis 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 Nov 21, 2023 MINUTES

Chairman Leake asked the group if they had reviewed the minutes of the last meeting. All committee and staffed approved.

REPORT ON COUNCIL ACTIONS

Ms. Savely reported that the City Council approved the subdivision at the last council meeting November 21, 2023. The other two text amendments are still being worked to be brought to council.

OLD BUSINESS

Council Chambers are still being renovated, Savely takes a moment to recognize Gus Hildenbrand who has been out for health concerns and ask everyone to keep him in their thoughts.

NEW BUSINESS - None

MSP23-01/Magnolia Grove Town House Development):

Ms. Savely presents proposed town home development- 3 structures that are 3 units each on North Green St, Townhomes are used by right in that zone it's a MUCC its very near corner of Gloster and North Green Street and because its use by right but because of held under same ownership we are reviewing as a multi-family housing development and because its more than 3 units that comes to planning committee review of site plan not the use of town homes but the expectation of the development code.

This development has met all the requirements for a major site plan and every unit is provided with 2 car garage, entry way from the back and the developer has met all drainage and set back concerns. There will be public sidewalks, landscaping and it will meet open space requirements and building design standards. Staff approves of this major site plan.

Mr. Leake requested that the applicant present his information.

Mr. John Crawly, Engineer representing Mr. Mike, address 1401 State HWY E New Albany. Mr. Crawly gives his proposed development plans. Mr. Crawly explains the site plan, development and designs. He discusses that the water will run off of the back of the hill and that this project will be amazing and he hopes Tupelo supports

it. Mr. Williams has concerns of the sidewalk interfering with the commercial building located behind it, Mr. Crawley states that the property line behind is fenced off and will not be connected to it. Mrs. Mart has concerns of the children living in the unit that has access to the busy road in front and proposes the idea of a play area put in the back for the children, Mr. Crawley says that he will ask the owner about that and he is open to suggestions. Ms. Savely discusses that each unit will have its own canister as a single-family home does and it will roll out to Green St and E911 will address to Green Street. Mr. Leake asks if any further questions and there is none. There were 38 letters sent out and no response except for 1 from Beverly Bradley and she was just concerned about the looks of the townhomes and would like them to look as good as Presley Circle. Mr. Leake has an open committee discussion. Mrs. Mart speaks up about her concern requiring play space for the children and Ms. Savely says that they cannot go out of boundaries for Major Site Plans. She encourages the public use of the play area at CC Augusta and that there is some space east of the town homes that would be a good spot for the children to play.

Motion: Approved

Next step is to apply for construction

FLEX23/10 AT&T Tower: Ms. Savely presents the 161-foot tower, this is on a LDR lot 20 acres that is mostly vacant where the tower will be located. Flexible use review is required. This plan does adhere of all the code requirements for telecommunication towers. All amendments have been met. We are looking at the harmony of the use of the area. The location is 700 ft. as the crow flies to The Chickasaw Nation property as Ms. Savely expresses and has been discussed with the Chickasaw Nation with appropriateness of the location. Beyond that other considerations are for its fall zone but this has been structural engineered in such a way structure capacity is no concern. Federal ask for federal clearance from The Chickasaw Nation.

Mr. Leake ask that applicant present his information

Mr. Andy Rotenstreich representing AT&T with Baker Donelson Law Firm, says he will follow up with what Ms. Savely said and that their main goal is to provide AT&T customers with better capability, coverage and First Net. Mr. Rotenstreich is proposing a 155 ft pole with a single pole design and will have a 6 ft lightning rod on top that it will be grounded with copper for lighting safety. Mr. Rotenstreich hands out maps to the committee. This includes the site plan. He explains the pole will also be a use for other carriers (Verizon, CSpire and more) He explains that the tower will be designed to collapse on itself in an event that is very unlikely to happen. He explains there is no towers nearby and that the AT&T engineers recommended a tower in the yellow circle located on the map and that this was the only parcel that is recommended. He explains the ordinance and that they meet all 20 of the factors. In order for them to build this tower AT&T has to go through several federal regulatory approvals in addition to zoning, If the federal government says no due to the Chickasaw Nation they will not build. He asks for approval of this now and then let the federal government be left to decide on the build because of the issue with the Chickasaw nation. Mr. Rotenstreich ask the committee and staff for approval for this request because he needs the ordinance.

Mr. Leake ask for any questions from the board

Mr. Fleitas asks does this case arise from litigation associated with AT&T or some other carrier

Mr. Rotenstreich responds that Spirit was the carrier but they are now T-Mobile. Mr. Rotenstreich expresses that the hopes the committee will see that they meet the criteria and aren't trying to cause issues with the location and that this is just the only spot that is available and are building to accommodate with other competitors too. Mrs. Mart ask what has prompted them to want a new tower and Mr. Rotenstreich says customer complaints. The committee ask what Mr. Rotenstreich what he is wanting from this in this meeting

and he responds with just asking for your approval for the flexible use permit. Mr. Leake asks if any more comments from the committee they respond no. Mr. Leake calls for the Applicants.

Applicant #1

Robert Murik, Archeologist for Chickasaw Nation/ Address 153 Carvister Rd Tupelo

Mr. Murik is given a statement, the statement to stay, the Chickasaw Nation Historic Preservation Division is currently in consultation under the NHPA, Section 106 with the Federal Agency in charge of the project. He has been advised that the Chickasaw Nation is strongly opposed to the mono pole being built at the location as it is close to site that is sacred to the Chickasaw people due to confidential information, not all details can be shared. If any additional questions regarding the Chickasaw Nation Stance on the project please contact 580-559-0921 or email tony.chote@chickasaw.net. Greg Davis / CEO of the Chickasaw foundation speaks on the support of the tribe and its desire to hold off while going through section 106, He ask if the committee will let this be tabled for now.

Mr. Russ discusses the public comments. There were 120 letters sent out and 4 responses. 1st response was that if the Chickasaw is against it then they are against it, the 2nd response was concerning health issues due to the radiation of the tower and others were wondering if this would make property value go down.

Mr. Leake closes the public comments and ask for committee responses

Mrs. Mart says she is doubtful the tower will make a big difference in the coverage and recommends exploring other options and ask to make a motion to table.

Motion Tabled

Next Step: Meet January 8th 6pm

Work Session: January 2nd 5:15pm

Vote- Make a motion, Motion Approved