

City of Tupelo
Planning Committee Meeting
July 7, 2025

Project: Rezoning.

Project Proposal Summary:

Planning Committee Action Required: Rezoning requires decision to recommend rezoning approval, approval with contingencies, denial, or tabling.

Application Number:	RZ25-02	Application Type: Rezoning		
Parcel Numbers:	084S-18-010-00 and 084U-19-008-00	Meeting Date: July 7, 2025		
Applicant:	Michael Moore Pettit	owner/developer		
Location:	East side of North Gloster, south of Fire Station #4			
Purpose:	Develop site for restaurant			
Present Zoning:	Agriculture/Open Space			
Existing Land Use:	Vacant			
Size of Property:	10.9 acres			
Surrounding Land Use and Zoning:	Agriculture/Open Space on all sides			
Future Land Use:	Agriculture/Open Space			
Applicable Regulations:	Section 4.6, Agriculture/Open Space Protection District Section 12.8, Zoning map changes			

Driving Directions: From City Hall proceed west on Main Street to Gloster; north on Gloster toward I-22: subject property is on the east side of Gloster south of the fire station.

Special information: The property has two parcel numbers because it lies across a section line. Only a small portion of the 10.9 acres is suitable for development due to the location of a borrow pit on the back section. This part of North Gloster Street, although near the Barnes Crossing regional Commercial area, has not been zoned commercial because of the King's Creek channel and adjacent floodplain.

Development Code Section 12.8 Zoning Map Change Requirements:

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,

12.8.14. Written Recommendation and Review Criteria.

The Planning Committee shall provide a written recommendation regarding whether each proposed map change is consistent with the comprehensive plan and other applicable adopted plans. The recommendation shall be based on the reasons articulated by Committee members voting in the majority, and the recommendation shall be developed as determined in the Committee's Rules of Procedure. In addition to plan consistency, Committee members may also consider other matters deemed appropriate by the Committee, which may include but are not limited to:

- (1) Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
- (2) Suitability of the subject property for uses permitted by the current versus the proposed district;
- (3) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City; and
- (4) The availability of adequate school, road, parks, wastewater treatment, water supply and stormwater drainage facilities for the proposed use.

12.8.15. Action by the Governing Body.

Before taking action on a zoning map change request, the governing body shall consider any recommendations of the Planning Committee, Director of Development Services or designee, and of staff agencies, and shall conduct a public hearing where interested parties may be heard.

- (1) Notice and public hearing requirements shall be in accordance with Section 12.3, Notice and Public Hearings.
- (2) Continuances may be granted before action on the request.
- (3) Following the public hearing, the governing body may approve the request, deny the request, or send the request back to the Planning Committee for additional consideration.
- (4) In adopting or rejecting a zoning map change, the governing body shall adopt a statement describing whether its action is consistent with the Comprehensive Plan and why the action is reasonable and in the public interest. The governing body may adopt the statement furnished by staff or agencies, including but not limited to the Director of Development Services or the Planning Committee, or it may formulate its own statement.
- (5) The map change request approved by the governing body may include changes from the request presented. Changes to a development plan may be made upon the proffer by the applicant of such changes.
- (6) Approval of a petition gives the applicant the ability to proceed with any additional required approvals.

Comprehensive Development Plan Compliance (per Section 12.8.14):

- 1) Compatibility and conforming uses: The proposed use – restaurant – would be compatible with existing businesses further south on Gloster and in the Regional Commercial district on the north side of I-22. Other uses nearby, the fire station and MDOT headquarters, could be impacted by additional traffic generated by a new restaurant. However, North Gloster street has the capacity to absorb additional traffic.
- 2) Suitability of proposal: The proposed restaurant would be suitable for the requested MUCC zoning, but not for the existing Agriculture/Open Space zoning.
- 3) Balance of use and City demand: Commercially zoned land has been steadily taken up by development, which is why this site is now being considered. In general, the City has been

agreeable to rezoning A-O land to commercial as the market has reached the point where A-O land with its typically higher costs of development is seen as financially viable.

- 4) Availability of schools, roads, parks, wastewater treatment, water supply, and storm water drainage: In general, City infrastructure has sufficient capacity to support development of this scale. The site will require careful engineering to avoid stormwater drainage problems, but its location near King's Creek will allow stormwater to be conducted to the creek.

Final Recommendation: Staff recommends approval. A-O zoning is to a degree a holding zone intended to leave low lying areas and areas without infrastructure undeveloped until such time as a market for those locations is strong enough to justify the developers' additional investment in flood area compliance and, if necessary, infrastructure upgrades. Another traffic-generating business on North Gloster could be a concern but the city and MDOT have both invested in the capacity of the street, with the understanding that new development would follow.