

**MINUTES OF THE
TUPELO PLANNING COMMITTEE
April 5, 2010**

There was a regular meeting of the Tupelo Planning Committee held Monday, April 5, 2010 at 6:00 p.m. in the Council Chambers of City Hall. Committee members present were Chairman Mitch Ellett, Vice-Chair Russ Wilson, Secretary Patti Thompson, Mr. Orlando Pannell, Mrs. Gloria Gasaway, Mr. Rud Robison, Mr. Robert Myers, Mr. Scott Davis, and Mr. Michael Gratz, Jr. Development Services staff present were Mrs. B.J. Teal, Mr. Pat Falkner, Ms. Marilyn Vail, Ms. Renee Ray, and Mrs. Nikki Burton.

CALL TO ORDER

Chairman Ellett called the meeting to order. Mr. Wilson gave the invocation and Mr. Pannell led the Pledge of Allegiance. After the introduction of committee and staff, Mr. Ellett explained the meetings procedures and confirmed the April agenda.

REVIEW/APPROVE PREVIOUS MINUTES

Mrs. Thompson made a motion to approve the minutes of the March 2010 meeting. Mr. Robison seconded the motion, which passed unanimously.

REPORT ON COUNCIL ITEMS

Mr. Falkner stated that the city council had upheld the Planning Committee's decision to approve all items from the March 2010 agenda.

NEW BUSINESS

1. **MJ10- 02: Affordable Cars, Inc. requests a major conditional use to allow a used car dealership to be located at 5468 Cliff Gookin Boulevard in a C-2, General Commercial Zoning District, and within the CGO, Cliff Gookin Overlay District.**

Mr. Jerome Sheffield stated that he has a project for the old Dairy Queen building on Cliff Gookin Boulevard. He stated that the building has been vacant for almost ten years and has gone down due to vandalism and time destruction.

Mr. Sheffield stated that Dr. Joseph Martin from New Albany is the current owner of the building. He stated that Dr. Martin had given him written permission to apply for the major conditional use.

Mr. Sheffield stated that he had included a feasibility study with his application for the Planning Committee. He further stated that he tried to be creative and be a little different than the average car dealer. He stated that he was the first car dealership in Tupelo to

have a website, play outdoor music on the premises, and provide free car fax history reports to customers. He stated that he also offers a warranty on each car that he sells.

Mr. Myers stated that, according to the application, Affordable Cars, Inc. averages 24 vehicles in inventory and there are 36 total spaces on the property. He stated that he had inspected the property and did not see quite that many spaces, particularly on the left side of the property. He then asked Mr. Sheffield if he was planning to have 24 or 36 vehicles on the property. Mr. Sheffield stated that he will be able to fit 36 spaces on the property if the left side of the property is striped exactly like the left side.

Mr. Wilson asked Mr. Sheffield if he was planning to also have portable storage buildings and carports for sale at the proposed car lot, in addition to used cars. He then asked Mr. Sheffield if he planned to store the buildings and carports on the rear of the property and asked how many units there would potentially be. Mr. Sheffield stated that he planned to have ten to 12 storage units on the property. He stated that the existing concrete on the property stops about three-fourths back, leaving about one-fourth of the rear property in slag, weeds, and grass. He stated that he plans to keep the buildings in the rear of the property to avoid creating any blind spots on Cliff Gookin Boulevard. Mr. Sheffield stated that the buildings are simply display units and are not for sale.

Mr. Wilson asked Mr. Sheffield if he planned to have signage on each building. Mr. Sheffield stated yes.

Mr. Pannell asked Mr. Sheffield if he planned to have a carport display on the property and if it would be located in the front of the property. Mr. Sheffield stated yes, he would have a carport display, but it would be located in the rear of the property along with the storage building displays. Mr. Sheffield stated that the lot is very narrow, and only allows room in the front of the property for signage and landscaping.

Mr. Wilson asked Mr. Sheffield if he planned to purchase or lease the building. Mr. Wilson explained that with a major conditional use application, the Planning Committee has the right to place restrictions to mitigate the Cliff Gookin Overlay District and the impact would be different depending on the sale or lease of the building. Mr. Sheffield stated that he would be leasing the building at first.

Mr. Gratz asked if there were any setback requirements for the proposed display storage units. Mr. Falkner answered stating no, Development Services does not normally apply setback requirements for a temporary placement of a structure.

Mr. Robison asked Mr. Sheffield if the submitted color palette was what he intended to use for the building. Mr. Sheffield stated yes. Mr. Robison asked if the dark brown color will be used on the base of the building nearest to the bottom of the windows. Mr. Sheffield stated yes. Mr. Robison asked if the burnt orange color will be the lighter color section of the wall. Mr. Sheffield stated no, the burnt orange color will be the trim color. Mr. Sheffield stated that the bulk of the building will be gray. Mr. Sheffield further stated that the tile on the inside of the building is gray, so it should all coordinate.

Mrs. Thompson asked Mr. Sheffield his plans for the existing menu board located near the back of the building. Mr. Sheffield stated that he has some ideas and would like to leave it standing and make some sort of a sign of it. He further stated that he plans to use the existing drive-thru window for customers to drop off payments. Mr. Falkner stated that normally only one ground sign is allowed per site. He stated that the classification of a menu board does not carry over to any other business other than a restaurant. Mr. Sheffield stated that is not an issue and the menu board can be taken down if needed. Mrs. Thompson stated that taking the menu board down would destroy it for future use if someone else were to take the building and need it for that purpose. She then asked Mr. Sheffield what ideas he had for the board. Mr. Sheffield stated that he could use it as an overview board for customers to use when the business is not open. He stated that he did not plan to use it as his main sign due to its existing location and size. Mr. Sheffield stated that the property still belongs to Dr. Martin and if a restaurant chain made a big offer on the property, Dr. Martin would most likely want the sign left in place. Mr. Falkner stated, after reviewing the Development Code, that the sign would be considered an abandoned sign because it is no longer functional as is intended use. Mr. Falkner stated that it would need to be removed and would not be allowed as a sign.

Mr. Ellett asked Mr. Sheffield if the existing lights located around the top of building would be utilized. Mr. Sheffield stated yes. He stated that Dairy Queen had left a template for the original lights and will copy it for clear covers.

Mr. Wilson asked Mr. Sheffield if he planned to use the outdoor lights. Mr. Sheffield stated yes. Mr. Wilson asked Mr. Sheffield if he would be using the existing light to illuminate a sign. Mr. Sheffield stated that he did not have a clear understanding of the sign ordinance so he was not sure what he would do with the existing lights, but would like to use them if possible.

Mr. Ellett asked Mr. Falkner if the lights located around the top of the building are permissible in the overlay district. Mr. Falkner stated yes. Mr. Sheffield explained that the lights are approximately one foot in width and are located around the upper perimeter of the building. Mr. Falkner stated that the lights would be treated just like a wall sign.

Mr. Ellett asked Mr. Sheffield what type security he planned to use for the car lot. Mr. Sheffield stated that he will use surveillance cameras for security.

Mr. Ellett suggested Mr. Sheffield meet with Development Services staff to determine what signs will be allowed on the property. Mr. Sheffield stated that upon Mrs. Vail's suggestion, he had submitted a drawing of the proposed sign and landscaping to the committee so that if a variance were required, the committee could vote on it along with the conditional use. Mr. Wilson stated that Mr. Sheffield would need a variance because the existing sign is too close to the adjacent existing sign. Mr. Ellett stated that according to the code, 50 feet of landscaping is required around the sign.

Mrs. Thompson asked Mr. Sheffield his projected opening date if the application is approved. Mr. Sheffield stated that there is really no time table and that he had been talking with the property owner, Dr. Martin, for over a year. Mr. Sheffield stated that there is at least two weeks of cleaning to be done and at the earliest he could be open in a month and a half.

Mrs. Gasaway asked Mr. Sheffield about the trim of the building and the color scheme. Mr. Sheffield explained that only the trim would be painted burnt orange.

Mr. Ellett asked Mr. Falkner if property owners within 500 feet of the proposed property have been notified of the application. Mr. Falkner stated yes. Mr. Ellett asked if there had been any feedback from the public about the application. Mr. Falkner stated no.

At this time, Mr. Ellett closed the public portion of the meeting.

Mr. Wilson stated that most of the existing signs are modular and recommended the top portion of the menu board be removed and the wires hidden underneath.

Mrs. Teal reminded Mr. Sheffield that commercial plans will need to be submitted to the Development Services office for review and a Certificate of Occupancy must be obtained before he may begin selling cars on the site.

Mr. Gratz stated that he was impressed with the application and that it appeared that Mr. Sheffield had put a lot of work into it. He stated that the property had been vacant for a long time and that the business will be a good use for the property.

Mr. Robison stated that the building is one of the first buildings visible when entering the City of Tupelo from Highway 6.

Mr. Wilson made a motion to approve the major conditional use for the property to be used as a used car business with the allowance of the sign variance for the distance between the existing signs in the zoning district; with a condition that the top portion of the menu board be removed and landscaping placed around the base; and also that all display buildings and carports be placed behind the current concrete level at the back of the lot. Mr. Pannell seconded the motion which passed unanimously.

ADJOURN

There was no further business. Mr. Robison made a motion to adjourn seconded by Mr. Gratz. The motion passed unanimously.