

**MINUTES OF THE  
TUPELO PLANNING COMMITTEE  
OCTOBER REGULAR MEETING  
Monday, October 2, 2023  
6:00 PM Tupelo Convention & Visitors Bureau**

**CALL TO ORDER**

The meeting was held at Tupelo Convention and Visitors Bureau, 399 East Main Street, due to ongoing renovations at City Hall. Chair Lindsey Leake called the meeting to order. Other committee members present included Mark Williams, Bentley Nolan, Leslie Mart, Patti Thompson, Victor Fleitas and Scott Davis. Committee members Pam Hadley and Gus Hildenbrand were not present. Staff members present included City Planner Jenny Savely and Zoning Administrator Russ Wilson. Chair Leake asked Bentley Nolan to open with a prayer and Scott Davis to lead the pledge. Chair Leake then presented an opening statement of the committee purpose and reviewed how the committee would conduct its business. The Staff and Committee were then asked to introduce themselves and did so.

**REVIEW OF MINUTES**

Scott Davis made a motion to approve with a second by Bentley Nolan. The motion carried unanimously.

**REPORT ON COUNCIL ACTIONS**

City Planner Jenny Savely said there was nothing to report at this time.

**OLD BUSINESS**

Planner Savely mentioned old business TA-22-02, Billboards and Multi-Family Housing remains in review with changes expected to be presented to the committee at the November meeting.

**NEW BUSINESS**

Leake then explained the meeting procedures that would be followed for tonight's meeting. Chair Leake then read a prepared statement. "We appreciate all of you that have shown up tonight to participate in helping make Tupelo a great place to live. We have one item on tonight's agenda. We know that your presence here with us tonight is important to you and is equally important to those that serve on this committee. With as many of you that we anticipate that want to speak, we must adhere to the 3 minute limit and thank you in advance for your respect for this process and the respect that you will show to others that want to participate in tonight's meeting. A few additional comments before we begin as it relates to FLEX23-07 Prevail Duplexes. Comments from the August meeting for those that were unable to attend tonight's meeting will still be taken into consideration by this committee tonight. It's also important to note that it is necessary for members of the planning department to work with developers in advance of an item that comes before this committee. It takes interaction with the developers and the City to properly address the requests and to try to insure that initiatives are properly vetted. With that said, some in the August public meeting during public comments inferred that these actions by the City and this committee that we were working in secret. That is incorrect. We request that your comments tonight pertain strictly to the merit of your thoughts on FLEX23-07, Prevail Duplexes. With that being said, our first and only item is FLEX23-07. Ms. Savely, does the Planning Department have an opinion on this?"

Savely then mentioned that the Planning Department will defer to the Planning Committee on this and will explain why in the staff analysis. This is in an LDR Zoning District. On 1.4 Acres, 6 duplexes, 12 dwelling units are proposed. There are three distinct items that must be considered by the Planning Committee tonight – 1. The Use of Duplexes 2. The Flexible Variance for density above 1 per .33 acres – the variance requested is a 64% variance 3. As multi-family this requires a site plan review and this plan provides all that information as well as compatibility with the surrounding area.

Savely explained each of these items further as well consideration of this project's conformance with the Comprehensive Plan, assessment of impact on property values and asked the Committee to be diligent in their review of these items.

Israel Foster, 1401 Frances Square came forward as the developer and explained the application for the use and variance to add these units and opened with a PowerPoint presentation. Mr. Foster explained his background, his development history with duplexes and apartments and showed photos of the quality of their projects, and the high standards they follow in all of their developments none of which are government subsidized or section 8. Lake Park Apartments has 210 units. Fiddlers' Creek has 160 units, with another development with 240 units and yet another with 260 units. Foster detailed several improvements they had made and showed photos of typical units. Foster then detailed the project on Endville Road with examples of the actual planned units for the development, landscaping, parking, overall layout, sidewalks and drives. Foster also addressed the concerns about the impact on property values with photos of the site conditions he found before development. Foster explained why the density had to be at 12 dwelling units in order to make it feasible to provide affordable housing for this area and his desire to do so is why he has worked so diligently on this project.

Chair Leake then opened the meeting for questions from the Committee. Leslie Mart asked if the developer had looked at any other areas and why he selected this with it not being zoned for duplexes. Foster said this property came to him, it just came up. He wanted to add to the area and make the area better, but no, he did not look for other area, it really just came to him and he thought it would be a good opportunity for the area. He thought about storage units, but that market is overloaded, and he thought helping other people fit his goals. Williams asked if there was other competition for his development. Foster stated that West Jackson was also an attractive area. Mart asked about landscaping and Foster stated that he had more planned than what was on screen. Mart asked if they could do just 4 buildings to which Foster said he would have to hike the rent to an unreasonable level that would make the project not feasible for these 2 bedroom 1 bath units. Leake asked if they could bump them up to 3 bedroom units that could rationalize the rent. Foster said that he was targeting those that could afford the 2 bedroom units.

Chair Leake then opened the meeting to the public and requested that each applicant provide their name and address to Mr. Wilson before then state their comments and reminded them of the three minute time limit. The following attendees spoke against the development, with no one speaking in favor or support of the project. Their summary objections are listed below:

**Robert Parks**, 4861 Endville Road – adjacent Property owner, concerned with property value impact  
**Sammy Green**, 3570/3820 Belden Pike – three variances is too much, 12 units or nothing – against it

**Patty Parks**, 4861 Endville Road – adjacent property owner, concerned with property value impact and negative traffic impact

**Alice Worthy**, 4831 Endville Road – adjacent property owner, not compatible with neighborhood

**Enrico Amore**, 3542 Abby Lane – concerned with traffic and density of development – follow the current standards

**William Hopper**, 2780 Walsh Road – adjacent property owner – concerned with impact on property value of the new home he plans to build on his property next door.

**Celia Ward**, 349 Revival Road – nearby property owner – concerned with impact on property value

**Aaron Hall**, 379 Revival Road – nearby property owner – unkept promises from City about area

**Rita Roper**, 182 Bramblewood Circle – Stated that she is opposed to the project

**Jeff Scott**, 3676 Countrywood - Stated that he is opposed to the project

**Carol Martin**, 5288 Timberland - Stated that she is opposed to the project

**Betty Scott**, 3729 Countrywood - Stated that she is opposed to the project

**Jerry Page**, 5997 Endville Road - Stated that he is opposed to the project

**Joe Scott**, 3729 Countrywood - Stated that he is opposed to the project

**Julie Carruth**, 6659 Endville Road - Stated that she is opposed to the project

**Lisa Rish**, 3623 Countrywood - Stated that she is opposed to the project

**Larry Hall**, 349 Revival Road - Stated that he is opposed to the project

**Jurleane Satterwhite**, 5332 Timberlane - Stated that she is opposed to the project

Hearing no further comments, Chair Leake closed the public portion of the application and opened the meeting for discussion between the committee members. Patti Thompson asked the developer about traffic issues. Foster said a traffic study could be done, but has not. Williams asked if a traffic study was required. Savely stated that it is only required if we anticipate at least 300 additional cars per peak hour. Thompson asked if there were any road improvement plans for that area. Savely stated that this was an annexed area and that this area was part of planned improvements, but none specific as of now. Fleitas asked if this was on the Major Thoroughfare list. Savely said they are working on next phases now. Mart asked if there was any rezoning on the horizon. Savely stated that a rezoning could be included in the new Comprehensive Plan which is in the works right now. Thompson asked how the developer felt after hearing all these comments tonight. Foster replied that he was aware of the opinions out there right now and did not see how he could change anyone's mind right now. Savely mentioned that past rezoning of annexed areas has generally been zoning not for future land use, but to accommodate what is currently in an area.

Scott Davis stated that for this area, as well as the entire City, this is zoned LDR for large lots. Duplexes are generally located in Medium Density zones. A variance of 64% in an LDR zone as opposed to a 10-20% variance, is a lot. If we allow this, someone could go to other neighborhoods and request to do that in areas that are supposed to be protected from that. I heard all of the comments, but duplexes could start popping up all over the place in neighborhoods where they were never meant to be. 64% is way out of line. The argument about rezoning may be true, but that's not what is on the table. This area is LDR and a 64% variance is way too much for him. Bentley Nolan agreed, and said a buffer should be there but there is not. There is certainly a need for housing units, but the drastic change at this location is too severe. Mart said that she is opposed to the 64% variance for density. We would need to look at zoning and that this is not the right place at this time for this kind of density. Patti Thompson said in case anyone thinks she is immune from this kind of activity, someone just tried to put an RV Park in her backyard! Mart asked for clarification on how to

make the motion. Savely said you could do it any way, but three separate motions could be made. Davis stated that you could put them all together, but made a motion to deny the variance. Mart seconded the motion with six members present voting for the denial of the variance and one voting against the denial. Mart then made a motion to deny the Flexible Use for duplexes at this location. Six voted in favor of the denial with one voting against the denial. Mart made a motion to deny the Major Site Plan with six voting for the denial and one voting against the denial. Therefore the project was denied. Savely explained the appeal process. Mart applauded Mr. Foster for his efforts, the city needs affordable housing. Scott Davis reminded everyone present that you may not like the City, but without the annexation of their property in this area, the developer could have done whatever he wanted to, there would have been no zoning regulations, no code enforcement, nothing, just the Wild West. Because that was annexed, it allows this sort of discourse tonight, so there is some positive tonight that comes from being inside the City. Patty Parks told Mr. Israel Foster that the group is not opposed to him personally, but told the crowd what growing up next door to that property meant to her and her family and how emotional the changes and potential for this development has been to her and wished him good luck.

Chairman Leake asked if there were any other applications for November. Savely mentioned that text amendments are on the next agenda. Leake then reminded the committee about the October 30<sup>th</sup> Work Session at City Hall and the November 6<sup>th</sup> regular monthly Planning Committee Meeting tentatively planned to be held at CVB. With there being no further business, Patti Thompson made a motion to adjourn which passed unanimously.