

MINUTES OF THE TUPELO PLANNING COMMITTEE

June 1, 2009

There was a regular meeting of the Tupelo Planning Committee held Monday, June 1, 2009 at 6:00 p.m. Planning Committee members present were: Chairman Michael Gratz, Jr., Vice-Chair Cindy Sanders, Secretary Mitch Ellett, Mr. Russ Wilson, Mr. Bill Smith, Jr., Mrs. Mabel Murphree, and Mrs. Judy Brown. Department of Development Services staff present was: Director BJ Teal, City Planner Pat Falkner, and Zoning Administrator Marilyn Vail. Planning Committee members Mr. Dick Johnson and Mr. Rud Robison were not present for the meeting.

CALL TO ORDER

Mr. Gratz called the meeting to order. Mr. Smith led the invocation and Mr. Gratz led the Pledge of Allegiance. Mr. Gratz then explained the meeting's procedures and confirmed the agenda.

REVIEW/APPROVE PREVIOUS MINUTES

Mrs. Murphree made a motion to approve the minutes of the May 2009 Planning Committee meeting as revised. Mr. Smith seconded the motion, which passed unanimously. Mr. Wilson abstained due to his absence from the previous meeting.

REPORT ON COUNCIL ITEMS

Mr. Falkner stated that all of the Planning Committee's actions from the April and May 2009 meetings, with the exception of the Greg Smith appeal, were approved by the Tupelo City Council at their regular meeting held May 18, 2009. Action on the appeal will be postponed until July.

NEW BUSINESS

VAR09-05: James and Nancy Milam request a variance to allow a side yard setback of five feet rather than the required setback of ten feet on the southeast corner of Clark Boulevard and Fairpark Drive in a PUD, Planned Unit Development.

Mr. Falkner stated that the property is located on the south side of City Hall and was originally platted for five lots, but has since been reduced in number. He stated that Mr. Milam has purchased the corner lot that faces Fairpark Drive. He stated that in the Fairpark District, the Tupelo Redevelopment Authority has a design review process and had asked Tony Bologna, an architect with Looney Ricks Kiss in Memphis, Tennessee, to review the proposed buildings to meet their architectural design guidelines. He stated that the review by Mr. Bologna had been completed prior to the submittal of the

application to the Department of Development Services. Mr. Falkner stated that Mr. Milam would like to extend the front porch into the setback area, making the setback five feet instead of ten. He stated that according to the code, a porch can extend or encroach into a setback a maximum of three feet, so the request is actually for only two feet.

Mr. James Milam, owner of the property, stated that he and his wife currently live in the Belfry building which is located in the downtown area and have lived there for over three years. He stated that he would like to build and stay within the downtown area. He stated that he had been working with local contractor Gary Daily in designing the residence. He stated that the lots are narrow and in order to get the space needed for the proposed two-story house, a certain width across the front is required. He stated that one of the motivating aspects of living in the Fairpark was the idea that there should be a porch on the house. He stated that TRA is in favor of porches and Tony Bologna also likes the idea of front porches and on corner lots, having side porches as well. Mr. Milam stated that the front porch design of the proposed residence is within the setback, but the side porch is not. He stated that the house will face Clark Boulevard. He further stated that in order for the porch to be comparable and safe, the variance of five feet is needed.

Mrs. Murphree stated that it is her understanding that it is just the side porch that Mr. Milam is asking a variance for. Mr. Milam stated yes. Mrs. Murphree asked if it was also almost a requirement to have a porch in the Fairpark District. Mr. Milam stated that he did not know, but knew porches are encouraged. Mr. Falkner stated yes, porches are required. Mrs. Murphree stated since Mr. Milam is on a corner lot where a retaining wall is located the utilities would be run on the opposite side of the residence. Mr. Milam agreed and stated that he was not sure about the placement of the utilities, but Fairpark is a little out of the ordinary in that when the plats were dedicated the setback areas were actually designated as easements. Mr. Milam stated that he does not actually know where the utilities are located, but he has been told that a side porch will not interfere with repairs and access. He further stated that he assumes the utilities are located on the outside of the existing retaining wall. He stated that the proposed house will be built on a raised slab, but the porch will not be on slab, but will have a curtain underneath and no concrete. Mrs. Murphree stated that Mr. Milam is not encroaching on adjacent property in any way and there is strictly a retaining wall located there. Mrs. Murphree asked Mr. Falkner if Mr. Milam was, basically, asking for a two foot variance. Mr. Falkner stated yes.

Mrs. Sanders made a motion to approve the variance. Mrs. Murphree seconded the motion, which passed unanimously.

OTHER BUSINESS

1. Historic Commission Report

Mrs. Brown stated she, Mr. Falkner and Mr. Smith had attended the Historic Commission meeting. She stated that the commission had a very good, productive meeting and covered a lot of issues, but the one that concerns and overlaps with the Planning

Committee and the reason the Historic Commission had asked the Planning Committee to provide some folks at their meetings, has to do with the railroad relocation which is currently being dealt with. Mrs. Brown stated the Historic Commission is now weighing all of their options and have met with MDOT officials from Jackson and have realized that there is a lot of overlapping of different committees. They are trying to get a number of different committees who have a stake in how the City of Tupelo proceeds with the relocation of the railroad and the input that could be given to MDOT by the different committees and start discussing the plans and how such a relocation would impact the city. She stated that most everyone knows the report from MDOT stated that the best solution would be to follow the existing railroad line, but elevate it over the Crosstown Area, which is a great concern to the Historic Commission because of the aesthetics and the areas directly affected, such as the Downtown Area. She stated that in the discussions, it has been realized that there is so much involved in an issue such as railroad relocation that the holistic approach to the city must be taken. She stated other committees and commissions in the city might be more concerned with safety, transportation issues, feeder roads, and long term planning. She stated that they are looking at trying to get committee chairmen together that might have concerns and interest to talk about what the next step will be and if this proposal is the one that is actually used, how they can best have an impact to see that it is as positive historic preservation as possible. She then asked Mr. Falkner if he would like to add anything. Mr. Falkner stated no.

Mr. Gratz asked if MDOT is the controlling entity on the railroad relocation. He stated that he knew that anything to do with a railroad had to go before the federal organization The Surface Transportation Board. He then asked what MDOT has to do with the railroad relocation. Mr. Falkner stated that MDOT does have some jurisdiction in the state of Mississippi regarding railroads, but they are not the final authority. Mr. Falkner stated that MDOT is handling the contract for the railroad relocation study. Mr. Gratz stated that obviously, the roads would have to be re-routed or changed because of whatever is done to the railroad.

Mrs. Brown asked Mr. Falkner to explain to the Planning Committee why the Historic Commission was asked by the State Archives Committee to give their input. Mr. Falkner stated that a meeting was called in the Mill Village Area to determine how the railroad relocation would affect historic resources. He stated that several people from the Mill Village neighborhood attended the meeting along with a few members of the Historic Preservation Committee, thus they became involved and held another formal meeting at the Community Development Foundation.

2. Development Code Sub Committee Report

Mr. Gratz stated that the Development Code Sub Committee had discovered that codes they have been reviewing are a little more extensive than first thought and the time frame is about twice as long as the committee had anticipated.

Mrs. Murphree stated that major discussions should be held during subcommittee meetings and an up-to-date report can be given at the July Planning Committee Meeting.

OTHER BUSINESS

Mrs. Murphree asked Mr. Gratz if it would be prudent for the Planning Committee to re-visit past applications that have been approved to see if the projects are still viable. Mr. Gratz asked Mr. Falkner the protocol for checking the status of past applications. Mr. Falkner stated that the approved PUD proposed for Endville Road is being held up by an appeal to Chancery Court. Mrs. Murphree asked about the PUD on Madison Street. Mr. Falkner stated that he has received several inquiries about the project. He stated that the master plan has been approved, but with such a lapse of time, the developers may want to come before the Planning Committee again for approval. Mrs. Brown asked how long someone has to implement a master plan. Mr. Falkner stated that he thought the City Council would have to step in and change the zoning of property back to the original zoning. Mr. Smith stated that a good bit of soil has washed into the street from the proposed Madison project. Mr. Falkner stated that the city could clean the streets and charge the developer. Mr. Falkner then stated that rezoning applications could be addressed in the proposed Development Code.

ADJOURN

There was no further business and the meeting was adjourned.