

PLANNING COMMISSION

December 13, 2004

Be it remembered that the Oxford Planning Commission did meet on December 13, 2004 in the City Hall courtroom with the following members present:

Jon Fisher, Chairman
Debby Chessin
Cathy Marshall-Smith
Janis Holley
Paula Shanks
Charlie Noble

Colbert Jones, Director of Planning & Development
Bart Robinson, Assistant City Engineer
Chris Carter, Building Inspector
Dee Ursic, Secretary

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After the meeting was called to order the following business was transacted:

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The agenda was approved with amendments to hear case # 1166 as item 10, followed by case # 1152, 1154, and 1164, remove case # 1155 from the consent agenda, add case # 1151 to the consent agenda and an additional item to the agenda for Mr. Corey Alger to address the Commission as item #17 on the agenda. Motion was made by Commissioner Fisher, seconded by Commissioner Shanks. All members present voting Aye.

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The minutes of the November 15, 2004 meeting were approved by Commissioner Fisher, seconded by Commissioner Shanks. All members present voting Aye.

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PLANNER'S REPORT

Colbert Jones informed the Commission that since the Comprehensive Plan had been completed and adopted now would be the time for the Commission to look at some of the tasks within the plan. The first would be annexation; a scope of services should be designed and distributed to consultants for proposal bids. After this, areas would be evaluated to pinpoint which areas to begin with.

BUILDING INSPECTOR'S REPORT

Chris Carter reported to the Commission that for the month of November 2004 a total of \$4,435,306.56 in construction permits were issued. Building permit fees totaled \$19,555.00, electrical fees were \$3,245.50, plumbing fees were \$3,719.50, and mechanical fees were \$135.00, for a total of 26,655.00 collected in fees through the Planning and Development Department for the month. Motion was made to approve the Building Inspector's Report by Commissioner Fisher, seconded by Commissioner Shanks. All members present voting Aye.

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CONSENT AGENDA

There came forth public hearing for case # 1151- (continued from previous meeting) Final Plat approval for Eagle Pointe, Phase III located on Thacker Road. Motion was made to approve the Final Plat by Commissioner Shanks, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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There came forth public hearing for case # 1157 – Charlie Myers application for a variance located at 413 S. 5th Street. Mr. Myers was requesting a front yard setback fence height variance from 42 inches to 48 inches. Motion was made to approve the variance by Commissioner Shanks, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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REGULAR AGENDA

(Board of Adjustment)

There came for discussion public hearing for case # 1155 – Allen Smith, Jr. application for a special exception located at 1000 Harland Drive. Mr. Smith stated he was before the Board to request a special exception for a home occupation to manage his electrical business out of his home. He stated no clientele would be visiting the address, nor would any signage be present on the property. Only mail or phone correspondence and clerical work would be done at the home. Motion was made to approve the special exception by Commissioner Holley, seconded by Commissioner Fisher. All members present voting Aye.

Motion was APPROVED.

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(Board of Adjustment)

There came for discussion public hearing for case # 1156 – Glenda Garner application for a variance located at 108 King Street. Mrs. Garner stated she owned the mini-storage building located at the petitioned address and would like to construct a chain link fence in the front setback 6 ft in height to alleviate her business entrance from being blocked by the neighboring tutoring company’s clients. She recently had a 2 ½ ft tall fence and it was not tall enough to deter the adjoining business clients from parking and blocking her driveway, as well as the large delivery trucks from turning around in her parking lot from the Dollar General across the street.

B.J. Cotton, Cotton Tutoring, informed the Commission that she objected to the height variance. Mrs. Cotton stated she was concerned that if the variance was granted and the fence erected then her business would be cut off from King Street by the location and height of the fence.

After some discussion, motion was made to deny the variance by Commissioner Shanks, seconded by Commissioner Marshall-Smith. All members present voting Aye.

Motion was approved to DENY the variance.

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(Board of Adjustment)

There came for discussion public hearing for case # 1158 – Willie Miller application for a variance located at 117-B Price Hill Cove. Rick Reeves, Jim Walter Homes, stated he was representing the home owner and they were requesting a 25ft front yard variance from 30ft to 5ft. Mr. Reeves explained that the rear slop of the lot was extreme and they needed to move the house forward due to this. He informed the Commission this would also make the front of the new home in line with the neighboring structures. Motion was made to approve the variance but make it 22ft instead of 25ft by Commissioner Shanks, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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(Board of Adjustments)

There came for discussion public hearing for case # 1161 – Marty Daniels Construction application for variances located at 300, 302, and 304 Wellington Court. Mr. Daniels stated he was constructing the Notting Hill subdivision and would like to request a fence height variance from 42” to 60” for the 3 lots. All three of these lots are corner lots and have two front yard setbacks. Motion was made to approve the variances for all 3 lots with the conditions that the fences must be a minimum of 12ft from the sidewalk, fences have a maximum height of 60 inches (5ft) and that landscape shrubs must be planted along the fences by Commissioner Fisher, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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(Planning Commission)

There came for discussion public hearing for case # 1166 – Grand Oaks, PUD plat amendment located off of Hwy 7 South. Barnard Johnson, Developer, relayed to the Commission their plan for the redesign of the golf course along with the inclusion of acreage outside the city limits that is to be added to the original 1994 PUD plat.

Phyllis Neidfelt, Grand Oaks resident, brought forth two concerns: 1) she did not want to see the proposed access road become a thoroughfare and 2) she was concerned about the bond lapsing.

John Case, President of the Board of Directors of the Grand Oaks Home Owners Association, informed the Commission that there were an overwhelming number of home owners in support of the redesigning of the golf course along with the PUD amendment. Motion was made to approve the overall PUD plat amendment with the following conditions: as phases of PUD are developed each phase must address the open space and active and passive recreation, the number of units in the proposed phases may have to be reduced in order to meet open space requirements, sidewalks must be installed along existing streets where new development occurs, sidewalk must be on both sides of the street as per Subdivision Ordinance, Covenants must address maintenance and upkeep of the open space and improvements, bonds must be posted to insure development of open space to a finished standard that would include walking paths and benches, the PUD plat must also be approved by the Mayor and Board of Aldermen by Commissioner Fisher, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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(Planning Commission)

There came for discussion public hearing for case # 1152 – Preliminary Plat approval for Gardens at Grand Oaks, Phase II & III located in Grand Oaks, PUD. Ryland Sneed, Precision Engineering, described the development as an extension west of Phase I. There will be 11 lots in Phase II and 12 lots in Phase III. The lots range from .43 acres to over 1 acre. A jogging/walking path will connect Phase II and III. Motion was made to approve the plat with the condition that a suitable construction road be built to carry the construction traffic from east to west by Commissioner Noble, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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(Planning Commission)

There came for discussion public hearing for case # 1154 – Site Plan approval for Golden Eagle Condominiums located on Augusta Drive in Grand Oaks, PUD. Ryland Sneed, Precision Engineering, stated the development would consist of 82 total units, 38 to the west and 44 to the east. The jogging/walking trail would continue from the Gardens of Grand Oaks through this

project. There will be some screening to the rear of the units to block the TVA lines. Motion was made to approve the site plan by Commissioner Fisher, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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(Planning Commission)

There came for discussion public hearing for case # 1164 – Preliminary and Final Plat approval for Grand Vista Gold Cottages located in Grand Oaks, PUD. Ryland Sneed, Precision Engineering, stated the project was originally approved 4-5 years ago as a 9 unit condominium project. The owners have requested that the project be resubmitted as a subdivided zero lot line project so they may have delineated property lines. Motion was made to approve the preliminary and final plats by Commissioner Holley, seconded by Commissioner Fisher. All members present voting Aye.

Motion was APPPROVED.

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At this time, motion was made by Commissioner Shanks, seconded by Commissioner Fisher to move into executive session to discuss legal matters.

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(Planning Commission)

There came for discussion public hearing for case # 1162 – Oxford Commons application for a special exception for a PUD located at the end of Sisk Avenue and Hwy 7. Kenny Farrell, Kenlan Development addressed the Commission. Mr. Farrell stated they were proposing a total of 560 acres for development within the PUD. A movie theater along with a luxury hotel was already in the beginning design phases and the residential portions would have been designed to an overall RB density. Due to there being such a large amount of acreage, each design phase has been divided into separate tracts and will come before the Commission individually for approval.

Jim Hartsfield, 205 McLaurin Drive, the Avent Homeowners Association was concerned about traffic impact that would be on Sisk Avenue from the development. Motion was made to approve the special exception with the condition that the text amendment to allow PUD overlays in a Shopping Center zone be approved by both the Planning Commission and Board of Aldermen by Commissioner Fisher, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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(Planning Commission)

There came for discussion public hearing for case # 1165 – Final plat approval for Oxford Creek Subdivision located on Molly Barr Road. Ryland Sneed, Precision Engineering, informed the Commission that there had been no changes to the originally submitted plat. Motion was made to approve the Final plat by Commissioner Fisher, seconded by Commissioner Holley. All members present voting Aye.

Motion was APPROVED.

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Corey Alger addressed the Commission regarding a possible project on Elm Street. Mr. Alger stated the property was previously zoned RB but he had learned from the recent adoption of the Comprehensive Plan the zoning was changed to RA. The property was being proposed for two units with the RB zoning and he wanted to know if it could be developed still with two units or not. The Commission informed Mr. Alger that the property was currently zoned RA and two units would not be allowed.

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There being no further business to come before the Commission, the meeting was adjourned at 7:45 p.m.