

City of Tupelo  
 Planning Committee Meeting  
 May 1, 2023

**Project:** Rezoning Split Zone Parcel – Map Correction

**Project Proposal Summary:** City of Tupelo Department of Development Services proposes the rezoning of parcel 088N-33-029-03, currently Mixed Use Commercial Corridor (MUCC) and Medium Density Residential (MDR), to Mixed Use Commercial Corridor. The parcel's frontage is along South Veterans Street south of the intersection of Wilson Street in an existing commercial corridor developed area.

**Planning Committee Action Required:** Public Hearing to consider adoption or rejection of rezoning requested MUCC on Parcel 088N-33-029-03 City of Tupelo, MS. Approval requires decision to recommend rezoning approval, approval with contingencies, denial, or tabling.

**Staff Recommendation:** Staff recommends approval

<b>Application Number:</b>	RZ23-01	<b>Application Type:</b> Rezoning	
<b>Parcel Numbers:</b>	088N-33-029-03	Meeting Date: May 1, 2023	
<b>Applicant:</b>	Department of Development Services	City of Tupelo	
<b>Location:</b>	Unaddressed		
<b>Purpose:</b>	Correction of zoning map to split zoned parcel		
<b>Present Zoning:</b>	MUCC/MDR		
<b>Existing Land Use:</b>	Vacant		
<b>Size of Property:</b>	2.2 Acres		
<b>Surrounding Land Use and Zoning:</b>	East – residential fronting Canal, North – vacant, South – vacant and commercial, West – vacant A/O		
<b>Future Land Use:</b>	MUD		
<b>Applicable Regulations:</b>	Section 12.8, Zoning map changes		

**Driving Directions**

From the intersection of Main and I-45, continue East on Main Street. Turn south on South Veterans Blvd. At the intersection of Wilson St and S Veterans, continue south. Location is on the east side of Veterans before the Tupelo Veterinary Hospital.

**Special Circumstances:**

A preliminary development plan has been provided by the owner toward possible use of the parcel for Congregate Living 2. Licensing for the facility is required prior to submission of application for compatible use for Congregate Living 2. State licensing requirements of such a facility require Zoning Verification from the municipality. To correctly provide this verification, the City must correct the split zoning of the parcel to appropriate consider allowed commercial uses.

**Development Code Section 12.8 Zoning Map Change Requirements:** The proposal to rezone has been set forth by the Department of Development Services with a preliminary development plan presented by the owner. 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 2/3<sup>rd</sup> majority, followed by approval of the City Council.

A notice of this public hearing was published in the Daily Journal, April 15, 2023.

**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: Existing land uses in the immediate vicinity and future land use plans for South Veterans call for Mixed Use Commercial development

- 2) Suitability of proposal: South Veterans is able to support expansion of commercial development on the South with hopes to connect existing commercial development and the Itawamba Community College campus at the intersection of Eason and Veterans.
- 3) Balance of use and City demand: Split parcels considered for rezoning post 2008 are generally considered a mapping error from the Comprehensive Rezoning of 2008 which did not always follow parcel lines. Split parcel development complicates use approvals and may permit unwanted development that is not compatible on the same parcel or within the surrounding vicinity.
- 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.

Proposed zoning changes are compatible with present zoning and conforming uses of nearby property and the character of surrounding neighborhoods. There is no direct conflict or violation of the comprehensive development plan.

**Allowable Variances and Administrative Adjustments:** None required

**Final Recommendation:** Staff recommends approval

Close up of subject lot with zoning line shown that splits the parcel into two zones.



**CASE No:** RZ23-01

**Hearing:** Mon 6pm 5/1/2023

**Parcel:** 088N-33-029-03

**Location:** South Veterans Drive

**Applicant:** City of Tupelo

**Zoning:** Mixed Zone Parcel MUCC and MDR

**Ward :** 5

**Explanation:**

Request to do a corrective rezoning for a parcel which has split zoning to MUCC on both the west and east portions of the parcel. When the comprehensive rezoning took place in 2013, an arbitrary line was drawn across this undeveloped parcel with the intent to correct the zoning when the parcel developed as either Commercial or Residential. This area is adjacent to South Veterans which has continued to develop as commercial. Only the east portion of the parcel in yellow will be rezoned to MUCC giving this parcel the same zoning for the entire lot. The adjacent parcels to the east off of Canal Street will remain Medium Density Residential.

The map to the top left shows the general neighborhood and the current zoning line. The areas within the red circle are the properties within the 500 foot notification boundary. The yellow area is the subject property that this application covers.

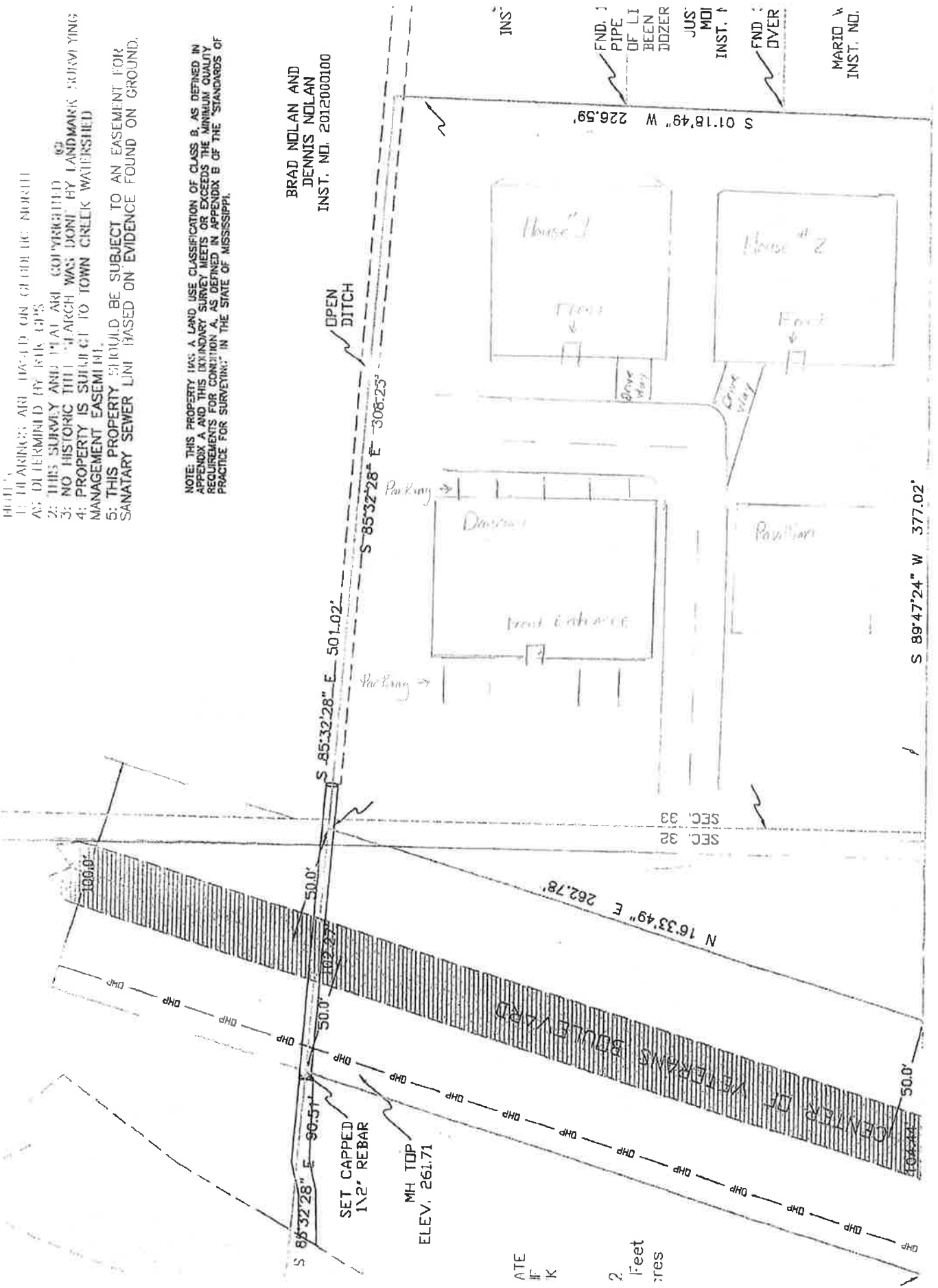


- 1: BEARINGS ARE BASED ON GRID LINE NORTH
- 2: AS DETERMINED BY THE GPS
- 3: THIS SURVEY AND PLAT ARE COPYRIGHTED
- 4: NO HISTORIC TITLE MARCH WAS DONE BY LANDMARK SURVEYING
- 5: PROPERTY IS SUBJECT TO TOWN CREEK WATERSHED MANAGEMENT EASEMENT
- 6: THIS PROPERTY SHOULD BE SUBJECT TO AN EASEMENT FOR SANITARY SEWER LINE BASED ON EVIDENCE FOUND ON GROUND.

NOTE: THIS PROPERTY HAS A LAND USE CLASSIFICATION OF CLASS B, AS DEFINED IN APPENDIX A AND THIS BOUNDARY SURVEY MEETS OR EXCEEDS THE MINIMUM QUALITY REQUIREMENTS FOR CONDITION A, AS DEFINED IN APPENDIX B OF THE "STANDARDS OF PRACTICE FOR SURVEYING" IN THE STATE OF MISSISSIPPI.

BRAD NOLAN AND  
DENNIS NOLAN  
INST. NO. 2012000100

MARIO V.  
INST. NO.



DATE  
BY  
K  
2  
Feet  
meters

S 85°32'28" E 90.51'  
50.0'  
S 85°32'28" E 501.02'  
S 85°32'28" E 306.25'

N 16°33'49" E 262.78'

S 01°18'49" W 226.59'

S 89°47'24" W 377.02'

SET CAPPED  
1x2" REBAR  
MH TOP  
ELEV. 261.71

FND. 1  
PIPE  
OF LI  
BEEN  
DOZER  
JUS.  
MDI  
INST. ↑

FND. 2  
OVER

OPEN  
DITCH

Parking →

Parking →

Diner

front entrance

Pavilion

House #1

House #2

Front

Front

Drive Way

Drive Way

SEC. 32

SEC. 33

100.0'

50.0'

50.0'

50.0'

DHP

DHP

DHP

DHP

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East

House 2

House 1

Driveway

Driveway

Parking

Day Care Center

New Street

Driveway

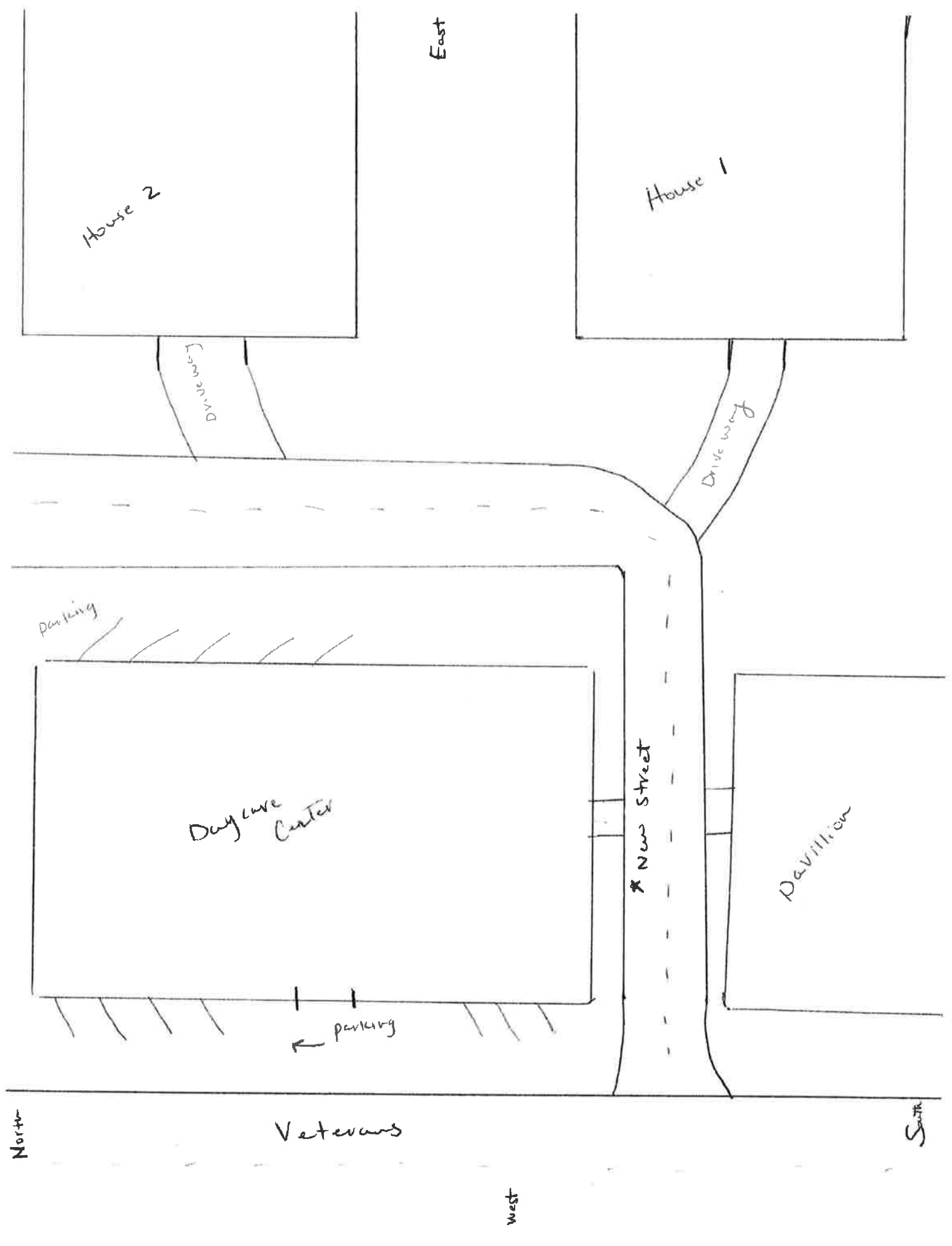
Parking

North

Veterans

South

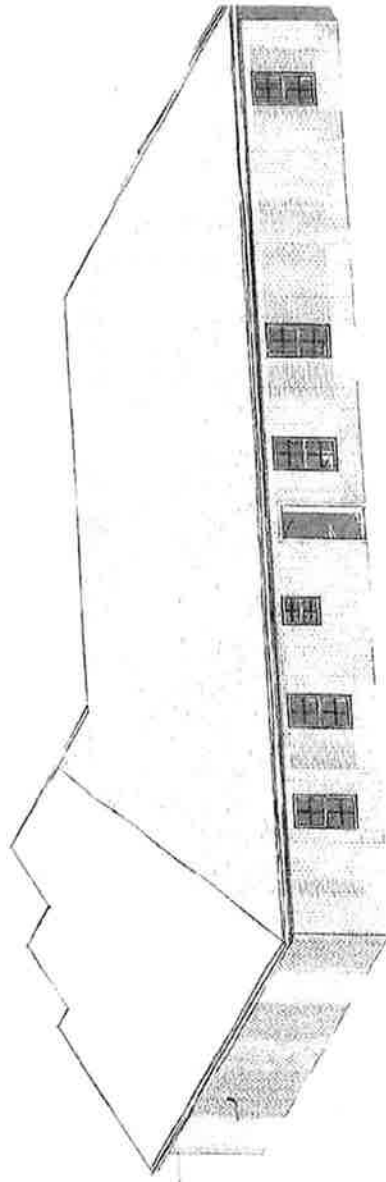
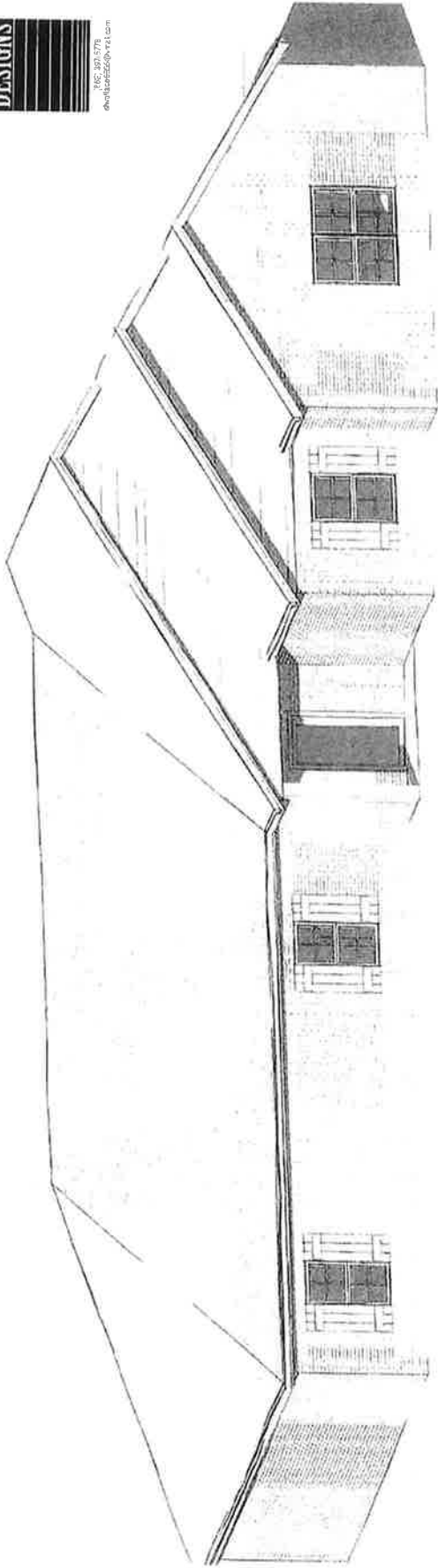
West







# YOUNG CENTER



## DRAWING INDEX

- A001 TITLE PAGE
- A101 LEVEL 1 FLOOR PLAN
- A201 ELEVATIONS
- A202 ELEVATIONS

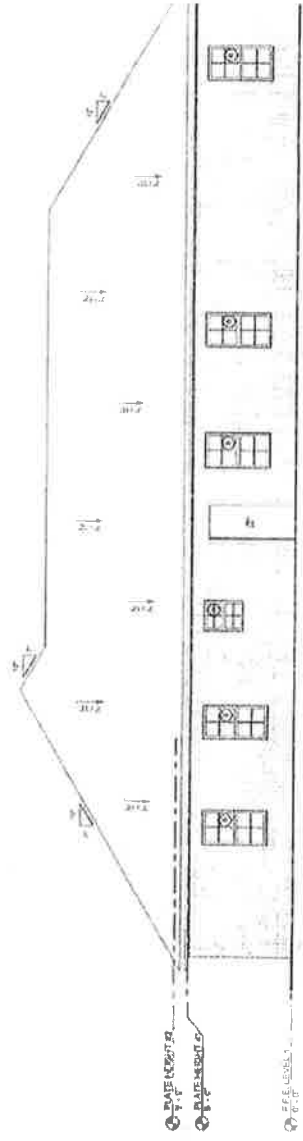
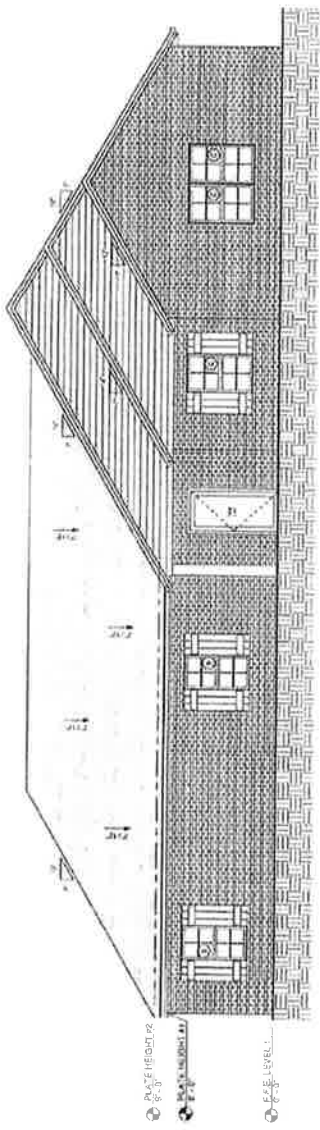


**YOUNG CENTER**

**A201**

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 CITY Independence, MO

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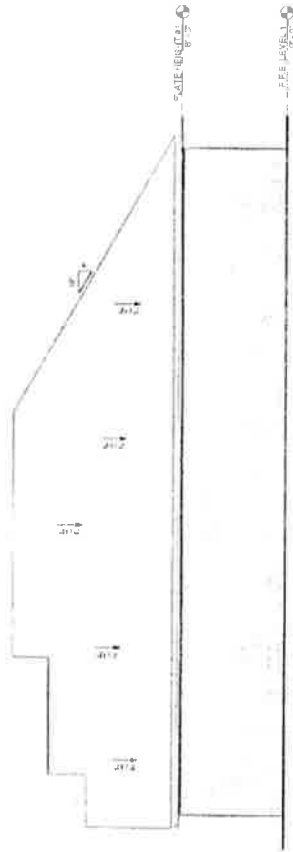


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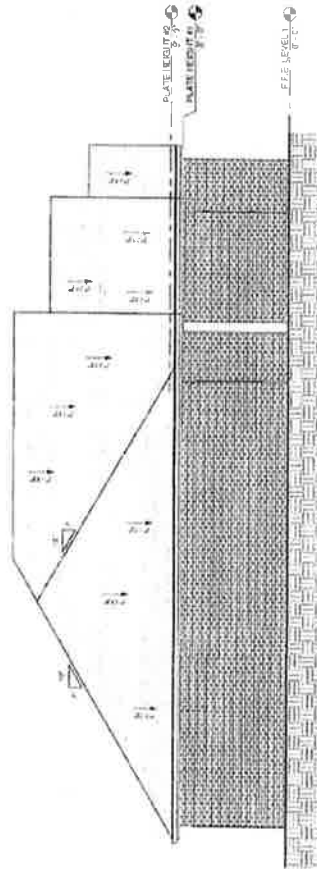
**A202**

Date: 11/22/18  
 Project: St. Ann's  
 Drawing:

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