

## MINUTES

City of Oxford  
Planning Commission  
Planning Commission  
Monday, January 9, 2023, 5:00 pm - 8:00 pm  
City Hall Courtroom

### In Attendance

Angie Gragson; Benjamin Requet; David Spragins; Harry Alexander; Hollis Green;  
J.R. Rigby; Jaclyn Colameta; Joseph Murphy; Judy Riddell; Kate Kenwright; Kirk  
Milam; Michael Johnson; Paul Watkins; Reanna Mayoral; Robert Baxter

Notice that certain aldermen or commissioners may be included in the meeting via teleconference, subject to the City of Oxford Code of Ordinances, Section 2-82.

- A. January Planning Commission Memorandum
- B. January Legal Advertisements
  - 1. Call to Order
  - 2. Approval of the Agenda
    - Move: David Spragins Second: Kirk Milam Status: Passed
  - 3. Approval of minutes from the December 12, 2022 Meeting
    - Move: Michael Johnson Second: David Spragins Status: Passed
  - 4. Staff Report
    - a. Planning Staff Report
      - Ben Requet presented a collection of data from previous year cases to the commission.
    - b. Building Official's Report
      - Jonathan Mizel presented 2021 review and plans for 2023 building department.
  - 5. Map of Cases this Month
    - <https://coogis.maps.arcgis.com/apps/instant/sidebar/index.html?appid=ff8873ac54dc47a481c5f2c8a64d4be1>
- C. Administrative Approvals
  - 1. Case #2926-A – Chad Trout has filed a request for Site Plan Approval for ‘Highway 30 Collision’ addition for property located at 84 Hwy 30 (PPIN #4710)
- D. Consent Agenda
  - Move: Joseph Murphy Second: Harry Alexander Status: Passed
  - 1. Public Hearing for Case #2916 – David Blackburn has filed a request for Preliminary and Final Plat Approval (Amended) for The Crossing at Oxford Commons Phase 2 located southwest from the intersection of Sisk Avenue and Commonwealth Boulevard. (PPIN's #4958, #39807, #39475, #40363, #40364, #40365, #40366, #40367, #40715, #40716, #40717, #40718, #40719, #40720, #40721, #40722, #40723, #40724, #40725, #40726, #40727, #40728, #40729, #40730, #40731, #40732, #40733, #40734, #40735, #40736, #40737, #40738, #40739, #40740, #40741, #40742,

#40743, #41200, #41201, #41202, #41203, #41204, #41205, #41206, #41207, #41208, #41209, #41210, #41211, #40311, #40381, #40382, #40383, #40384, #40385, #40386, & #40387)  
(POSTPONED FROM DECEMBER) **POSTPONED**

2. Public Hearing for Case #2919 – Chan Patel has filed a request for Final Plat Amendment for 'Tallahatchie Oxford Baptist Association, lots H - L' for property located at the intersection of Slack Road and University Avenue. (PPINs #9202, #9203, & 9204) (POSTPONED FROM DECEMBER) **POSTPONED**
3. Public Hearing for Case #2927 - Ramiro Munoz has filed a request for Site Plan Approval for 'Casa Mexicana' property located at Highway 6 West near Park West. (PPIN #37934)

#### E. Public Hearings

1. Public Hearing for Case #2905 – Betty Jane Gary has filed a request for a Preliminary and Final Plat Approval for 'Gary Subdivision' for property located at 703 Lincoln Ave. (PPIN #8399) (TABLED FROM NOVEMBER) **POSTPONED**
2. Public Hearing for Case #2915 – David Blackburn has filed a request for Site Plan Approval for The Crossing at Oxford Commons Phase 2 located southwest from the intersection of Sisk Avenue and Commonwealth Boulevard. (PPIN #4958) (POSTPONED FROM DECEMBER) **POSTPONED**
3. Public Hearing for Case #2928 – David Blackburn has filed a request for Final Plat Amendment for 'Oxford Commons Phase 1, Lot 4' for property located at the northeast intersection of Commonwealth Boulevard and Sisk Avenue. (PPIN #26631)

Planning Comments: The subject property is located in the Oxford Commons PUD north of Sisk Avenue and east of Commonwealth Boulevard. The site measures approximately +/- 16 acres and it was originally platted as Lot 4 of the Oxford Commons Phase 1 subdivision that was platted in 2005. The applicant is proposing to subdivide lot 4 into three lots with a common area that is used for regional stormwater detention. The proposal meets all of the bulk requirements (lot width, lot size, lot area, etc.) of the land development code. Staff has not received a modified copy of the covenants for the subdivision but that is a condition of approval. Mississippi subdivision law requires that the applicant proposing any change in a platted subdivision notify all the "persons to be adversely affected thereby or directly interested therein," and requires their signature of approval of the proposed modification. The identification of who such persons may be is left to the discretion of the applicant. In this request, the applicant has provided a letter that the only directly interested party is Oxford Commons Lots, LLC. and that they do not object to the modification.

Engineering Comments: Water and Sewer Water and sewer will be provided as noted in future site plans. There are both water and sewer available within this area of Oxford Commons though the individual site plans will have to construct water and sewer infrastructure within their sites as is customary for commercial subdivisions. Access and Traffic As has been noted for some time in Oxford Commons, the construction of the roundabouts and the traffic signal at Commonwealth and Sisk have satisfied all requirements regarding traffic with this proposed subdivision. Access to the lots within the subdivision have been preliminarily discussed with Staff as part of a future site plan and will be confirmed at the time of future site plan approval. The proposed plat amendment to Lot 4 of Phase 1 (Case 1219) further subdivides Lot 4 and incorporates a previously un-platted portion of property to be designated as public Right-of-way. This designation of right-of-way is to allow for a likely roundabout at the intersection of the current dead-end street extension from Commonwealth towards Lakewood Hill Drive and a proposed development on the proposed Lot 6. A connection from Commonwealth to Lakewood Hill Drive via the existing stubbed segment of road has been part of the original PUD and remains a planned connection. Due to the existing blue-line stream and the topography, the final route of this connection to Lakewood Hill Drive will likely veer more towards the west before turning back to the northeast for the final connection to Lakewood Hill Drive. The dedication of right-of-way now and the installation of a roundabout will allow for flexibility in the future when that property is developed, and the connection is made. Stormwater Management The stormwater detention system was previously considered in the Site Plan approval for The Commons, Case 2660. The stormwater system is now included in the common area between Lots 4, 5 and 6. Additional language and descriptions will be needed on the plat to note the presences of the stormwater management system, the dedicated use of the common use for this purpose, the ownership and maintenance responsibilities, etc. as is commonly required. It

is important to confirm the legal rights to the use of this pond prior to amending the plat for which it was originally constructed and included. Due to the passage of time and the litigation history associated with the pond previously located on Lot 4 at the intersection of Sisk and Commonwealth, Staff believes it is prudent to repeat language from Case 2660 with this case as well: ..... *The existing detention pond has been the point of litigation in the past. A legal judgement was issued stating who has rights to the pond but staff will not attempt to interpret that judgement. Approval of this site plan does not mean that all rights of use were applied according to that judgement. A new detention pond is to be located north of the existing detention pond on the southeast corner of the intersection of un-name street stub out and Commonwealth Boulevard. This pond will provide stormwater management to the select lots and parcels that have current rights of use. It must still be able to receive and pass upstream flows. Again, staff does not know the legal requirements regarding the judgement. All properties upstream and without rights of use as PLAT000166-2022 determined by law or judgment will need to provide their own stormwater management at the time of their development. In staff's opinion, it is very important that documents that define ownership, maintenance responsibility and easements that define the rights of others' use for the purposes of stormwater management or the right of passage otherwise managed stormwater be implemented prior to the issuance of any building permits and before the existing pond is altered or relocated. Staff noted in Case 2033 for The Sansing that the pond was originally constructed to serve Lots 1-4 of the original Oxford Commons subdivision. Case 2036 was presented to the Planning Commission for a variance to approve Regional Stormwater in January 2016. The use of the pond was litigated at some point afterwards. Staff is not certain if the relocated pond is to be classified as a regional pond at this time because staff doesn't know who has a legal right to use the pond. Staff believes that drainage easements to multiple adjacent properties are necessary at a minimum.*

Recommendation: Unless there are other parties that are determined to be directly interested or potentially adversely affected by the proposed modification to the Oxford Commons Phase 1, Lot 4 subdivision, Staff recommends approval with the following conditions:

1. Approval of Final Plat Amendment for 'Oxford Commons Phase 1, Lot 4' by the Mayor and Board of Aldermen. (Planning)
2. Approval is for the plan as submitted. (Planning)
3. A copy of the modified stamped recorded covenants for the Oxford Commons Phase 1, Lot 4 subdivision shall be provided to Staff prior to the issuance of a building permit. (Planning)
4. Prior to the case being heard by the Board of Alderman, additional language and notes regarding the stormwater management system are required. (Engineering)
5. Prior to the case being heard by the Board of Alderman, all legal documents regarding easements and who has legal rights to use the pond in any capacity, whether for detention or pass thru, must be provided for Staff and Legal Counsel. (Engineering).

#### Summary of Discussion:

Commissioner Miliam inquired about potential lawsuit about court order violation by approval of this case. Paul Watkins mentioned a dispute from a few years back but does not believe there is a problem with it and nothing to prevent this moving forward. Chairman Rigby asked if audience would like to comment, with no response he asked for motion to approve.

Harry Alexander motion to approve with staff suggestions.

Move: David Spragins Second: Michael Johnson Status: Passed

#### 4. Adjourn

Move: Michael Johnson Second: Joseph Murphy Status: Passed

If you need special assistance related to a disability, please contact the ADA Coordinator or visit the office at: 107 Courthouse Square, Oxford, MS 38655. (662) 232-2453 (Voice) or (662) 232-2300 (Voice/TTY)

## MINUTES

City of Oxford  
Planning Commission  
Planning Commission  
Monday, February 13, 2023, 5:00 pm - 8:00 pm  
City Hall Courtroom

### In-Person Attendance

Angie Gragson; Benjamin Requet; David Spragins; Harry Alexander; Hollis Green;  
J.R. Rigby; Jaclyn Colameta; Johnathan Mizell; Joseph Murphy; Judy Riddell; Kate  
Kenwright; Kirk Milam; Reanna Mayoral; Robert Baxter

### Remote Attendance

Michael Johnson

Notice that certain aldermen or commissioners may be included in the meeting via teleconference, subject to the City of Oxford Code of Ordinances, Section 2-82.

#### A. February Planning Commission Memorandum

#### B. February Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

Move: David Spragins Second: Kirk Milam Status: Passed

##### 3. Approval of minutes from the January 9, 2023 Meeting

Move: David Spragins Second: Kirk Milam Status: Passed

##### 4. Staff Report

###### a. Planning Staff Report

###### b. Building Official's Report

##### 5. Map of Cases this Month

<https://coogis.maps.arcgis.com/apps/instant/sidebar/index.html?appid=ff8873ac54dc47a481c5f2c8a64d4be1>

#### C. Consent Agenda

Move: David Spragins Second: Harry Alexander Status: Passed

##### 1. Public Hearing for Case #2916 – Oxford Commons Lots, LLC (David Blackburn) has filed a request for Preliminary and Final Plat Approval (Amended) for The Crossing at Oxford Commons Phase 2 located southwest from the intersection of Sisk Avenue and Commonwealth Boulevard. (PPIN's #4958, #39807, #39475, #40363, #40364, #40365, #40366, #40367, #40715, #40716, #40717, #40718, #40719, #40720, #40721, #40722, #40723, #40724, #40725, #40726, #40727, #40728, #40729, #40730, #40731, #40732, #40733, #40734, #40735, #40736, #40737, #40738, #40739, #40740, #40741, #40742, #40743, #41200, #41201, #41202, #41203, #41204, #41205, #41206, #41207, #41208, #41209, #41210, #41211, #40311, #40381, #40382, #40383, #40384, #40385, #40386, & #40387) (POSTPONED FROM JANUARY)

##### 2. Public Hearing for Case #2919 – Chan Patel has filed a request for Final Plat Amendment for 'Tallahatchie Oxford Baptist Association, lots H - L' for property located at the intersection of Slack

Road and University Avenue. (PPINs #9202, #9203, & 9204) (POSTPONED FROM JANUARY)  
(WITHDRAWN)

3. Public Hearing for Case #2929 – Rick Hollander has filed a request for Special Exception as provided in Section 3.8.12.2 Small Craft Brewery: Districts Permitted for property located at 100 Depot Street. (PPIN #5780)

#### D. **Public Hearings**

1. Public Hearing for Case #2905 – Betty Jane Gary has filed a request for a Preliminary and Final Plat Approval for 'Gary Subdivision' for property located at 703 Lincoln Ave. (PPIN #8399) (TABLED FROM NOVEMBER) (TABLED)
2. Public Hearing for Case #2915 – The Crossing at Oxford Commons, LLC (David Blackburn) has filed a request for Site Plan Approval for The Crossing at Oxford Commons Phase 2 located southwest from the intersection of Sisk Avenue and Commonwealth Boulevard. (PPIN #4958) (POSTPONED FROM JANUARY)

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is located in the Oxford Commons PUD on Commonwealth Boulevard south of Della Davidson Elementary School. This request is for Site Plan approval for a second phase of the Crossing which will consist of 64 townhomes (192 bedrooms, all units are 3 bedrooms) within 15 structures. The ownership mechanism for this phase will be a Residential CID in keeping with the first phase. An amendment to the existing preliminary and final subdivision plat is also being considered (Case #2916). Compliance with Plan Data Table - Oxford Commons PUD Tract E has 56 acres and is designated for 484 residential units. 166 residential units remained after the first phase of Crossing. 102 units will remain in Tract E after this phase. Architecture – The architectural style of these units is the same as the garage units in the first phase. They are proposed to be constructed of wood siding (including some “board and batten” elevations) with brick trim, and metal roofing over doors and for awnings. Roofing will be asphalt shingles. Tree Mitigation – This property falls within the 2012 approved Tree Mitigation variance, allowing a set aside of 14% of the total land area in a permanent easement in lieu of Tree Mitigation as areas of the development are platted or site plans are approved. As information on that easement has not yet been submitted, it is a condition of approval for the Site Plan and the Subdivision plat. The developer is aware of the requirement. Landscaping – The proposed landscape design meets all standards related to edge buffers, frontage trees, and foundation plantings. Parking – 128 parking spaces plus 21 guest spaces are required for the 64 townhouse units. Required parking is provided in a combination of garages and driveways. An additional 20 spaces are provided for guest parking and access to the mail kiosks.

**Engineering Comments:** The Crossing at Oxford Commons Phase 2 is a continuation of a Townhome Development within the Oxford Commons PUD. It lies along the southern boundary of the PUD adjacent to existing southern terminus of Commonwealth Boulevard. Site Development Extensive grading is required to achieve the proposed finish elevations shown on the site drawings. The grading plans show excavation taking place on the adjacent property to the west owned by the City of Oxford. The City has agreed to grant the developer an easement allowing access to the property for purposes of grading and excavation and the developer is going to provide a mutual easement to the City in case there is the need for additional grading when the City property is developed at some time in the future. Access - Access to the development will be by one boulevard type connection to Commonwealth Boulevard. The connection will be located immediately opposite the existing connection of the Crossing Phase 1. Interior circulation through the development will be by a privately owned and maintained two-lane roadway. A new concrete sidewalk is proposed along the western right-of-way of Commonwealth Boulevard for the full frontage of the development. The sidewalk will be owned and maintained by the city. Water and Sewer -

Water service will be provided by the city of oxford via an existing 10 inch main located in Commonwealth Boulevard. A new 8 inch main will be installed throughout the development for service to each unit. The new water main will be owned and maintained by the city of oxford. As such, a 10-foot utility easement in favor of the city will be required along the entirety of the new water main alignment. The easement should be widened at areas where fire hydrants are proposed to include the hydrant and its appurtenances. Sewerage from the development will be collected and conveyed to an existing city of oxford manhole in Commonwealth Boulevard. Gravity sewer within the development will be privately owned and maintained. Storm Water - Storm water management for this development will be by enlargement of the existing detention pond constructed during Phase 1 of the Crossing development. The stormwater management plan is still under review, but it is anticipated it can be approved soon.

**Recommendation:** Staff recommends approval of the requested Site Plan for the 'Crossing at Oxford Commons Phase 2' with the following conditions:

Approval of the proposed Preliminary and Final Plats by the Mayor and Board of Aldermen before any permits are issued. (Planning) Receipt of a recorded easement in lieu of Tree Mitigation for 14% of the land area of the final Plat before any permits are issued. (Planning).

Prior to the issuance of any certificate of occupancy, a stamped recorded copy of the covenants for this development to be provided to the City of Oxford Planning Department. (Planning)

Approval is for the Site Plan as submitted together with any modifications. (Planning).

Execution of the grading easement from the City of Oxford to the owner. (Engineering).

Site drawings and plats need to show a proposed water main easement, a minimum of 10 feet in width, along the alignment of the new 8-inch water main servicing the development. (Engineering).

Site drawings need to indicate that the proposed gravity sewer within the development will be privately owned and maintained. (Engineering).

Approval of the Stormwater management facility. (Engineering).

Motion to approve with staff conditions.

Move: Harry Alexander Second: Kirk Milam Status: Passed

- Public Hearing for Case #2930 – WeakG5, LLC (Samuel Knight) has filed a request for Final Plat Amendment for 'Heritage Centre Subdivision, lots 28 & 29' for property located at Galleria Lane. (PPINs #21056 & #21057)

Kate Kenwright presented on behalf of the city.

**Planning Comments:** The applicant seeks approval to combine lots 28 & 29 of Heritage Centre Subdivision into a new Lot 28-A. The two lots, located on Galleria Lane just off of Heritage Drive, are both vacant/unbuilt and are grassed. The two lots measure approximately .34 and .35 acres, and the new lot will measure approximately .68 acres when combined. Mississippi subdivision law requires that the applicant proposing any change in a platted subdivision notify all the "*persons to be adversely affected thereby or directly interested therein,*" and requires their signature of approval of the proposed modification. The identification of who such persons may be is left to the discretion of the applicant. In this request, the applicant has provided letters from the parties determined to be adversely affected or directly interested in the property stating that they do not object to the modification.

**Engineering Comments:** This plat amendment proposes to combine existing lots 28, and 29. The Heritage Centre subdivision was originally platted in 1999. The plat notes state "All

building setback areas also designated as utility and drainage easements as needed.” The Owner’s Certification states, “Utility easements are also dedicated to the City of Oxford and the public and/or private utility companies which serve the subdivision”. Water and Sewer - City of Oxford water and sewer service is available for the lots to be amended. The original plans for Heritage Center indicate that there is an 8-inch diameter water main on the south side of Galleria Lane with a stub out on the north side between lots 23 and 29. The amended lot would require water meter(s) for development. The same plans indicate a sewer line located in the centerline of Galleria Lane with stub outs for each lot. The plans do not indicate that any City-owned water or sewer is present within the easement between lots 28 and 29. Other Utilities and Easements - Per the original plat, there is a utility easement that runs between lot 28 and lot 29. The proposed amended plat does not indicate the presence of existing utilities within this easement. Engineering Staff requests a statement be included on the amended plat to the effect that any utilities installed before the plat amendment are legally there. If there are existing utilities present, it would be the responsibility of the property owner and the utility owner to resolve the matter per the law. Further, an additional note needs to be added to note that either building setbacks or a designated width are available for utility easements. The provision of utility easements within a subdivision are an important factor in the ability of all utilities, both public and private, to serve the site. The dedication of this easement is necessary. Traffic/Access There are no existing driveway connections/curb cuts to the lots from Galleria Lane. The access point will be reviewed and approved as part of a future site plan approval. Sidewalks - There is no existing sidewalk along the lots’ frontage with Galleria Lane. The construction of a sidewalk would be required as part of the development of the amended lot. Stormwater Management - There is no existing stormwater management Heritage Centre Subdivision. Stormwater will need to be addressed as part of the site plan for the development of the amended lot.

**Recommendation:** Unless there are other parties that are determined to be directly interested or potentially adversely affected by the proposed modification to the ‘Heritage Center Subdivision, Lots 28 & 29’, then Staff recommends approval with the following conditions:

Approval of Final Plat Amendment for ‘Heritage Center Subdivision, Lots 28 & 29’ by the Mayor and Board of Aldermen. (Planning)

Approval is for the plat as submitted with any Staff required revisions. (Planning)

Add statement to amended plat regarding any utilities that existed prior to February 13, 2023 (Engineering)

Note utility easements, whether by setback or measured distance from the property lines, on the plat. (Engineering)

Add a note that stormwater requirements for the lot will be addressed at the time of site plan development. (Engineering)

Motion to approve with staff conditions.

Move: David Spragins Second: Harry Alexander Status: Passed

4. Public Hearing for Case #2931 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Special Exception as provided in Section 3.5.1.2 Dwellings - Detached: Districts Permitted, 4 Bedrooms for ‘Grand Oaks Village’ for property located at the intersection of Augusta Drive and Palmer Cove. (PPINs #27672 & #25980)

Kate Kenwright presented on behalf of the city.

**Planning Comments:** The applicant seeks approval for a Special Exception to section 3.5.1.2 of the zoning ordinance to build 4-bedroom units. The subject property is located at the intersection of Augusta Drive and Palmer Cove and is zoned Traditional Neighborhood Residential. The site sits

between the Rosemont Subdivision and the Grand Ridge Subdivision and is a part of the Grand Oaks PUD. The property measures 8.16 acres in total. Site Plan Approval for "Grand Oaks Village" was granted at the October 2021 meeting of the Planning Commission (Case #2804) and was amended at the April 2022 meeting (Case #2852).

The applicant returns to the Commission to request a Special Exception to build 21 4-bedroom units. The units, which will be freestanding homes, will feature 2-car garages as well as driveway parking for 2 additional cars. The Land Development Code states in section 3.5.1.2.c. that detached dwellings in developments of more than 5 dwellings are special exceptions in the SMF, TNB, SCN, SCO; and in NR when proposed with four or more bedrooms. The Planning Commission is authorized to hear and decide special exceptions and to determine whether or not the proposed project is in harmony with the purpose and intent of the ordinance. Staff finds that granting permission to build 4-bedroom units in this location is acceptable. The surrounding homes range from 3-5 bedrooms in neighboring Rosemont and on Augusta Drive. Though the new dwellings are located in a RCID, the applicant is proposing freestanding as single-family homes and intends to sell them. Recommendation:

Staff recommends approval of the requested Special Exception after making the finding that the installation of 4-bedroom units in this location will not adversely affect the public interest, with the following conditions:

1. Approval is for the plan as submitted.
2. That the granting of the Special Exception shall not adversely affect the public interest.
3. If building permits have not been issued within 18 months, the Special Exception shall expire.

Motion to approve with staff conditions.

Move: Harry Alexander Second: David Spragins Status: Passed

5. Public Hearing for Case #2932 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Site Plan Amendment for 'Grand Oaks Village' for property located at the intersection of Augusta Drive and Palmer Cove. (PPINs #27672 & #25980)

Kate Kenwright presented on behalf of the city.

**Planning Comments:** The applicant requests a Site Plan Amendment to add 7 parking spaces to use for guest parking. The subject property is located at the intersection of Augusta Drive and Palmer Cove, and is in the Grand Oaks Planned Unit Development with an underlying zoning of (NR) Neighborhood Residential. The site sits between the Rosemont Subdivision and the Grand Ridge Subdivision, and is a part of the Grand Oaks PUD. The property measures 8.16 acres in total. Site Plan Approval for "Grand Oaks Village" was granted at the October 2021 meeting of the Planning Commission (Case #2804) and was amended at the April 2022 meeting (Case #2852). At that time, the approval was for a 21-unit Common Interest Development comprised of three-bedroom detached residential houses. The applicant requests a Special Exception (Case #2931) at this meeting for permission to build four-bedroom units rather than the three-bedroom as previously approved. Use and Parking Requirements Residential CIDs are special uses in the NR district. Additional standards for this use set out the specifics for common areas and building separation standards. The proposal meets the building separation standards and CID covenants will be required to be provided to staff before the issuance of a Certificate of Occupancy. Section 3.5.1.3 of the Land Development Code states that two parking spaces per dwelling unit are required for homes on individual lots. Otherwise, two spaces for dwellings with up to three bedrooms, and one space per bedroom for dwellings with four or more bedrooms, and one guest parking space for every three dwelling units. The change of the new units from three to four bedrooms made the new seven guest spaces necessary. Coverage Requirements Uses in the NR district are limited to no more than 60% impervious coverage. This proposal would have 41% coverage. Other Requirements • Access – This development will take access off of August Drive. The access drive will remain private. • Complete Streets – The provided plans indicate sidewalk that connect all houses to Augusta Drive and the sidewalk network that extends into Rosemont Loop. • Mitigation – As of the writing of this report, Staff is still reviewing and having dialogue with the applicant in regard to the required tree mitigation for this site. • Landscaping - The proposed



landscape design meets all standards related to street trees and retaining wall plantings. A typical foundation planting plan will be needed prior to permitting.

**Engineering Comments:**

This application for site plan amendment seeks the addition of seven (7) parking spaces with mail kiosk to a site originally approved at the April 11, 2022 Planning Commission meeting (Case #2852). The addition of the mail kiosk is a requirement from the US Postal Service. Grand Oaks Village is Residential Common Interest Development proposing 21 detached condo units situated on 6.1 acres within the Grand oaks Subdivision. The roadway into the development and all associated utilities with the exception of water are to be privately owned and maintained. As of the writing of this report, the roadway and utilities into the site have been constructed. Construction has not yet begun on any condominium units. The addition of the proposed parking and kiosk will not interfere with or encroach upon the previously approved design and construction of the roadway or utility infrastructure.

**Recommendation:** Staff finds that the proposed site plan amendment is in-keeping with the requirements of the Land Development Code and recommends approval of the Site Plan Amendment with the following conditions:

1. Approval is for the site plan as submitted. (Planning)
2. Approval is contingent on approval of Case #2931, a request for a Special Exception to build 4-bedroom units on the subject property. (Planning)
3. Prior to the issuance of a Certificate of Occupancy, a copy of the covenants shall be provided to the Planning Department. (Planning)
4. Executed easement in favor of the City of Oxford for the maintenance of the new 8" water main and appurtenances recently installed on the site as specified in the previous case report dated April 5, 2022, if not already provided. (Engineering)
5. Copy of proposed covenants for the development for review that include language regarding shared ownership of recently constructed stormwater management facilities and retaining walls, if not already provided. (Engineering)
6. Copy of executed easement from the golf course in favor of the condominium association for the connection to the 36" pipe as shown in the previously approved site drawings and recently constructed, if not already provided. (Engineering)
7. Approval of the stormwater management system. (Engineering)

Motion to approve with staff conditions.

Move: David Spragins Second: Harry Alexander Status: Passed

6. Public Hearing for Case #2933 – LT2, LLC (Larry Britt) has filed a request for Final Plat for 'Grove at Grand Oaks, Ph. 7' for property located at Morris Drive. (PPIN #8949)

Ben Request presented on behalf of the city.

**Planning Comments:** This request is for a Final Plat approval for the Grove at Grand Oaks Phase 7. This subdivision is located in the Grand Oaks PUD North on Morris Drive past the intersection Fazio Drive. The proposed subdivision would be +/- 14.38 acres with 18 lots sized between 0.62 acres and 0.97 acres. A Preliminary Plat was recommended for approval by the Planning Commission (February 2022) and approved by the Mayor and Board of Aldermen in March 2022 with several conditions. Lots 102, 103, and 104 are partially located outside of the City limits. Water and sewer service will be provided from within the City limits and extended into the portion of property that is outside of the City limits. The proposed lots comply with the dimensional requirements of the underlying zoning and the density is appropriate to this area of the PUD. The applicant has provided a Complete Streets plan that indicates a sidewalk network that will connect all lots to the existing sidewalks on Morris Drive. The applicant has resolved the tree mitigation requirements for this subdivision. There is also a note on the plat requiring each home owner to plant 3 trees along the front portion of the property, subject to Planning Department review prior to the issuance of building permits. This note satisfies the frontage tree requirements.

The annexation process is underway; however, the applicant wishes to proceed with the Final Plat approval. In discussions with the City of Oxford and Lafayette County, it has been determined that the applicant may proceed with the approval process for the final subdivision plat. The City and County will consider approving the same plat and the portions of property that are in each jurisdiction. A condition of approval requiring the applicant to proceed with the annexation process is included.

**Engineering Comments:**

The Grove at Grand Oaks, Phase 7 is a proposed residential development within the previously approved Grand Oaks PUD II. The development consists of 18 lots on a 14.38 acre tract and lies adjacent to the Oxford Country Club golf course and The Grove at Grand Oaks, Phase 5. Portions of lots 102, 103 and 104 as shown on the proposed plat are located outside the corporate limits of the city. The owner will petition to have that property annexed and such application will be handled through the Planning Department.

**Access**

Access to the development will be by a connection to Morris Drive, which was constructed previously as part of Phase 5. New streets with sidewalks will be constructed within the development to city standards and are proposed to be accepted as public infrastructure and right-of-way. Temporary cul-de-sacs will be constructed at termination points for future expansion. A sign indicating that the cul-de-sac is temporary must be installed per the Land Development Code Section 4.5.9.2.

**Water and Sewer**

New water and sewer infrastructure will be built to city standards, which includes water and sewer mains with all appurtenances and a new sewer lift station, which will be sized to serve this phase in addition to future phases in areas 1, 2, 3A, 3B, and 4 as shown on the Grand Oaks PUD II. All water and sewer facilities installed on this project are proposed to be accepted as public infrastructure.

Additional upgrades to the existing lift stations within Grand Oaks may be necessary as a part of this project.

**Storm Water**

Storm water management for this subdivision will be handled by a detention basin located at the northwest end of the subdivision at the end of Morris Drive. The pond will discharge to an existing stream that flows to the northwest, under Majestic Oaks Drive, and to the golf course. A portion of the existing stream will be channelized within a 60-inch diameter pipe that will be beneath the cul-de-sac of Morris Drive and within the City's right of way (ROW). This pipe is a private pipe, it will be maintained by the developer and homeowners association. Except for the aforementioned pipe, only drainage pipes located within ROW shall be City maintained. Drainage pipes located outside of City ROW will be maintained by the developer and homeowners association. The storm water management plan has not been approved. The developer has addressed Staff's first round of comments with a second submittal. Staff has additional comments in regards to the second submittal. Staff anticipates that additional comments can be addressed. Approval of the storm water management plan shall be a condition of approval of the site plan.

**Recommendation:**

Staff recommends approval of the requested final plat for the 'Grove at Grand Oaks – Phase 7' with the following conditions:

1. Approval of 'The Grove at Grand Oaks - Phase 7' by the Mayor and Board of Aldermen. (Planning)
2. Approval is for the plan as submitted. (Planning)
3. The applicant shall proceed with the voluntary annexation process. (Planning)
4. Final approval of the storm water management plan. (Engineering)
5. Prior to the case being heard by the Board of Alderman, bonds must be provided in an amount acceptable to the City Engineer per the Land Development Code requirements. (Engineering)
6. Amend Plat note regarding the 60" drainage pipe to be clear that it is wholly owned and maintained by the HOA (delete or amend reference to Note 12) (Engineering)
7. A sign indicating that the cul-de-sac is temporary must be installed per the Land Development Code Section 4.5.9.2. (Engineering).

**Summary of Discussion:**

Commissioner Murphy asked about the diameter and material of the pipe for the storm water. Reanna responded that the current size and the material was approved for this use. No further

questions or comments.

Motion to approve with staff conditions.

Move: Harry Alexander Second: Joseph Murphy Status: Passed

7. Public Hearing for Case #2934 – Callicutt Land, LLC (Andy Callicutt) has filed a request for Site Plan Approval for 'North Lamar Storage Facility' for property located at 1105 North Lamar Blvd. (PPIN #5108)

Robert Baxter presented on behalf of the city.

**Planning Comments:**

The subject site is located on +/- 1.12 acres on North Lamar across from the southern intersection of Varner Loop. The applicant is proposing to construct a three-story storage facility with associated offices similar to the one under construction at Jeff Davis and Belk that will replace an existing, dilapidated, detached house. The applicant received a Special Exception for the use of a Storage Unit in TNB at the June 2022 Planning Commission meeting (Case #2787). Use Requirements – A Self-Storage Facility is allowed by Special Exception as part of a mixed-use commercial building. A Special Exception for the use of a Self-Storage Facility in a TNB district was approved in June of 2022 (Case #2787).

Parking – The Code requires four parking spaces to be provided near the leasing office. Additionally, the office area on the third floor requires two additional parking spaces. 5 spaces have been provided on site and the applicant requested an administrative reduction as provided in Section 4.9.2.1 for a mixed-use development. This request was approved by the Planning Director on February 6, 2023.

**Other Review Elements**

Landscaping – The proposed site plan includes foundation plantings along the front and edge landscaping around the sides of the building. The parking lot and frontage trees proposed comply with the regulations of the land development code.

Building Height – The proposed building includes three-stories with a basement, and the building height is 33'4", which complies with the regulations of the land development code.

Building Materials – The southeast elevation presents an attractive façade that will provide a storefront towards the street. The proposed materials for these façades will be a combination of brick, stucco and metal panel canopies. The northeast, southwest and northwest elevations provide modest detailing with brick and stucco walls that incorporate windows, and what appears to be emergency exits in the north and south corners of the building.

**Engineering Comments:**

Water and Sewer & Utility City water and sewer will serve the site. Water service will connect to an existing water main in North Lamar Boulevard via an 8-inch diameter pipe that will service a fire hydrant located at the northeast corner of the building. Water service for the building will connect to this pipe. The water service line will be privately owned and maintained. Sewerage will connect to an existing sewer manhole located to the southwest of the property in the North Lamar Boulevard right-of-way. Sewer lines from the manhole to the building will be privately owned and maintained.

**Traffic/Access**

Access to the property will be from two curb openings along the frontage with North Lamar Boulevard. The openings are approximately 25 feet wide and 150 feet apart as measured from their centerlines. Sidewalks There is currently no sidewalk along the frontage with North Lamar Boulevard. The site plan proposes adding a sidewalk within the right of way of North Lamar Boulevard. Retaining Wall There are several retaining walls proposed within the site. These retaining walls will be privately owned and maintained by the property owner.

**Stormwater Management**

This project proposes using a stormwater management facility consisting of an underground basin to achieve the stormwater management goals. The facility will be located on the northern side of the site with the underground basin located beneath the parking lot. The facility will discharge on the north side of the property. The stormwater management facility discharges into a drainage that flows along and through the Cherokee Hills subdivision. The site in its current undeveloped state stormwater discharges to the same drainage. The City's stormwater management ordinance requires that after the site is developed, the rate of stormwater discharge may not exceed that of the undeveloped site. At this time, the Stormwater Management Plan for this project has not been

approved by the Engineering Department. Engineering staff does not foresee any issues with the proposed design that would prevent approval.

**Recommendation:** Staff recommends approval for the requested Site Plan for 'North Lamar Storage' with the following conditions:

1. Approval is for the plan as submitted with required technical modifications per the Site Plan Review committee.
2. All Engineering Department comments related to the site plan comments be addressed and approved before the issuance of any permits.
3. Acceptance and approval of the Stormwater Management Plan before the issuance of any permits

Summary of discussion:

Chairman Rigby asked about the runoff for the storm water ordinance. Joey Moore was present on behalf of the applicant. He explained he would build a retaining wall first after consulting with the engineering department. No further questions or comments.

Motion to approve with staff conditions.

Move: Kirk Milam Second: David Spragins Status: Passed

8. Public Hearing for Case #2935 – Mike Halford has filed a request for Variance from Sec. 98-118(o)(3) Performance Criteria for Stormwater Management: Outlet Control Structures for 'The Professional Drive Office Building' for property located at Professional Drive, Lots 7, 8, 8A, & 9. (PPIN #20579)

Robert Baxter presented on behalf of the city.

**Staff Comments:**

The subject property is two lots located along Professional Drive collectively measuring +/- 1.37 acres. These lots were the subject of a recent rezoning and plat amendment (Cases #2899 & #2900). The applicant returned with a proposal to construct two single-story office buildings each measuring +/- 2,614 sf. This variance requests the use of orifices of less than 3 inches in diameter. The City's Stormwater Management Ordinance limits the minimum diameter of a discharge orifice or outlet to 3 inches. The intent is to minimize the possibility of the outlet clogging. The ordinance also requires the use of trash racks. Below is the relevant section of the City's Stormwater Management Ordinance: Section 98-118. PERFORMANCE CRITERIA FOR STORMWATER MANAGEMENT.

O. Outlet Control Structures. 3. Outlet control structures shall have no orifice smaller than three inches in diameter. All orifices shall be protected by trash racks. No opening in the trash rack shall have an area more than one-half the size of the area of the orifice being protected. Two-stage trash racks, or screens having progressively smaller openings placed in series, are suggested. Curved or inclined trash racks designed that allow debris to rise with the water level are preferred. In all cases, trash racks shall be either hinged or removable to facilitate maintenance operations. For vertical risers, an antivortex device and trash rack shall be securely installed on top of the riser. The City's engineering department has allowed the use of outlets less than three inches in diameter on a few other projects. This site's topography creates a challenge to limit the amount of uncaptured area. Because of this, a larger uncaptured area is created. A larger proportionally amount of uncaptured area generally requires more restrictive outlet control in order to achieve discharge rates equal to or below the pre-developed discharge rates, particularly for the 2-year storm. Trash racks are required as part of the ordinance. Engineering staff does believe that a properly designed trash rack can provide adequate protection to prevent clogging of an outlet less than 3 inches in diameter. However, trash racks are not maintenance-free. Regular inspection and cleaning are required to prevent the trash racks from clogging or the accumulation of small diameter but long piece of debris accumulating inside the trash rack at the outlet face. For this site, the use of orifices less than 3 inches in diameter will allow the post-developed discharge rate for all regulated storm events to be less than the pre-developed discharge rates. The engineering staff previously supported a variance request for a 1-inch diameter orifice. At this time, the Stormwater Management Plan for this project has not been approved by the Engineering Department. Engineering staff does not foresee any issues with the proposed design that would prevent approval.

**Recommendation:**

Staff recommends approval of the requested variance with the following condition:

1. Approval is for the plan as submitted with required technical modifications per the Site Plan Review Committee.

**Summary of Discussion:**

Reanna Mayoral was present to answer questioning on behalf of the Engineering department. Commissioner Riddell asked about the maintenance of the storm water. Reanna replied that in the future there would be checks to ensure maintenance is cleared and issues are reported. No further questions or comments.

Motion to approve with staff conditions.

Move: Joseph Murphy Second: Harry Alexander Status: Passed

9. Public Hearing for Case #2936 – Mike Halford has filed a request for Site Plan Approval for 'The Professional Drive Office Building' for property located at Professional Drive, Lots 7 & 8. (PPIN #20579)

Robert Baxter presented one behalf of the city.

**Planning Comments:** The subject property is two lots located along Professional Drive collectively measuring +/- 1.37 acres. These lots were the subject of a recent rezoning and plat amendment (Cases #2899 & #2900). The applicant returned with a proposal to construct two single-story office buildings each measuring +/- 2,614 sf. Use and Parking Requirements Office use is a permitted use type in SCO districts. Parking is required at 1 space for every 300 square feet of gross office floor area. 17 spaces are required, and 17 spaces are provided. 6 of the spaces are provided as on-street.

**Other Review Elements**

- Architecture and Building Materials – Both buildings have the same footprint and architectural style. The primary façade material is brick veneer with metal detailing and asphalt shingle roof.
- Sidewalks & Connectivity – There are existing sidewalks on both sides of Professional Drive about 75% of the way down. Sidewalks will be required around the entirety of the cul-de-sac as a condition of approval. Where existing sidewalks conflict with on-street parking, the sidewalks are routed onto private property. An easement is needed for those portions.
- Landscaping, Buffers & Tree Mitigation - The proposed site plan includes foundation plantings along the fronts and edge landscaping around the sides of the buildings. The parking lot and frontage trees proposed comply with the regulations of the land development code.

**Engineering Comments:**

This site plan consists of two developments, one located on the west side of and at the cul-desac of Professional Drive, and the other is located on the east side of Professional Drive. The developments do not share access, utilities, or stormwater management. Water and Sewer There is an 8-inch diameter water main running along the west side of Professional Drive terminating at a fire hydrant north of the cul-de-sac turnaround. This fire hydrant will be relocated to the right-of-way for Professional Park Drive. Service lines to the building will tie to the 8-inch diameter water main. Sewerage will tie to existing stub outs located on the lots.

Traffic/Access - The eastern development proposes 2 curb openings to unconnected parking areas. Along the frontage of Professional Drive between the 2 curb openings, the site plan proposed 6 "on-street" parking spaces. The western development proposes a single curb opening. Sidewalks The site plan does not propose any additional sidewalk despite having frontage with the cul-desac that lacks a sidewalk nor does it propose tying to or extending the existing sidewalk along the west side frontage of Professional Drive.

Stormwater Management - For this development, the site plan proposes that stormwater management will be accomplished by individual stormwater management facilities to be located in each development. The eastern development will have 2 stormwater management facilities, an underground detention basin located beneath the north parking lot, and a dry detention basin

located in the east corner of the development. The western development will have a single stormwater management facility consisting of an underground detention basin located beneath the parking lot. All of the detention systems will discharge within the property boundaries with the discharge going into Bailey Branch. At this time, the Stormwater Management Plan for this project has not been approved by the Engineering Department. Engineering staff does not foresee any issues with the proposed design that would prevent approval.

**Recommendation:**

Staff recommends approval of the requested site plan for ‘Professional Drive – Office Buildings’ with the following conditions:

1. Approval is for the plan as submitted with required technical modifications per the Site Plan Review committee.
2. Engineered drawings detailing sidewalks to extend around the Professional Drive cul-desac that connect to the existing sidewalk system are required before any permits will be issued.
3. A pedestrian easement in favor of the City is required for the portions of public sidewalk on private property.
4. All Engineering Department comments related to the site plan comments be addressed and approved before the issuance of any permits.
5. Acceptance and approval of the Stormwater Management Plan before the issuance of any permits.

Summary of discussion:

Commissioner Riddell asked about the sidewalk and if the drawing was accurate to what was being proposed. Reanna replied that the drawing in the case was not accurate and that the sidewalk would go all way around the building and that drawings would be updated.

Motion to approve with staff conditions.

Move: Kirk Milam Second: David Spragins Status: Passed

10. Public Hearing for Case #2937 – The Pearl at Oxford Crossing, LLC (David Blackburn) has filed a request for a Special Exception as provided in Section 4.9.1.1.a Phased Parking for property located at Commonwealth Boulevard and Sisk Ave. (PPIN #26631)

Ben Requet presented on behalf of the city.

**Planning Comments:** The subject property measures approximately +/- 8.84 acres and is located on the east side of Commonwealth Boulevard, north of Sisk Avenue. This property is located in the Oxford Commons Planned Unit Development and its underlying zoning is (SCN) Suburban Center. This property is located in Tract B1 of the Oxford Commons PUD document. The PUD Plan Data Table provides for 200 residential units and a total of +/- 75,000 square feet of commercial use in Tract B1. Furthermore, Condition 9 of the PUD document indicates that ground floor residential is allowed by right when at least 25% of the allotted non-residential development potential is used within the Tract. This requirement was satisfied with the construction of The Commons of Oxford Commons (approximately 29,000 sq/ft.). The applicant is proposing a multi-family development, The Pearl at Oxford Commons (Phase 1), that consists of 108 – 3-bedroom residential dwellings in 9 total buildings, a clubhouse with amenities that include a pool and gym and a separate pool house. The applicant is requesting the ability to construct the parking for both Phases 1 & 2 at this time. This phase requires a total of 405 parking stalls, however, the applicant is proposing to construct 499 at this time so that all of the infrastructure for the second phase is already in place. The development of Phase 2 will be limited to uses that comply with the remaining 94 parking stalls. If the Special Exception is not approved, then the applicant will only construct the allowed amount at this time.

**Recommendation:** Staff does not have any objections to the requested Special Exception and should Phase 2 not be constructed, the additional parking will serve as the necessary parking for the Oxford Commons Entertainment Venue that needed a shared parking agreement from the neighboring church or the Malco Theater. Therefore, Staff recommends approval of the requested Special Exception.

Motion to approve.

Move: David Spragins Second: Harry Alexander Status: Passed

11. Public Hearing for Case #2938- The Pearl at Oxford Commons, LLC (David Blackburn) has filed a request for a Site Plan Approval for 'The Pearl at Oxford Commons' located at Commonwealth Boulevard and Sisk Ave (PPIN # 26631)

Ben Requet presented on behalf of the city.

**Planning Comments:** This proposal is for Lot 6 of the Oxford Commons Phase I subdivision, which was recently amended at the January 9th, 2023 Planning Commission meeting (Case #2928) and is being considered at the February 7, 2023 Mayor and Board of Aldermen meeting. The subject property measures approximately +/- 8.84 acres and is located on the east side of Commonwealth Boulevard, north of Sisk Avenue. This property is located in the Oxford Commons Planned Unit Development and its underlying zoning is (SCN) Suburban Center. This property is located in Tract B1 of the Oxford Commons PUD document. The PUD Plan Data Table provides for 200 residential units and a total of +/- 75,000 square feet of commercial use in Tract B1. Furthermore, Condition 9 of the PUD document indicates that ground floor residential is allowed by right when at least 25% of the allotted non-residential development potential is used within the Tract. This requirement was satisfied with the construction of The Commons of Oxford Commons (approximately 29,000 sq/ft.). The applicant is proposing a multi-family development, The Pearl at Oxford Commons (Phase 1), that consists of 108 – 3-bedroom residential dwellings in 9 total buildings, a clubhouse with amenities that include a pool and gym and a separate pool house.

**Use and Parking Requirements-** As already mentioned, 200 residential units are allowed in Tract B1 and first-floor residential is permitted by right when at least 25% of the allotted non-residential development potential is used. The Commons at Oxford Commons is already constructed, and it accounts for approximately 29,000 of the 75,000 non-residential development potential in this tract. Additionally, this proposal is for 108 residential units, which is within the 200-unit limitation of the PUD. The applicant is requesting a Special Exception for a phased parking plan, the subject of Case #2937. The applicant is requesting permission to construct the parking for both Phases 1 & 2 at this time. This phase requires a total of 405 parking stalls; however, the applicant is proposing to construct 499 at this time so that all of the infrastructure for the second phase is already in place. If the Special Exception is not approved, then the applicant will only construct the allowed amount at this time.

Coverage - The SCN district allows for 80% lot coverage and 33.06% is proposed with this development.

Building Height - The proposed three-story buildings will measure approximately +/- 32'in height, well under the max height for this district.

#### **Other Review Elements**

- Architecture and Building Materials – The buildings will be constructed with a mix of brick, fiber cement siding and board and batten. Front and rear elevations will consist of walk-out balconies, while side elevations will consist of windows.
- Sidewalks and Connectivity – Sidewalks are indicated throughout the residential campus, the parking lot and with connectivity to Commonwealth Boulevard.
- Landscaping & Tree Mitigation – The proposed landscape design meets all standards related to frontage trees, parking lot trees, and foundation plantings. Tree mitigation was subject to the variance granted and the requirement for a conservation easement was resolved with the subdivision plat.

**Engineering Comments:** Access The site will have two access points onto Commonwealth Boulevard and from a roundabout to be constructed. A shared access easement will be required with Lot 5 for the southern access point onto Commonwealth Boulevard. The construction of the roundabout at the intersection of the current dead-end street extension from Commonwealth towards Lakewood Hills Drive is an important part of the site plan approval and noted as a condition of approval.

Water and Sewer -The city will accept sewerage from the development. All interior sewer infrastructure and appurtenances will be privately owned and maintained. Water distribution facilities will be owned and maintained by the city. An easement for maintenance will be required in

favor of the city for all water mains and appurtenances as well as an indemnity agreement holding the City of Oxford harmless for any possible damages sustained to the property during periods of maintenance.

Stormwater Management - During the review of the Pearl site plan, engineering staff noticed that the as-built stormwater management facilities appear to differ from the previously approved design (Case 2660). Engineering staff has had conversations with the design engineer regarding this issue and has been assured that the previously approved stormwater management report is being revised to reflect the as-built conditions. Additional plans have been provided for Engineering staff review and staff anticipates that a revised stormwater management plan can be approved. A brief history of the stormwater approvals is provided for reference: As part of the site plan approval for "The Commons" Lot 4 Phase 1, Case #2660, a stormwater management plan dated February 9, 2021, was presented and approved on March 5, 2021. Subsequently, the site plan approval for and Entertainment center (Case #2774) provided a letter stating that the stormwater design approved in Case #2660 would be used to satisfy the site's stormwater management requirements. Stormwater was not submitted as part of the Final Plat amendment (case 2928) and the case report states that stormwater management was previously approved under Case #2660. The stormwater management plan originally submitted as part of the Pearl site plan review process is a copy of the stormwater plan approved under Case #2660 as anticipated.

**Recommendation:**

Staff recommends approval of The Peal at Oxford Commons with the following conditions of approval:

1. Approval is contingent upon the approval of Case #2937, a Special Exception to allow a phased parking plan, or prior to the issuance of any building permits, updated construction drawings that indicate the correct quantity of parking required for this site plan in the absence of an approved phased parking plan. (Planning)
2. Prior to the issuance of a Certificate of Occupancy, recorded shared parking and cross access easements shall be provided to the Planning Department. (Planning)
3. Approval of a stormwater management plan that can meet the stormwater requirements of the Pearl and all previously approved developments that share the stormwater management facilities. (Engineering)
4. Certificate of occupancies will not be provided until a certification of the stormwater management system per the preceding condition is received and confirmed. (Engineering)
5. Approval is contingent on the construction of the roundabout at the end of the existing dead-end street extension from Commonwealth as one point of access. (Engineering)
6. The ownership of the drainage pipes within the roundabout and the site will be properly noted on the construction plans and the stormwater management system plans. (Engineering)
7. Easements will be shown on the construction plans and provided to the city for the water to be maintained by the city within the development. (Engineering)

Summary of discussion:

Chairman Rigby asked Reanna about the storm water facilities differing from original design and to explain why. Reanna explained that the ordinance was updated in 2018 and now require a certification to ensure that the requirements are met, the layout will change to meet current requirements. The storm water was previously approved and is now part of this site plan. No further questions or comments.

Motion to approve with staff conditions.

Move: David Spragins Second: Kirk Milam Status: Passed

12. Adjourn

Move: Kirk Milam Second: David Spragins Status: Passed

If you need special assistance related to a disability, please contact the ADA Coordinator or visit the office at: 107 Courthouse Square, Oxford, MS 38655. (662) 232-2453 (Voice) or (662) 232-2300 (Voice/TTY)



## MINUTES

City of Oxford  
Planning Commission  
Planning Commission  
Monday, March 13, 2023, 5:00 pm - 8:00 pm  
City Hall Courtroom

### In-Person Attendance

Benjamin Requet; David Spragins; Jaclyn Colameta; Joseph Murphy; Judy Riddell;  
Kate Kenwright; Kirk Milam; Michael Johnson; Reanna Mayoral; Robert Baxter

### Remote Attendance

J.R. Rigby

Notice that certain aldermen or commissioners may be included in the meeting via teleconference, subject to the City of Oxford Code of Ordinances, Section 2-82.

#### A. March Planning Commission Memorandum

#### B. March Legal Advertisements

##### 1. Call to Order

Chairman Rigby attending virtually. Commissioner Murphy will act as Chairman.

##### 2. Approval of the Agenda

All in favor.

Move: Kirk Milam Second: David Spragins Status: Passed

##### 3. Approval of minutes from the February 13, 2022 Meeting

All in favor.

Move: Michael Johnson Second: Kirk Milam Status: Passed

##### 4. Staff Report

###### a. Planning Staff Report

###### b. Building Official's Report

##### 5. Map of Cases this Month

<https://coogis.maps.arcgis.com/apps/instant/sidebar/index.html?appid=ff8873ac54dc47a481c5f2c8a64d4be1>

#### C. Consent Agenda

##### 1. Public Hearing for Case #2940 – The Grove on N. Lamar, LLC (Jay Evans) has filed a request for Site Plan Amendment for 'Savannah Square' located at 1000 North Lamar Blvd (PPIN #5122)

All in favor.

Move: Kirk Milam Second: Michael Johnson Status: Passed

#### D. Public Hearings

##### 1. Public Hearing for Case #2905 – Betty Jane Gary has filed a request for a Preliminary and Final

Plat Approval for 'Gary Subdivision' for property located at 703 Lincoln Ave. (PPIN #8399)  
**(TABLED FROM NOVEMBER) (POSTPONED)**

2. Public Hearing for Case #2941 – Morgan Rentals, LLC (Johnny Morgan) has filed request for a Variance from Section 5.5.2.6 Fence Height Maximum for property located at 1005 N Lamar (PPIN #5126)

**Planning Comments:** The subject property is located on North Lamar Boulevard (west), it measures approximately +/- 25,000 square feet and it is zoned (TNB) Traditional Neighborhood Business. This site is the former location of The Main Event Catering, and the applicant anticipates a new tenant in the building this year that will generate more day-to-day clientele. The adjacent property recently removed the kudzu on the property that fully exposed a house. The house is in a state of disrepair and the city has begun the process of declaring it a nuisance.

The applicant is requesting the ability to construct a taller fence than is normally allowed. The applicant is seeking a 4' fence height variance that would allow an 8' tall fence in a front yard. This would help screen the house from customers that are visiting the business located at this site. The applicant did note that when the house is torn down and the site is cleaned up, the fence would be removed or reduced in height to comply with the requirements of the Land Development Code. As previously mentioned, the city has begun the process of declaring the home as a nuisance. The property owner is being notified that they have 30 days to remove the structure from the property. If the owner fails to comply with the demolition order within the prescribed time, then the City of Oxford may take any necessary action to correct the unsafe condition.

**Recommendation:** Due to the unique circumstances of this particular site that are being caused by the state of disrepair of the adjacent property, staff recommends approval of the requested variance with the following conditions:

1. The fence will be removed once the building is demolished, and the site is cleared as determined by the Planning Staff.
2. The 8' fence will be constructed of wood materials, and it will require a fence permit from the Building Department.

**Summary of Discussion:** Commissioner Alexander asked what the city requires once the building is demolished, specifically the state of the lot in terms of appearances. Jonathan Mizell of the city building department was present to answer questions. Jonathan stated that demolition should begin within the week and that the site will be cleared of all debris. Alexander commented about a nearby property that looked great after a recent demolition, which was done by the same contractor hired for this property. Commissioner Riddell also commented that she can speak to the quality of work of the contractor who is scheduled to complete the demolition and that he confirmed his timeline of beginning demolition very soon. She continued to ask with the demolition scheduled so soon, why should a variance be granted now? Applicant Johnny Morgan was present for questions and comments. He explained that he was unaware of the house, given that it was covered with the kudzu and overgrowth. Morgan said he is having trouble leasing the property and believes the fence would screen the house and overgrowth on the lot enough for him to find a tenant. He asked that the removal of the overgrown vegetation be considered with his request in addition to the house. He agrees that once the lot is cleared of all debris and overgrown vegetation, he will remove the fence. Commissioner Riddell asked if it was at Morgan's discretion on when he would take the fence down or would it be as soon as the house was cleared? Ben Requet replied that the consideration of the vegetation was not brought to his attention by the applicant prior to the request being filed. He then referred to the photo provided pointing out that vegetation can be seen right up to the property line. Morgan said he will accept a tabled

motion until the next meeting so the commissioners can visit the property to see if only the house being removed will further beautify North Lamar. Commissioner Alexander asked if the fence would obstruct the view of cars pulling in or out of the lot? Requet replied that it would not, referring to the ariel view of the parking lot. Commissioner Murphy asked for a motion to table the request.

Motion to table.

Move: David Spragins Second: Michael Johnson Status: Tabled

3. Public Hearing for Case #2942 – Stefano Capomazza has filed a Variance for property located at 408 Sisk Ave (PPIN #4859)

**Planning Comments:** The subject property is located on .41 acres on Sisk Avenue at the corner of Sisk and Carol Lane. A two-story home is planned for the site. An existing home sits on the site. The proposed building site sits in the Neighborhood Conservation Overlay, in which Front Yard setbacks are determined by the Director of Planning using the unique characteristics of the street and reflecting the established pattern of setbacks in the neighborhood as specified in section 5.8.4.4 of the Land Development Code. The front setback is determined by the neighboring properties, and the new building must sit no further back from the street or closer to the street than the two direct neighbors.

This request is to exceed the maximum front yard setback of forty (40') feet by seven (7') feet, a total of thirty-three (33') feet from the Right of Way. A variance request may be granted when special conditions exist that are peculiar to the land or structures that do not apply to other lands or structures in the same District under the terms of the Ordinance.

The application states that the lot is a corner lot, and as such is shallow in the North/South direction and that the front setback inhibits building a building that meets "today's standard for homes". It also notes that the street features many front porches, as does the proposed design. The porch, not the main massing of the house, would be located in the 40' setback. The applicant does not believe that the additional 7' would be noticeable as a conspicuous non-conformity.

**Recommendation:**

Staff recommends denial of the variance. The Commission may find it appropriate to approve the variance due to the design of the proposed new building, and because only the front porch will encroach into the setback. Should the Commission choose to approve the variance, Staff recommends approval with the following condition:

1. That the variance is for this plan as submitted.

**Summary of discussion:** Commissioner Milam asked the distance from the front of the porch to the street. Stuart Povall was present on behalf of the applicant to answer questions. Povall replied that it would be 33 feet from the right of way. He continued to mention that the lot was smaller in depth than the other homes on the street causing a hardship and that the applicant is accommodating their plans to fit the lot. Ben Requet added that staff did evaluate a previous similar variance granted nearby. Commissioner Murphy asked if the property has changed since the current owner purchased the home. Povall believes the property has not changed. Commissioner Milam asked if the subdivision precedes the current setbacks, Requet replied yes. Povall added that he sent 2 letters of support from neighbors. Commissioner Rigby commented that changing property lines would not be a good reason for variance in this case. Commissioner Murphy agreed, stating that the homeowner was aware of the setbacks at time of purchasing and the lot has not been changed. Povall commented that the applicant was not aware of the setbacks given they are determined by the director of planning, he also stated that he agrees with the current setbacks but is asking

for a variance in this case due to hardship. Commissioner Riddle asked if determining setbacks was the only determination made by the director in the land development code? Request replied that it was determined based on area in and around the historic districts to help keep the rhythm of new construction with the neighborhoods and maintain consistency. Commissioner Milam asked for clarification on the continuity of the setbacks, mentioning a neighboring lot that is 16 feet from line. Requet said that this particular corner lot has an outbuilding, separate from the home, which primarily faces the other street. Riddell also added that because it is a porch with see through lines extending over the setback it may not be as noticeable. Commissioner Murphy asked for a motion.

Motion to approve with staff condition.

Commissioners Milam, Alexander, Spragins and Riddell voting for.

Commissioners Rigby, Johnson and Murphy voting against.

Move: Kirk Milam Second: Harry Alexander Status: Passed

4. Public Hearing for Case #2943 – Smith Building Supplies, Inc (Alan Smith) has filed a request for a Special Exception as provided in Section for property located at 102 Highway 34 (PPIN #8931)

**Planning Comments:** The subject property is located on Highway 314, just south of Lafayette High School and was annexed into the City of Oxford in 2019. Smith Building Supply has been in operation at this location for more than 60 years. Smith Building Supply owns more property than the existing operation and the entire site measures approximately +/- 10.67 acres and it is all zoned (TNB) Traditional Neighborhood Business. The majority of the property owned by the Smith Building Supply is undeveloped.

The applicant is proposing to demolish the existing store, turning it into a parking lot and demolishing the existing residence and replacing it with a newly constructed store. The applicant is requesting a Special Exception to allow a one-story building to be constructed at this location. The applicant contends that they have operated at this location for more than 60 years, were recently annexed and that they have no desires for a second story.

The provided documents reflect a brick and wood lap sided building with a metal roof. The application notes that the ridge height of the roof will be 25', which could give the appearance of a second story. This property was zoned TNB primarily because of the existing business when it was annexed. If that business did not exist, Staff would have recommended a residential zoning, consistent with the properties adjacent to it. Being that it is the last property inside the City Limits on this portion of Highway 334 and the only property to have the TNB zoning on this portion of the road, Staff does not object to a one-story building at this location. It should also be noted that this proposal will require a Site Plan Review to be submitted to the city prior to the issuance of any building permits.

**Recommendation:** After making the finding that this business has been in operation for more than 60 years at this location, it was recently annexed into the City of Oxford and that they have owners do not have a need for a second story for this type of business, Staff recommends approval of the requested Special Exception with the following conditions of approval:

1. A Site Plan Review and Approval is required by the City.
2. The granting of this Special Exception shall not adversely affect the public interest.
3. The Special Exception shall expire if building permits have not been issued within 18 months.

With no questions or comments Commissioner Murphy asked for a motion to approve.

All in favor.

Move: Michael Johnson Second: Kirk Milam Status: Passed

5. Public Hearing for Case #2944 – JTM, LLC (JW McCurdy) has filed requests for a) a Special Exception as provided in Section 2.6.8 Suburban Corridor – Dwelling Unit Density, Ground Floor Residential and b) a Special Exception as provided in Section 2.6.8 Suburban Corridor – Front Yard Build-to Line, Maximum for property located at Lots 21 & 22 of Colonnade Crossing Subdivision (PPIN'S # 4563 & 4510)

**Planning Comments:** The subject property is +/- 14.16 acres located in the middle of the Colonnade Crossing development. The site is a corner lot with frontage along Ferndale and Claremont. The applicant is proposing to build a multi-family apartment complex of 6 residential buildings and a clubhouse (The Edison at Colonnade Crossing). The building will encircle a water feature and common area with parking proposed to go around the perimeter of the site. A site plan for this project has not yet been received at this time. This report pertains to two Special Exception requests to facilitate a future site plan at this location.

**A) Special Exception as provided in Section 2.6.8 Suburban Corridor – Dwelling Unit Density, Ground Floor Residential**

The first request is to allow ground floor residential units inside of a SCO district. Of the 7 buildings proposed, one, the clubhouse, is proposed with some commercial elements (gym, leasing office), while the other six are proposed as fully residential buildings. The applicant states: 'Colonnade Crossing Subdivision is a large commercial subdivision where the south half of the property (the area adjacent to and south of The Edison lot) are being developed in individual, site plans with commercial uses. These site plans' uses are planned for offices, service stations, restaurants, retail sales, banks, athletic training facilities, and medical facilities. Given this large, concentrated commercial area, The Edison will provide the concentration of households and incomes needed to support this new retail and commercial development.'

Additionally, the applicant lists commercial uses on the property as: a pool, fitness center, dog park, pickleball, and a coffee bar, all with monthly memberships available to the public, as well as having portion of the clubhouse available for reservation and the leasing office. Staff believes this is a needed use in the community. The provision of commercial uses with the multi-family allows for some measure of transition from the adjacent commercial to residential. Staff would like to ensure that these uses are included with any proposed site plan in the future.

**Recommendation:** Staff recommends approval of the requested Special Exception after making the finding that the use of ground floor residential will not adversely affect the public interest, with the following conditions:

1. Approval is for the plan as submitted subject to necessary revisions per the Site Plan Review Committee.
2. Approval is contingent upon provision of the above stated uses as a part of the Site Plan.

**B) Special Exception as provided in Section 2.6.8 Suburban Corridor – Front Yard Build-to Line, Maximum**

The second request is to increase the maximum front yard build-to line from 58' to 120'. SCO allows a front yard build-to line of up to 150' by Special Exception. The applicant states: 'Colonnade Crossing Subdivision is a commercial subdivision in which all of the current, approved site plans have parking located in the front yard of each site, which is typical of

commercial sites in and around the area. In order to maintain this aspect of site design and given the topography of the site and the grade of the adjacent public road (Ferndale Blvd), the requested increase in allowable build-to line distance is necessary to adjust grades so that the buildings and designated parking areas are in compliance with ADA guidelines.

In addition to what the applicant states, the proposed design would cluster the residential buildings together in a way that would shield an interior common space from outside traffic. Staff believes that this is a reasonable request that furthers necessary design elements including ADA compliance. Though street trees are indicated on the conceptual layout, Staff would like to see a robust planting edge between the city streets and the parking lots that include a healthy mix of large and small trees, shrubs, grasses and flowers to achieve visual screening of the parking lots.

**Recommendation:** Staff recommends approval of the requested Special Exception after making the finding that the increase of the front build-to line maximum to 120 feet will not adversely affect the public interest, with the following conditions:

1. Approval is for the plan as submitted subject to necessary revisions per the Site Plan Review Committee.
2. Approval is contingent upon provision of a landscape plan with the Site Plan that adequately screens the parking lot with a mix of large and small trees, shrubs, grasses and flowers.

**Summary of Discussion:** Commissioner Milam asked what defines commercial use in the code, in reference to the commercial amenities in this site plan. John Granberry was present on behalf of the applicant. He replied that that a membership plan will be in place for the general public. There was discussion that the entire ground floor would need to be commercial use. J.W. McCurdy was also present to answer questions. He responded to Commissioner Milam's concern for commercial use of amenities, stating that he felt it this was a special exception given the circumstance of a large development and the surrounding commercial business. Milam went on to say he did agree with J.W. Commissioner Murphy clarified that the six buildings are residential only and the clubhouse was going to be used for commercial access along with the pool. With no further questions or comments Commissioner Murphy asked for a motion to approve both special exceptions.

All in favor.

Move: Harry Alexander Second: David Spragins Status: Passed

6. Public Hearing for Case #2945 – Oxford Commons Lots, LLC (David Blackburn) has filed a request for Preliminary Plat Approval for 'The Oaks Phases 1, 2, 3, 9, 11, 12 & 18' for property located at 875 F.D. "Buddy" East Parkway (PPIN #4502)

**Planning Comments:** This request is for a preliminary plat for several phases of the Oaks at Oxford Commons. These phases of the subdivision are located in the Oxford Commons PUD on the east side of the power cut on an extension of F.D. Buddy East Parkway south of the previously approved preliminary plats for phases 7 & 8 and 19 & 27. The proposed subdivision would be +/- 30.16 acres with 47 lots sized between 0.165 acres and 0.62 acres with areas that are designated for conservation.

The proposed lots comply with the dimensional requirements of the underlying zoning and the density is appropriate to this area of the PUD. This phase is in Tract N of the PUD and is allotted 386 lots. 305 lots will remain in Tract N if this plat is approved. Sidewalks are

indicated that would connect all lots to future phases of the Oaks. Tree mitigation and open space is governed by the 2016 Tree Mitigation Variance and 2019 PUD plan that requires at least 14% land preserved for tree mitigation as well as at least 20% open space. Areas are indicated for conservation and open space on the plat. These areas will require an update of the approved Tracking Spreadsheet to indicate the location of the area to be dedicated, its size, how it is to be conserved, and whether it is to also be considered part of the Tree Mitigation requirements. Street trees are indicated along all roads that comply with landscaping standards in the LDC. Temporary cul-de-sacs should be indicated at the temporary dead-ends for Lakewood Hill, Berkshire and Buckingham Drives for emergency vehicle turn-arounds. Additional fire hydrants should be indicated to reduce along-street distances to no more than 400' between hydrants.

**Engineering Comments:** The Oaks Phases 1, 2, 3, 9, 11, 12 & 18 seek approval of the preliminary plat, which allows for grading and the start of construction of infrastructure such as water, sewer and roads. It does not allow for construction of homes or the conveyance of lots.

Construction of this infrastructure is a key part of access for Phases 7,8, 19 and 27, which are being considered for Final Plat as part of Case 2947. This roadway will be the primary means of access to those lots and therefore a bond is required for the construction of the roadway despite this particular case (2946) only being for Preliminary Plat.

### **Access**

Access to the development will be by a proposed connection to an extension of FD "Buddy" East Parkway at its current northern terminus, which will be approved as part of the approval of the construction plans. The proposed connection and development of nearby lots should be designed such that there is ample space for a possible future traffic signal or roundabout at the intersection of FD "Buddy" East Parkway and Sisk Avenue. Access has long been planned for this intersection. A secondary access via the easterly leg of Lakewood Hills Drive was previously planned but is not anticipated for connection at this time, which changes the traffic patterns in the area. An updated traffic impact study is required to determine the impacts of changes proposed and any improvements required. Anticipated results from a traffic impact study are the construction of a roundabout or traffic signal at the intersection of FD "Buddy" East and Sisk Avenue. Secondary access for these phases is proposed by extension of public streets to existing streets as well. Emergency access will be via a "temporary" crushed stone extension of FD "Buddy" East Parkway which will be paved and extended further at some point in the future.

### **Water and Sewer**

Water and sewer will be provided to the development via connections to existing water and sewer mains which will be approved by Engineering. The review of these plans has not been completed at the time of this report and changes are possible. These changes will not impact the form or function of the proposed plat and are not caused to delay approval.

### **Storm Water**

Storm water management for the development will be handled by detention ponds. The storm water management plan has not been approved as of yet. Approval of the storm water management plan shall be a condition of approval of the final plat.

**Recommendation:** Staff recommends approval of the requested Preliminary Plat for 'The Oaks at Oxford Commons, Phases 1, 2, 3, 9, 11, 12 & 18' with the following conditions:

1. Approval of 'The Oaks at Oxford Commons, Phases 7 & 8' by the Mayor and Board of Aldermen. (Planning)
2. Approval is for the plan as submitted. (Planning)

3. A draft set of covenants shall be provided to the Planning Department prior to the issuance of permits. (Planning).
4. Temporary turnarounds shall be indicated on construction documents before the case may be heard by the Mayor and Board of Aldermen. (Fire)
5. Additional fire hydrants shall be indicated on construction documents to reduce along-street distances between hydrant to no more than 400'. (Fire)
6. MSDOH and MDEQ approvals for water and sewer designs submitted to Engineering. (Engineering)
7. A Performance bond will be required for the connection and extension to FD "Buddy" East Parkway due to the final plat requested for adjacent phases in Case 2947. (Engineering)
8. Final approval of the construction drawings and stormwater management plan required prior to the installation of any water, sewer or storm drain infrastructure. (Engineering)
9. A traffic impact study at the intersection of FD Buddy East and Sisk will be required for this development if a connection to Lakewood Hill Drive is not made. (Engineering)

**Summary of discussion:** Commissioner Rigby asked about the access points and what the timeline is for a second access point to be placed? Robert Baxter replied that this plan is for 79 lots which is the maximum amount allowed for one access road. Paul Koshenina was present virtually to represent the applicant. He added that the applicant has secured access to campground road to the east which will be part of any future phases proposed. Robert added a letter of objection from a neighbor concerned about the connection to Lakewood Hill drive, looking for a second access as well as the bike lanes. Ben Requet added that the applicant intends to maintain the bike lanes on Buddy East as it extends further north. Paul confirmed. With no other questions or comments Commissioner Murphy asked for a motion to approve.

All in favor.

Move: Harry Alexander Second: David Spragins Status: Passed

7. Public Hearing for Case #2946 – Oxford Commons Lots, LLC (David Blackburn) has filed a request for Preliminary and Final Plat approval for 'The Oaks Phases 7, 8, 19 & 27' for property located at 875 F.D. "Buddy" East Parkway (PPIN #4502)

**Planning Comments:** This request is for a preliminary plat for Phases 7, 8, 19 & 27 of the Oaks at Oxford Commons. These phases of the subdivision are located in the Oxford Commons PUD on the east side of the power cut. These phases of the Oaks would be +/- 21.25 acres with 32 lots sized between 0.29 acres and 0.52 acres and +/- 6.4 acres of common area, +/- 5.3 acres of which is dedicated to conservation. Previous preliminary plats for these phases were heard in February and March of 2022 (Cases #2833 & #2844). Revisions to the circulation plan for the Oaks require new Preliminary Plats for these phases, though lot size and location is relatively unchanged. Due to these changes, if the proposed connection to Lakewood Hills Drive is not made, the portions east of the power cut will have to be renamed.

The proposed lots comply with the dimensional requirements of the underlying zoning and the density is appropriate to this area of the PUD. This phase is in Tract N of the PUD and is allotted 386 lots. 354 lots will remain in Tract N if this plat is approved. Sidewalks are indicated that would connect all lots to future phases of the Oaks. Tree mitigation and open space is governed by the 2016 Tree Mitigation Variance and 2019 PUD plan that requires at least 14% land preserved for tree mitigation as well as at least 20% open space. Areas are designated for both common area and conservation on the plat.

### **Engineering Comments:**

#### Access



Access to the development will be by a proposed connection to a new segment of Lakewood Hills Drive (may be renamed) and the extension of FD “Buddy” East Parkway from its current northern terminus. Each of these extensions will be right-of-way dedicated to the City and a notation of the intent for future right-of-way shall be included on this plat. The proposed connecting roadway is under consideration as part of a multiphase preliminary plat in Case 2946. Construction of this infrastructure will be the primary means of access for Phases 7,8, 19 and 27 for some time and therefore a bond is required for the construction of the roadway despite the infrastructure only being approved as part of a preliminary plat (case 2946). An additional roadway that will also be constructed up to the crushed stone lift to serve the area of this Final Plat will be the extension of FD “Buddy” East Parkway, which is anticipated to continue to the north in the direction of Highway 30 in the future. This crushed stone “temporary” extension of FD “Buddy” East will serve as an emergency access route until additional permanent connections are completed and will be constructed to City standards and capable of supporting emergency vehicles. This roadway was previously discussed in related case reports as the haul road for ongoing work in Oxford Commons. This “temporary” roadway will transition to a permanent roadway at some point in the future of the Oxford Commons development as well.

Due to changes in traffic associated with failing to connect the existing easterly segment of Lakewood Hills Drive, a traffic study that includes these phases and more is now required. The anticipated recommendation of this traffic impact study is the construction of a roundabout or traffic signal at the intersection of FD “Buddy” East and Sisk Avenue. These recommendations would not likely be triggered by traffic from the four phases considered in this case are therefore there are no requirements for completion of any improvements associated with this case.

#### Water and Sewer

Water and sewer will be provided to the development via connections to existing water and sewer mains which will be approved by Engineering.

#### Storm Water

Storm water management for the development will be handled by detention ponds.

The storm water management plan has not been approved as of yet. Approval of the storm water management plan shall be a condition of approval of the final plat being eligible for consideration by the Board of Alderman.

**Recommendation:** Staff recommends approval of the requested Preliminary and Final Plat for ‘The Oaks at Oxford Commons, Phases 7, 8, 19 & 27’ with the following conditions:

1. Approval of ‘The Oaks at Oxford Commons, Phases 7, 8, 19 & 27’ by the Mayor and Board of Aldermen. (Planning)
2. Covenants shall be provided to the Planning Department prior to the issuance of permits. (Planning)
3. Approval is for the plan as submitted. (Planning)

4. Lakewood Hill Drive east of the power cut will be renamed if the proposed connection is not made. (GIS)
5. MSDOH and MDEQ approvals for water and sewer designs submitted to Engineering. (Engineering)
6. A traffic impact study will be required including this development if the proposed connection to Lakewood Hills Drive is not made. (Engineering).
7. Final approval of the construction drawings and stormwater management plan. (Engineering)
8. Prior to the request for Final Plat being heard by the Board of Alderman, the stormwater management plan must be approved and any required notations including on the plat. (Engineering)
9. Prior to the request for Final Plat being heard by the Board of Alderman, all bonds, including those associated with Case 2946, must be received by the Engineering Department. (Engineering)
10. Prior to the request for Final Plat being heard by the Board of Alderman, notation regarding the future right-of-way of Lakewood Hills Drive (southern segment) and FD "Buddy" East Parkway shall be included on the plat. (Engineering)

**Summary of discussion:** Commissioner Alexander asked if Lakewood Hill drive is still on the plan to be connected? Ben Requet responded that it is on the PUD but not shown on this plat. Commissioner Milam asked for clarification on the previous amendments made to the PUD or plat. Paul Koshenina responded that this request is compliant with the code and that the applicant does not plan to come back for approvals until they have an additional point of access. Currently that is intended to be toward Campground Road to the east as shown on the drawings submitted. Commissioner Rigby added that if the current PUD represent the zoning and circulation patterns and it has Lakewood Hill drive on it why would the commission approve a plat that does not include that circulation? Paul Watkins was present virtually, he replied that this is part of an evolving PUD that doesn't have to be developed at one time. The developer is making the choice right now to develop to the extend they can without having to open up further infrastructure. Paul Koshenina agreed. Commissioner Riddell asked if the applicant could develop portions of the PUD and chose not to finish Lakewood Hill drive? Requet responded that there is another point of access from the east to provide a means of egress and ingress. He continued to say that this PUD has been developing for 20 years and that it's possible to the Lakewood Hill drive will be connected in the future too. Commissioner Milam asked is a traffic study would be done. Rihanna Mayoral was present to answer questions. She replied that the original traffic study showed other connections to the school and that all the traffic was being driven to one intersection where it was not originally anticipated. She continued to say a new traffic study will be done and a signal, roundabout or some measure to control a larger amount of traffic will be proposed and completed by the applicant. Paul Koshenina agreed and confirmed that the applicant will be responsible for the cost and development of future connections. Rihanna added that the conditions in this case address the concerns of the commission about changes being made. Commissioner Rigby asked if the current proposed dead-end road is compliant with the code? Rihanna replied that given this is multi phases this is consistent with the PUD development and there have been many conversations with the applicant about the connectivity. Rigby continued to express concern about the effects of the changes and amendments being made. Paul Koshenina added there are no plans to have a dead-end road longer than 800 feet, which is in the code also. Rihanna added that a bond is required to ensure all connections and proposed roads are being made.

All in favor.

Move: Harry Alexander Second: David Spragins Status: Passed

## 8. Adjourn

Move: Harry Alexander Second: Kirk Milam Status: Passed

If you need special assistance related to a disability, please contact the ADA Coordinator or visit the office at: 107 Courthouse Square, Oxford, MS 38655. (662) 232-2453 (Voice) or (662) 232-2300 (Voice/TTY)

## MINUTES

City of Oxford  
Planning Commission  
Planning Commission  
Monday, April 10, 2023, 5:00 pm - 8:00 pm  
City Hall Courtroom

### In-Person Attendance

Angie Gragson; Benjamin Requet; David Spragins; Harry Alexander; J.R. Rigby;  
Jaclyn Colameta; Johnathan Mizell; Joseph Murphy; Kate Kenwright; Kirk Milam;  
Paul Watkins; Robert Baxter

### Remote Attendance

Judy Riddell; Michael Johnson

Notice that certain aldermen or commissioners may be included in the meeting via teleconference, subject to the City of Oxford Code of Ordinances, Section 2-82.

A. April Planning Commission Memorandum

B. April Legal Advertisements

1. Call to Order

2. Approval of the Agenda

Move: Kirk Milam Second: Harry Alexander Status: Passed

3. Approval of minutes from the March 13, 2023 Meeting

Move: Joseph Murphy Second: Harry Alexander Status: Passed

4. Staff Report

a. Planning Staff Report

b. Building Official's Report

5. Map of Cases this Month

<https://coogis.maps.arcgis.com/apps/instant/sidebar/index.html?appid=ff8873ac54dc47a481c5f2c8a64d4be1>

C. Consent Agenda

Move: Harry Alexander Second: David Spragins Status: Passed

1. Public Hearing for Case #2947 – Will Guest has filed a request for a Variance from Section 2.6.4 Suburban Residential: Side Yard Setback, minimum for property located at 1580 Buchanan (PPIN #8220)

2. Public Hearing for Case #2948 – CB Holdings (Larry Britt) has filed a request for a Special Exception as provided in Section 2.6.7, Traditional Neighborhood Business: first floor residential for property located at the intersection of Clubhouse Drive and OUS Drive. (PPIN #37366)

3. Public Hearing for Case #2950 – Terry Tramel has filed a request for a variance form Section 2.6.3 Estate Residential: Side Yard Setback, minimum for property located at 106 Phillip Road (PPIN #5591)

D. **Public Hearings**

1. Public Hearing for Case #2905 – Betty Jane Gary has filed a request for a Preliminary and Final Plat Approval for ‘Gary Subdivision’ for property located at 703 Lincoln Ave. (PPIN #8399) (TABLED FROM NOVEMBER) **(TABLED)**
2. Public Hearing for Case #2941 – Johnny Morgan (Morgan Rentals, LLC) has filed request for a Variance from Section 5.5.2.6 Fence Height Maximum for property located at 1005 N Lamar (PPIN #5126) (TABLED FROM MARCH) **(WITHDRAWN)**
3. Public Hearing for Case #2949 – The Lilly Company (Stan Kortan) has filed a request for a Variance from Section 7.2.9.8 Monument Signs for property located at 2141 Highway 30 (PPIN #34524)

Ben Requet presented on behalf of the city.

**Planning Comments:** The subject property measures approximately +/- 7.3 acres and it is located on the north side of Highway 30, just east from the Ed Perry Boulevard intersection. This property has two businesses located on it: Lily Kubota and Lily Farm and Ranch. The applicant is requesting a variance to allow a twelve-foot-tall freestanding sign. The applicant contends that this variance is needed due to the geography of the location being lower than the surrounding areas. The application states that the height difference of the terrain is about 16’ of vertical change. The applicant believes that this difference negatively affects the height of the sign and results in the sign being 4’ below the ground level of the adjacent property.

While the adjacent property does have a higher elevation, the proposed location of the sign is approximately +/- 250 east of this property line. Included in this report are images from Google Maps taken in the east bound lane at the intersection of Highway 30 and Ed Perry Boulevard. At this vantage point, the tractors for sale that are parked along the front portion of the property and right of way and a couple of car lengths past the intersection, the sign on the front portion of the building is visible.

The application also states that an 8’ sign would be lower than the roadway, severely reducing the visibility of the sign. This isn’t necessarily the circumstance in this case. The grade of the Lilly Kubota dealership is actually built higher than Highway 30, which only assist with visibility of the dealership, the equipment and the proposed sign. The site may be lower than the roadway closer towards the lighted intersection but the images show that the site is quite visible from that location.

Finally, the applicant notes that the tractors that the tractors sold at this location are taller than a passenger vehicle and that the taller sign is needed to help customers identify the dealership. As indicated in the Google Maps images, the sign on the front of the building is visible just east of the Ed Perry & Highway 30 intersection. The dealership also uses the tractors themselves as a means of advertising the business, especially by parking them as close to Highway 30 as possible (It appears that they are parked across the property line and on MDOT right of way.). If the dealership wishes to make the sign more visible, then perhaps they should park the equipment in a manner that keeps a clear zone for the sign to not be blocked by the equipment.

Prior to the adoption of the Vision 2037 Land Development Code, taller pole signs were allowed in the City of Oxford, however, there was concern regarding the safety issues created by these taller signs (typically a pole sign). As a result of these safety concerns, freestanding signs were limited to monument style signs that help drivers eyes remain on the road while also allowing for motorists to more easily identify businesses. An added benefit is the reduction in visual clutter along many of our mixed-use commercial corridors.

Initially, all monument signs were limited to six feet in height, however, after receiving a variance request ([Case #2558](#) – November 2019) from Highway 30 Collision and from mTrade ([Case #2571](#) – December 2019) the Planning Commission granted a two-foot sign height variance allowing an eight-foot monument sign due to both of these sites being adjacent to a highway. As a result of these variance requests, Staff worked with the Planning Commission and the Mayor and Board to modify the Land Development Code allowing for a taller monument sign when adjacent to a highway.

Staff does not believe that there is a reasonable hardship to support this variance request. Since this is one property with multiple businesses located on it, the property owner may want to consider a sign that advertises both businesses since only a single freestanding sign is allowed. The location of that sign could be nearer the entrance for both properties and it would increase the visibility of the sign due to it being further away from the Kubota equipment. Staff also suggested to the applicant that a projecting sign, that is allowed by the Land Development Code, could be located on the front of the building that would offer the desired visibility and height for signage for this business.

**Recommendation:** Staff recommends denial of the requested variance.

The applicant was present virtually. With no comments or questions from the commission or audience Chairman Rigby asked for a motion to deny the request.

All in favor to deny.

Move: Joseph Murphy Second: Michael Johnson Status: Failed

4. Public Hearing for Case #2951 – Southern Land Holdings (John Galtney) has filed a request for City utilities for a development outside the City Limits of Oxford that includes a Preliminary Plat for 'The Julep – Phase 1' for property located on Old Taylor Road south of CR 302 (PPIN #10501)

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is located on Old Taylor just past the City Limits. The applicant is proposing to construct a +/- 855-acre PUD that will stretch from Old Taylor to Pea Ridge Road. The PUD was granted for this development by the County in July 2019. This request is for preliminary plat for the first phase (+/- 62.72 acres). This phase is roughly consistent with Phase 'B' in the PUD governing document. Lots are indicated as Neighborhood Center Mixed-use/Residential (NC-Mx/NC-R), Neighborhood General (NG), and Neighborhood Edge – Suburban (NE-S) in the PUD governing document. The lot types indicated on the preliminary plat match what is shown in the governing document. Lot dimensions by lot type are specified in PUD governing document and are reflected on the plat.

Street types are stated in the PUD governing document and reflected on the preliminary plat that are broadly consistent with street types found in Section 4 of the LDC. Turning radii may need to be altered near some roundabouts to allow for fire access. Landscape elements including street trees and detention pond planting are indicated that are in compliance with LDC standards. Minor adjustments to the landscape plan are needed for parking lot trees.

**Engineering Comments:** This preliminary plat includes a request for City utilities for a development outside the City Limits of Oxford. The area under consideration is noted as Neighborhood 4 and also Phase B in the PUD documents.

#### Water and Sewer

Upon complete build out, the water demand for the entire Julep development is substantial and estimated to be equivalent to approximately one-quarter of the

City's current daily demand. In order to meet the demand for the development while maintaining water pressures for current water customers, a new 16" water main must be constructed from Belk Boulevard to the site along Old Taylor Road. The City currently has an 8" water main to approximately the Marks apartments and a 4" water main for the remaining distance to the site. Improvements to the water main will be necessary to construct Phase 1 and are the responsibility of the developer. It is anticipated that a connection to South Lamar will be necessary as part of Phase 2 in order to provide a looped connection to the development. Additional improvements may be deemed necessary as the plan development for the full build-out continues. Sewer service is proposed via a gravity trunk line that will traverse to South Lamar through easements to existing City sewer mains. The developer is currently working to obtain the necessary easements, which would then be dedicated to the City at the same time as the sewer trunkline. There will be a lift station within the development that will pump sewer via a force main to the gravity trunk line. The City will own and maintain the majority of the sewer mains within the development.

Staff is continuing a technical review of the water and sewer plans. Easements will be required for the water and sewer.

#### Traffic/Access

Traffic and access for this development are the responsibility of the County as this development is located outside of the City limits. This preliminary plat submittal proposes three (3) points of access along Old Taylor Road: a paved permanent public road, a private road, and a temporary all-weather (gravel) road. A traffic impact study is necessary for future phases of this development and has likely been provided to the County at this point. Construction of additional connections beyond Old Taylor Road will be an important consideration when determining sequencing of future phases/neighborhoods.

#### Sidewalks

Sidewalks are proposed within the dedicated right-of-way, along both sides of the roads. Additionally, there are proposed walking trails within some of the subdivision's common areas.

#### Stormwater Management

As submitted the Stormwater Management Plan does not meet the ordinance. Primarily it only evaluates the 25-year return frequency storm, which is the County's standard, and not the 2-year, 10-year, 25-year, and 100-year return frequency storms that the City requires. In order to receive City utilities, the development must comply with all stormwater requirements.

The topography of the land on which the Julep development is located is hilly, divided by ravines. This and the multiple phasing of the development require that multiple drainage areas be defined to evaluate development and design

stormwater management facilities that meet the requirements of the City's Stormwater Management Ordinance. The site drains to an un-named tributary of Burney Branch. This tributary flows to the east passing under South Lamar Boulevard north of the Ridgeland Heights subdivision, then along the north side of the Windsor Falls subdivision, under Highway 7, and finally intersecting Burney Branch.

The submitted design proposes two (2) retention basins (wet pond) to manage this phase of the subdivision's development. These basins will discharge to the un-named tributary. Additional detention basins maybe needed to support further phases of the development. Stormwater will primarily be collected in the streets with curb and gutter, inlets, and storm drainage pipes and then directed to the retention basins.

At this time, the stormwater management plan for this project has not been approved by the Engineering Department. Engineering staff has reviewed the plan and given comments to the design engineer that will need to be addressed. In addition to the resolving staff's comments, the stormwater management plan will need to satisfy all the requirements of the City's Stormwater Management Ordinance. Engineering staff does not foresee any issues with the proposed design that would prevent the resolution of its comments and approval of the plan.

**Recommendation:** Staff recommends approval of the requested extension of city utilities for 'The Julep – Phase 1' with the following conditions:

Approval by the Mayor and Board of Aldermen. (Planning)

Covenants shall be provided to the Planning Department prior to the issuance of permits. (Planning)

All Engineering Department comments related to the site plan comments be addressed and approved before the issuance of any water and sewer taps. (Engineering)

Acceptance and approval of the Stormwater Management Plan before the issuance of any water and sewer taps. (Engineering)

Approval is contingent on approval by the Mississippi Department of Health and the Mississippi Department of Environmental Quality for water and sewer improvements. (Engineering)

Approval is contingent on dedication of all necessary easements for water and sewer to the City. (Engineering)

### **Summary of Discussion**

Commissioner Kirk Milam asked about the round a bout on the site plan and the impact it would have on traffic. John Granberry was present on behalf of the applicant and responded that the design is similar to a cul-de-sac rather than a round a bout with cars coming to a full stop. Chairman Rigby asked about the drainage and storm water and expressed concerned about volume of water.

Granberry replied they have plans for detention before any water leaves the property as to not impact adjacent property owners.



Chair Rigby continued to ask about the consideration of the people who live within the city and if what was proposed met the guidelines within the land development code. Director of Engineering Rihanna Mayoral responded that the developers hold responsibility with the city monitoring phases and mentioned the benefit of the future revenue. Granberry added they will be looking at additional options for water retention to ensure there is no negative effect on city water users. With no further questions or comments Chairman Rigby asked for a motion to approve.

All in favor.

Move: Kirk Milam Second: Harry Alexander Status: Passed

5. Adjourn

Move: David Spragins Second: Kirk Milam Status: Passed

If you need special assistance related to a disability, please contact the ADA Coordinator or visit the office at: 107 Courthouse Square, Oxford, MS 38655. (662) 232-2453 (Voice) or (662) 232-2300 (Voice/TTY)

## MINUTES

City of Oxford  
Planning Commission  
Planning Commission  
Monday, May 8, 2023, 5:00 pm - 8:00 pm  
City Hall Courtroom

### In Attendance

Angie Gragson; Benjamin Requet; David Spragins; Harry Alexander; Hollis Green;  
J.R. Rigby; Jaclyn Colameta; Joseph Murphy; Judy Riddell; Kate Kenwright; Kirk  
Milam; Michael Johnson; Paul Watkins; Reanna Mayoral; Robert Baxter

Notice that certain aldermen or commissioners may be included in the meeting via teleconference, subject to the City of Oxford Code of Ordinances, Section 2-82.

#### A. May Planning Commission Memorandum

#### B. May Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

Move: Michael Johnson Second: David Spragins Status: Passed

##### 3. Approval of minutes from the April 10, 2023 Meeting

Move: Kirk Milam Second: David Spragins Status: Passed

##### 4. Staff Report

###### a. Planning Staff Report

Ben Requet announced that tonight would be Commissioner Michael Johnson last meeting.

###### b. Building Official's Report

##### 5. Map of Cases this Month

<https://coogis.maps.arcgis.com/apps/instant/sidebar/index.html?appid=ff8873ac54dc47a481c5f2c8a64d4be1>

#### C. Administrative Approvals

1. Case #2939-A – Develop Design Studio, PLLC (Stuart Povall) has filed a request for Site Plan Approval for Develop Design Studio for property located at 1737 N Lamar Blvd (PPIN #4532)

#### D. Consent Agenda

Move: Michael Johnson Second: Harry Alexander Status: Passed

1. Public Hearing for Case #2952 – Breck Hines has filed a request for a Variance from Section 2.6.5.1 Traditional Neighborhood Residential – Sideyard Setback, Minimum for property located at 601 W Tyler Avenue (PPIN #18277)
2. Public Hearing for Case #2953 - Capstone Development, LLC (Mac Monteith) has filed a request for Site Plan Approval for 'Sherwin Williams – Colonnade Crossing' for property located at 1681 James Kimmons Drive (PPIN #41180)

#### E. **Public Hearings**

1. Public Hearing for Case #2905 – Betty Jane Gary has filed a request for Preliminary and Final Plat Approval for 'Gary Subdivision' for property located at 703 Lincoln Ave. (PPIN #8399) (TABLED FROM NOVEMBER)(**POSTPONED**)
2. Public Hearing for Case #2954 – Sumner Abraham has filed requests for a) a Variance from Section 2.6.3 Traditional Estate Residential – Front Yard Build-to Line, Maximum and b) a Variance from Section 5.8.3.1 Neighborhood Conservation District Standards - Submittal Elements, Required for property located at 201 Longest Road (PPIN #5339)

Benjamin Requet presented on behalf of the city.

**Planning Comments:** The subject property is located at the corner of Longest and Cullen Roads, the lot measures a little over a half an acre and it is located in the Neighborhood Conservation Overlay District. The applicant is working with an architect on a renovation to the existing home, however, the proposal does require two variances from the Neighborhood Conservation Overlay District standards.

A) A Variance from the Front Yard Build-To Line Requirements. The proposed building site sits in the Neighborhood Conservation Overlay, where the Front Yard setbacks are determined by the Director of Planning using the unique characteristics of the street and reflecting the established pattern of setbacks in the neighborhood as specified in Section 5.8.4.4 of the Land Development Code. The Front Yard setback is determined by the neighboring properties and the proposed building must sit no further back from the street or closer to the street than the adjacent properties. The home located at the subject property currently measures approximately 72'9" from the curb of Longest Road and it is currently the closest home on the north side of street. The adjacent home measures approximately 78'6". In this instance, the applicant is proposing an addition to the front of the home that would bring it 5'7" closer to Longest Road. The applicant states that the owners and designers are trying to keep the original elements of the 1950's modern ranch style, and the existing topography and this site being a corner lot with two front yard setbacks prevent expansion on the east and west sides of the home. The application notes that many of the homes on the south side of Longest are closer to the street than the subject property, and they all are less than 70' from the curb of the road. The application also provides letters of support from many neighboring and nearby residents.

**Recommendation:** Staff recommends denial of the variance. The Commission may find it appropriate to approve the variance due to the design of the proposed new building, and because only the front porch will encroach into the setback. Should the Commission choose to approve the variance, Staff recommends approval with the following condition: 1. That the variance is for this plan as submitted.

B) A Variance from the Architectural Requirements of the NCOD. The Neighborhood Conservation Overlay District (NCOD) was established to preserve and protect the development patterns and the architectural styles of many of the neighborhoods near the City of Oxford Courthouse Square. Some of the areas in the NCOD are located in Oxford's local historic district and those properties are subject to the City's design guidelines and review by the Commission. In this instance, the applicants are proposing modifications and additions to the existing home. The proposal indicates the home will have a similar architectural style and presence from Longest Road. The owners and designers are trying to keep the original elements of the 1950's ranch style home but the lot parameters and constraints are unique and don't lend well to traditional expansion without losing the existing character of the home. The rear portions of the home do have a more modern architectural style that is different than the style of homes in the surrounding neighborhood. The rear elevations will likely not be visible from Longest Road, but it will be partially visible from Cullen Road although in the Spring, Summer and early Fall, the existing vegetation will minimize visibility from this street. Staff is not opposed to the design especially because it presents itself as a

1950's ranch style home towards Longest Road; however, it is considerably different than anything else that has been proposed in the NCOD. Therefore, Staff recommended that the applicant seek approval from the Planning Commission. The application provides letters of support from 16 households that are neighbor or that are nearby this property.

**Recommendation:** The subject property is located on a corner lot but the existing and proposed home will front primarily towards Longest Road with a 1950's ranch architectural style. The more modern architectural style will be located at the rear of the property and minimally visible but the second front yard towards Cullen Road does present a hardship. Therefore, Staff is supportive of the requested variance from the Neighborhood Conservation Overlay District design requirements in this particular instance. Staff recommends approval of the request with the following condition: 1. That the variance is for this plan as submitted.

**Summary of discussion:** Commissioner Milam asked about the continuity of the homes next to each other vs the homes across the street. Requet responded that keeping with the rhythm of the neighborhood is important and added that balancing the homes in the neighborhood may not be directly next to each other. Roy Decker, the architect was present on behalf of the applicant and commented he intends to develop this home with the conservation overlay in mind. He continued to add the request would allow the applicant to build a porch and utilize the front yard along with an additional bedroom. Decker added that this home will mirror with the home across the intersection to match the setback lines and the design will be consistent with the style already established in this neighborhood. With no further questions or comments Chairman Rigby asked for a motion to approve with staff conditions.

A- granted all in favor

B- granted all in favor

Move: Harry Alexander Second: Michael Johnson Status: Passed

3. Public Hearing for Case #2955– Oxford Commons Lots, LLC (David Blackburn) has filed a request for Final Plat Approval for 'The Oaks Phases 1, 2, 3, 7, 9, 11, 12 & 18' for property located at 875 F.D. "Buddy" East Parkway (PPIN #4502)

Robert Baxter presented on behalf of the city.

**Planning Comments:** This request is for a final plat for several phases of the Oaks at Oxford Commons. These phases of the subdivision are located in the Oxford Commons PUD on the east side of the power cut on an extension of F.D. Buddy East Parkway south of the previously approved final plats for phases 8, 19 & 27. The proposed phases would be +/- 36.88 acres with 55 lots sized between 0.165 acres and 0.62 acres with areas that are designated for conservation. The proposed lots comply with the dimensional requirements of the underlying zoning and the density is appropriate to this area of the PUD. This phase is in Tract N of the PUD and is allotted 386 lots. 305 lots will remain in Tract N if this plat is approved. Tree mitigation and open space is governed by the 2016 Tree Mitigation Variance and 2019 PUD plan that requires at least 14% land preserved for tree mitigation as well as at least 20% open space. Areas are indicated for conservation and open space on the plat. These areas will require an update of the approved Tracking Spreadsheet to indicate the location of the area to be dedicated, its size, how it is to be conserved, and whether it is to also be considered part of the Tree Mitigation requirements.

**Engineering Comments:** As discussed in Case 2946 and Case 2947, a bond for the infrastructure in the Oaks Phases 1, 2, 3, 9, 11, 12 & 18 was provided in order for the Final Plat for Phase 8, 19 and 27 to be granted approval. Construction of this infrastructure is a key part of access for Phases 7, 8, 19, and 27, which were considered for Final Plat as part of Case 2947. This roadway extension will be the primary means of access to those lots and

therefore a bond was required for the construction of the roadway in advance of the Final Plat. This bond will remain in place until the infrastructure has been accepted by the City and a warranty bond is provided.

### Access and Streets

As noted in Case 2946 and 2947, access to these phases will be by a proposed connection to an extension of FD "Buddy" East Parkway at its current northern terminus, which will be approved as part of the approval of the construction plans. The current plans do not provide detail of this intersection but two lots remain as "Future lots" at the intersection of the extension of FD "Buddy" East Parkway and Sisk Avenue to allow space for a possible future traffic signal or roundabout. Construction plans for the intersection improvements remain to be approved at this time. A secondary access via the easterly leg of Lakewood Hills Drive was previously planned but is not anticipated for connection at this time, which changes the traffic patterns in the area. An updated traffic impact study is required to determine the impacts of changes proposed and any improvements required. This will be provided prior to approval of future phases. Anticipated results from a traffic impact study are the construction of a roundabout or traffic signal at the intersection of FD "Buddy" East and Sisk Avenue.

Secondary access for these phases is proposed by extension of public streets to existing streets as well. Emergency access will be via a "temporary" crushed stone extension of FD "Buddy" East Parkway which will be paved and extended further at some point in the future. An easement is required for this emergency access as it will be necessary going forward. An access easement to the City and public needs to be granted at the temporary terminus for Berkshire and the two unnamed stubs to ensure that the public has access to the temporary turn arounds, as required for temporary dead end streets. These turnarounds need to be shown on the plat and the easements noted. The plat needs to be updated to more clearly indicate that the private alley behind Lots 70-79 is not considered public Right-of-way and to provide the required and customary notes regarding ownership of stormwater detention. The plat needs to show the ownership status of the detention areas clearly on the plat to avoid future sale of these areas or abandonment. The construction plans also need to include typical sections for the dedicated roadways for approval. Storm drain infrastructure within the subdivision remains for review. The plat needs to plainly show all storm drains within private property or common areas and indicate the ownership (private). Additional junction boxes, accessible from the surface, or additional easements are necessary in those areas where the storm drain is proposed adjacent and parallel to the Right-of-way limits to ensure the City's ability to maintain the infrastructure. The intersection of Lakewood Hill Drive (likely to be renamed) and Berkshire will be reworked as needed to improve the angle of intersection and ensure no conflict with storm drain inlets and ADA compliant curb cuts in all directions.

### Water and Sewer

Water and sewer will be provided to the development via connections to existing water and sewer mains which will be approved by Engineering. The review of these plans has not been completed at the time of this report and changes are possible. These changes will not impact the form or function of the proposed plat and are not caused to delay approval. A portion of the sewer line is shown crossing the ditch rather than remaining in the roadway and this needs to be updated so that the sewer remains within the right-of-way. The construction plans are not yet approved but any changes required should not impact the essential form and function of the proposed lots.

## Storm Water

Stormwater management for the development will be provided through two new detention basins located within the new phases and one detention basin previously approved as part of Phases 19 and 27. A “temporary” detention basin was previously approved as part of Phase 7 and is located on lot 14. This detention basin is intended to be abandoned following the approval of the stormwater management plan for Phases 1,2, 3,7,9,11,12, and 18. The modeling required for Phases 1,2, 3,7,9,11,12, and 18 is more complicated due to the presence of an un-named blue line stream that separates the phases. It will require incorporating upstream areas that contribute flow to the stream while establishing baseline flow rates for the stream within the phases being developed. The goal of the modeling is to demonstrate that the development of these phases does not increase flow rates above the baseline flow rates. There have been extensive discussions regarding the modeling approach and framework. If the modeling results show the proposed ponds are not adequately sized, additional space may be required from existing or proposed lots or an alternate design will be required. For this reason, approval of the stormwater management plan shall be a condition of approval before the Board of Alderman hears the case.

**Recommendation:** Staff recommends approval of the requested Final Plat for ‘The Oaks Phases 1, 2, 3, 7, 9, 11, 12 & 18’ with the following conditions:

1. Approval of ‘The Oaks at Oxford Commons, Phases 1, 2, 3, 7, 9, 11, 12 & 18’ by the Mayor and Board of Aldermen. (Planning)
2. Covenants shall be provided to the Planning Department prior to the issuance of permits. (Planning)
3. Approval is for the plan as submitted. (Planning)
4. MSDOH and MDEQ approvals for water and sewer designs submitted to Engineering. (Engineering)
5. A Performance bond will be required (bond received as of the time of this report). (Engineering)
6. Final approval of the construction drawings and stormwater management plan required prior to the installation of any water, sewer or storm drain infrastructure or sale of any water or sewer taps. (Engineering)
7. Prior to the request for Final Plat being heard by the Board, the stormwater management plan must be approved. (Engineering)
8. Prior to the request for Final Plat being heard by the Board, all requested notes and corrections must be made to the Final Plat. (Engineering)
9. A traffic impact study at the intersection of FD Buddy East and Sisk will be required that includes this development if a connection to Lakewood Hill Drive is not made. (Engineering)

**Summary of discussion:** Commissioner Milam asked why a plat needs approval prior to access and storm water being approved. Reanna Mayoral, explained the timeline of the engineering department and reassured the commission that approving this plat would not negatively affect the continuation of this development. She added that the history of the commons tracks with this phase and the developer is establishing new access points. This

storm water management is one of the most complicated analyses seen and requires a deeper look and working closely with the other engineers. Commissioner Murphy asked about the bonds and how the amount is established. Reanna replied it is estimated value and agreed upon between the parties. With no further discussion Chairman Rigby asked for a motion to approve with staff conditions.

All in favor

Move: Joseph Murphy Second: Harry Alexander Status: Passed

4. Public Hearing for Case #2956 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Special Exception as provided in Section 2.6.5 Neighborhood Residential – First Floor Residential for property located at 2101 Anderson Road (PPIN #6735)

Kate Kenwright presented do behalf of the city.

**Planning Comments:**

The applicant seeks a special exception to allow for ground floor residential space in a small part of the Meadow Crest development. The majority of the development is zoned as Neighborhood Residential, while a small portion of the southwest corner of the development is zoned Traditional Neighborhood Business. The applicant claims that, due to the irregular shape of the Traditional Neighborhood Business zoned property, it would not be practical to utilize as commercial space. Staff finds this request appropriate, and granting this request will not adversely affect the public interest.

**Recommendation:**

Staff recommends approval of the Special Exception.

**Summary of Discussion:** With no questions or comments from the audience or commission Chairman Rigby asked for a motion to approve.

All in favor.

Move: Michael Johnson Second: David Spragins Status: Passed

5. Public Hearing for Case #2957 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Site Plan Approval for 'Meadow Crest Condominiums' for property located at 2101 Anderson Road (PPIN #6735)

Kate Kenwright presented on behalf of the city.

**Planning Comments:** The subject property is +/- 8 acres and is primarily zoned Neighborhood Residential, with a small sliver of the property zoned Traditional Neighborhood Business. The applicant seeks a Special Exception to allow for ground-floor residential in the portion of the site zoned Traditional Neighborhood Business (Case #2956). The applicant proposes to construct 72 residential dwellings, with 18 detached units and 54 attached units. Attached units vary in size from duplexes to five-plexes. As 9 units per acre are allowed in this zoning district, the 72 units proposed comply with this requirement.

Use and Parking Requirements The use of ground floor residential in a TNB district requires a Special Exception, which the subject of Case #2956. Townhouses do require a special use in the Neighborhood Residential District. The development proposal requires a total 204 parking spaces and the development complies with this requirement and the 25% maximum by providing a total of 255 spaces.

Coverage

The Neighborhood Residential district allows for 60% lot coverage and 53.08% is proposed

with this development.

**Other Review Elements** • Architecture and Building Materials — The proposed materials: brick and siding, asphalt shingle roofs, etc. are acceptable under the requirements of the Land Development Code. • Sidewalks and Connectivity — The plan includes sidewalks connecting the proposed dwellings and to connect and provide access to neighboring properties. • Landscaping & Tree Mitigation — A landscaping package is included that indicates frontage and parking lot trees, and edge and foundation plantings. Staff has requested a few minor modifications to the landscaping plan and a condition of approval related to this is reflected in our recommendation. The proposal indicates a considerable amount of the trees on site will be removed with this development. A total of 325 – 2” caliper trees are required to be mitigated in this instance. The developer is proposing to plant 90 mitigation trees on-site but the developer will pay into the tree escrow account for the remaining 235 trees.

**Engineering Comments:** Access will be from Anderson Road with a new driveway located across from an existing curb cut. A traffic impact study was not required due to the number of units proposed. There is existing sidewalk along this portion of Anderson Road. When the existing driveway is removed, curb and sidewalk will be restored in this area as well. Stormwater will be managed by conveying water from privately owned and maintained storm drain pipes into a surface detention pond. The detention pond will discharge on site more than 40’ from the property line into an existing drainage ditch. Additional measures may be necessary to ensure that the discharge is managed in a way that does not erode or cut into the channel due to the velocity of the water leaving the site. The stormwater management plan has not yet been approved but is anticipated to be approved with some technical changes. Water service will be provided via an 8” water main that will be owned and maintained by the City. An easement will be required. Due to the proximity of the water main between a detention pond and a retaining wall, an indemnity agreement will also be required. Additional water valves are required on each of the detention pond so that the water main can be closed quickly while maintaining service in the event of a leak in this area. Sanitary sewer will be provided via a combination of privately owned and maintained gravity sewer lines, pressurized force main sewer lines, and a small lift station that discharge into a City manhole. The City manhole needs to be lined to protect the interior from sewer gases.

**Recommendation:**

1. Approval is for the plan as submitted (Planning)
2. Prior to the issuance of a Certificate of Occupancy, an easement for the water line shall be provided.
3. Prior to the issuance of building permits, water easements shall be shown on the plans.
4. Sewer lines shall be noted on the plans as privately owned and maintained.
5. Prior to the sale of water and sewer taps, the stormwater management plan must be approved.
6. Prior to the issuance of a Certificate of Occupancy, an indemnity agreement shall be provided to the City.

**Summary of discussion:** Commissioner Alexander asked if widening the road is an option. Reanna Mayoral replied that an additional right of way would be needed and widening Anderson Road is not in the immediate plans. Chairman Rigby asked when a traffic impact study would be triggered. Reanna Mayoral responded that a traffic study is based on the number of units, and this does not qualify, however an engineer can require a study. Commissioner Milam asked if a buffer is being built. Ben Requet replied that the applicant is at the minimum build to line, so a buffer is not required. Commissioner Murphy asked about the city looking at traffic in this area. Mayoral responded that she has had many conversations regarding zoning and code and setbacks and where traffic will be with various departments. She added that the department is working on the streets that identified as



needing improvements and securing the funding for a long-range plan. Chairman Rigby added there is general concern for maximum density allowed in zone and traffic flow. With no further questions or comments Chairman Rigby asked for a motion to approve with staff conditions.

All in favor.

Move: David Spragins Second: Joseph Murphy Status: Passed

6. Public Hearing for Case #2958 – Andy Callicut has filed requests for a) a Special Exception as provided in Section 2.6.7 Traditional Neighborhood Business – First Floor Residential and b) a Special Exception as provided in Section 3.5.1.2.c Dwellings Detached - Districts Permitted for property located on Oxford Way West of the Archive (PPIN #34543)

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is located northwest of the roundabout on Oxford Way, just west of the Archive. The parcel is +/- 12.1 acres mostly zoned NR, with the southeast corner (+/- 0.74 acres) being zoned TNB. The applicant is proposing to construct a housing development similar to the Stillwater development with 75 attached and 28 detached units. The Site Plan is currently under review by the Site Plan Review Committee. These two requests are to facilitate this site plan.

**a) Special Exception as provided in Section 2.6.7 Traditional Neighborhood Business First Floor Residential:** As stated above, the southeast corner of the property is located in a TNB district. The use of ground floor residential in a TNB district is a Special Exception. While Staff believes this is an appropriate location for ground floor residential, Staff would like to see the other corners of the roundabout developed in a commercial manner. The current site plan calls for 15, 3-bedroom units. Residential density is calculated at 39 bedrooms per acre in the TNB. At 0.74 acres, 9, 3-bedroom units is the most that could be constructed. This comment has been relayed by the Site Plan Review Committee and the applicant will need to address it during a subsequent submittal. This discrepancy in density does not change Staff's opinion that this is an appropriate location for ground floor residential.

**Recommendation:** Staff recommends approval of the requested Special Exception with the finding the use of ground floor residential at this location will not harm the public interest, with the following conditions: 1. Approval is for the plan as submitted subject to necessary changes per the Site Plan Review Committee.

**b) Special Exception as provided in Section 3.5.1.2.c Dwellings Detached - Districts Permitted:** The use of detached dwellings in NR is a Special Exception when proposed with more than 3 bedrooms. In this instance the applicant is proposing 28 detached units, all of which are 4-bedroom. This is a very similar style development to Stillwater where 4-bedroom units were approved in November 2022 (Case #2908). Parking for these units will be handled with a combination of garage and driveways.

**Recommendation:** Staff recommends approval of the requested Special Exception with the finding the use of 4-bedroom units at this location will not harm the public interest, with the following conditions: 1. Approval is for the plan as submitted subject to necessary changes per the Site Plan Review Committee.

**Summary of discussion:** Commissioner Milam asked if the commission had the authority to make a condition to sell the lot as commercial. Ben Requet responded that the

commission could make a such condition and that having flexibility in the use of the lot can be referenced if the applicant comes back for a future request. Commissioner Ridell expressed concerned about the traffic on South Lamar and lack of commercial businesses causing the roads to get worse in the future. Commissioner Milam added that the density is a concern despite being allowed, and asked if the commission can put a limit on the number of units or residential uses. Requet responded that the commission has authority to deny the special exception, leaving the development to be used for other purposes. Commissioner Riddell mentioned the number of these special exceptions granted in this general area and it is preventing businesses, other than doctor's office from moving in. Joey Moore was present on behalf of applicant and stated that he and the property owner have had difficulty on marketing to businesses to move in.

Michael Johnson asked if you left that corner out what would that look like? Moore replied they would leave the units in the back and try to find a use for that corner. With no further questions or comments Chairman Rigby asked for a motion to approve with staff conditions.

A- Milam, Ridell, Rigby, Alexander and Spragins for  
Johnson and Murphy against.

B- All in favor

Move: Judy Riddell Second: Kirk Milam Status: Passed

7. Public Hearing for Case #2959– Larry McAlexander has filed a request for Preliminary and Final Plat approval for '6 West Properties, Phase I' for property located at Highway 6 eastbound east of Thacker Loop (PPIN #7686)

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is a +/- 1.25-acre portion of the parent parcel from which the 'GoShine Express Car Wash Subdivision' was created on the south side of Highway 6. This request is for another single-lot subdivision to facilitate a future development. No plans have been received for any development on this property. The proposed lot meets the dimensional requirements of the underlying zoning. Subdivision covenants have not yet been received and will be required prior to the issuance of permits.

**Engineering Comments:** Staff's opinion is that access for the site should be taken from Howell Loop. The Mississippi Department of Transportation controls and determines access to Highway 6 and may or may not grant access to the site. If access is taken from Highway 6, a shared access frontage road should be constructed with easements provided to adjacent properties. Cross access easements should be provided regardless of where access is taken or if a frontage road is constructed. Though access can be decided during site plan review, cross access easements should be established at this time. Water and sewer plans have not been approved at the time of this report but are easily resolved. Water service is proposed through a new connection to an existing line along Highway 6 frontage but needs to be relocated to Howell Loop. The City easement along Highway 6 will not be wide enough to cover the distance between the water main and the property and therefore would require additional permitting from MDOT. Staff will continue discussions regarding where service will be provided, and this will be finalized at the time of a future site plan review and approval. Sewer service is shown through a connection to an existing sewer manhole. This connection point is approvable but additional upgrades will be required to the small lift station on Howell Loop to meet the demand of any development on the site. This will be resolved during site plan approval, but a bond may be required for the lift station upgrades. Stormwater management will be determined at the time of site plan approval. A note indicating this shall be added to the construction plans. There may be additional technical notes and corrections required for the plat prior to signature to address the access, easement, and sewer items.

**Recommendation:** Staff recommends approval of the Preliminary and Final Plat for 'Six West Properties Phase 1 Subdivision' with the following conditions:

1. Approval of the Preliminary and Final Plat for 'Six West Properties Phase 1 Subdivision' by the Mayor and Board of Aldermen. (Planning)
2. Access on Highway 6 will be determined by the Mississippi Department of Transportation. (Engineering)
3. Cross-access easements to adjacent properties are shown. (Engineering)
4. A bond for lift station upgrades may be required pending final review and approval of the sewer plans. (Engineering)
5. Additional notes and technical corrections may be required before the plat is printed for signatures. (Engineering)

**Summary of discussion:** Commissioner Murphy asked about the bond for lift station. Reanna Mayoral replied that a bond is based on size and other factors, and it may or may not be require. With no further questions or comments Chairman Rigby asked for a motion to approve with staff conditions.

All in favor.

Move: Harry Alexander Second: Michael Johnson Status: Passed

8. Public Hearing for Case #2960 – The City of Oxford has filed a request for a Variance from Section 7.2.9.8.a Freestanding Signs – Height for property located at 9 Industrial Park Drive (PPIN #16529)

Ben Requet presented on behalf of the city.

**Planning Comments:** The subject property is the City of Oxford Enterprise Center that is located on Industrial Drive, near the intersection with Highway 7 South. The site measures approximately +/- 3.5 acres and it will be the new location for the Oxford Police Department. The City of Oxford is transforming the Oxford Enterprise Center into the new home for the Oxford Police Department. In order to accomplish this transformation, the City of Oxford is working with McCarty Architects to redesign the interior space and to make a non-descript building in an industrial area into a known and recognizable building for the health, safety and welfare of the public.

The architects are trying to make the building more recognizable and due to increased cost of construction; the primary focus of the proposed work is to the interior of the building. One way to make this building easier to identify as the Police Department is to create an easily recognizable architectural element of the proposed freestanding sign on site, and to ensure that the sign is clearly visible from the road. To accomplish this, the City is requesting the ability to install larger than standard graphic freestanding sign placed close to the building, not near the road. It must be considered that the intent of this sign is not commercial advertising but for branding and easy visual identification of this important community use. The applicant believes the larger sign is needed to assist visitors and guests to easily identify the location of this building from Industrial Park Drive.

The sign proposed has just the word "POLICE" in 8'6" letters that span approximately 31'6" in length in front of the building is being proposed. This freestanding sign is two and a half feet taller than what is allowed by the Land Development Code and it is also exceeds signage area requirements by approximately 228 square feet. However, the proposed location of the

sign is more than 100 feet from the Industrial Park Drive, and the size is offset by the distance. Staff believes this makes it a visually appropriate scale for the building, and sufficiently legible from the road. That legibility is important for this public safety use.

**Recommendation:** The City respectfully asks for the Commission's consideration for this unique circumstance by granting a variance for a larger sign that is in keeping with the industrial design of the building that will assist residents and visitors with identifying the Oxford Police Department when approaching it along Industrial Park Drive. If the Commission grants the variance, Staff recommends the following conditions of approval:

1. Approval is for the design as submitted.
2. The proposal requires a variance to the sign area requirements.

**Summary of discussion:** Commissioner Alexander asked what makes it a free-standing sign. Requet responded that it is not attached to the building. There was discussion about emergency services being seen and identified from the road. Requet added the hospital was approved for a similar sign for that reason. With no questions or comments Chairman Ribgy asked for a motion to approve with staff conditions.

All in favor.

Move: Michael Johnson Second: Kirk Milam Status: Passed

9. Public Hearing for Case #2961 – Phase 5, LLC (Mac Monteith) has filed a request for a Site Plan Approval for 'The Lamar Phase 5' property located at North Lamar Boulevard inside The Lamar TND (PPIN #5067)

Ben Requet presented on behalf of the city.

**Planning Comments:** The subject property is in the Lamar TND in what was previously referred to as Phase 5. This phase contains approximately +/- 5.068 acres. Building 5A was previously considered with a site plan amendment in July of 2022 but this proposal indicates some modifications to the building and the site. The proposed site plan is for 2 multi-family buildings that both front towards Baldwin Drive. Each building consists of approximately +/- 51,723 sq/ft of occupied area and they both provide a total of 49 units (119 bedrooms per building). Both buildings are 3 stories with a basement and they comply with the overall building height of 45'. Parking requirements for TNDs are outlined in Section 2.6.13.10. Minimum parking space requirements are to serve as a guide to establishing appropriate levels of parking, but are not intended to be strictly applied. The maximum number of parking spaces for non-residential uses in a mixed-use structure shall be no more than 80% of the standard requirement, and the minimum number of spaces shall be no less than 60% of the standard requirement. Residential standards remain the same. In this instance, 252 parking spaces are required by Code for the 98 proposed residential units.

Tree mitigation will be required for portions of this phase. Originally, TNDs were exempt from tree mitigation requirements. A change to the Land Development Code in 2019 (Sec 2.6.13.13.l.i) made TNDs subject to tree mitigation requirements. The sections of The Lamar that were disturbed previous to the LDC change are exempt from mitigation requirements, while the remaining will require

mitigation. 118, 2" caliper mitigation trees will be required for this phase. The landscaping plan does not indicate any mitigation trees to be planted on-site, however, the applicant prefers to plant these trees on site or within the vicinity of this phase. A condition of approval for an updated landscaping plan be provided to staff prior to the issuance of building permits is included in the recommendation. Architectural elevations are provided for both buildings. The buildings are indicated to have primarily brick veneer, lap siding, and cementitious board. Many of the windows incorporate shutters, and each unit contains a balcony.

### **Engineering Comments:**

#### Access

The proposed development will take access from existing Baldwin Drive (public to the intersection with Sumner Court) to the south and from an unnamed private street to the north and east. The extension of Baldwin Drive will be privately owned and maintained with on-street parking. An access easement to the Public will be required as this road is a primary connector from the north to the south. This easement has been provided for similar large developments with a combination of public and private streets to ensure that the original access and traffic patterns considered in the traffic impact study and other documents are maintained over time.

#### Water and Sewer

The review of the water and sewer plans are not complete at the time of this report but any technical changes required are not anticipated to alter the form or function of the proposed development. Water is proposed via an extension of the existing 8" water main in the Lamar Phase 2 (Baldwin and Sumner Court). The current plans do not indicate an extension of water to future Phase 3 but this is anticipated to change to ensure continuity of service via a looped water feed. Ten (10') foot utility easements are required for both (each) water and sewer as the proposed streets are to be private. These are to be shown on the updated construction plans. Additional width easements are required in those places where the depth exceeds 10'. Currently, based on the depths provided on Sheet C107, fifteen (15') foot easements are required for the sewer gravity lines from: SSMH-106 to SSMH-310 SSMH-310 to SSMH-309 SSMH-309 to SSMH-312.

#### Stormwater Management

One stormwater management plan submitted for Phase 5 of the Lamar proposed modifications to the stormwater management facilities previously approved for Phase 4 of the Lamar that included the large detention basin located in the southwest corner of the subdivision. Engineering staff reviewed these modifications and determined that they would significantly alter how the now-constructed detention basin functioned. A sub-surface stormwater management system was selected as an alternative and is anticipated to be under review at the time of the meeting. The proposed alternative stormwater management design will consist of site-specific stormwater management facilities for the Phase 5

drainage area. This will be accomplished primarily with underground detention basin(s). A temporary sediment basin that was part of the Phase 4 site plan, located north of the intersection of Baldwin Drive and Summer Court, may be converted into a permanent detention basin to be included as part of the stormwater management facilities. Its conversion to a permanent detention basin was also included as part of the April submittal for Phase 5. Pending final design and approval of the subsurface detention basin(s), it may not be necessary or desired to convert the sediment basin to a permanent pond and Staff requests the ability to approve corresponding changes to the site plan to reflect the final stormwater management design. The alternative stormwater design will not require any changes to the large, existing detention basin previously approved and constructed as part of the Phase 4 stormwater management plan. Once Staff has reviewed the alternative stormwater plan, there may be additional technical questions that the design engineer shall need to address. At this time, the Stormwater Management Plan for this project has not been approved by the Engineering Department. Engineering staff does not foresee any issues with a subsurface detention system and possible conversion of a silt basin to a permanent pond that would prevent approval. The site plan and stormwater management plan will need to provide for ownership and maintenance of the system, including clear indications regarding any portion located outside of the area designated as Phase 5.

**Recommendation:** Staff recommends approval of “The Lamar, Phase 5’ with the following conditions of approval:

1. Approval is for the plan as submitted with any necessary revisions as determined by City Staff. (Planning)
2. Prior to the issuance of any building permits, an updated landscaping plan that indicates the planting of 118 2” caliper mitigation trees shall be provided to the Planning Department. (Planning)
3. Prior to the issuance of any permits, all technical details regarding the retaining walls shall be submitted to the Planning Department for review and approval. (Planning)
4. The applicant shall provide an updated site plan package to the Planning Department for The Lamar, Phase 1 to reflect the technical modifications as a result of this phase. (Planning)
5. No water or sewer taps for Phase 5 shall be issued until the stormwater management plan has been approved, including clear ownership and maintenance responsibilities. (Engineering)
6. No water or sewer taps for Phase 5 shall be issued until the construction plans have been updated with any corrections requested. (Engineering)
7. Easements for water and sewer must be provided prior to the issuance of any Certificate of Occupancy. (Engineering)
8. MSDOH and MDEQ approvals for water and sewer designs submitted to Engineering prior to issuance of a certificate of occupancy. (Engineering)

9. An access easement to the public for use of the private streets must be provided prior to the issuance of a certificate of occupancy. (Engineering)

**Summary of discussion:** Commissioner Milam asked if road Alpha was connected to Lamar? Requet replied Alpha Road brings you to the main street and main street to Lamar. Chairman Rigby asked if the conditions reflect the comments about staff shifting things around the detention pond and sediment basin. Mayoral responded yes. With no further questions or comments Chairman Rigby asked for a motion to approved with staff conditions.

All in favor.

Move: Harry Alexander Second: Michael Johnson Status: Passed

10. Adjourn

Move: Kirk Milam Second: Harry Alexander Status: Passed

If you need special assistance related to a disability, please contact the ADA Coordinator or visit the office at: 107 Courthouse Square, Oxford, MS 38655. (662) 232-2453 (Voice) or (662) 232-2300 (Voice/TTY)

## MINUTES

City of Oxford  
Planning Commission  
Planning Commission  
Monday, June 12, 2023, 5:00 pm - 8:00 pm  
City Hall Courtroom

### In-Person Attendance

Angie Gragson; Benjamin Requet; David Spragins; Harry Alexander; J.R. Rigby;  
Jaclyn Colameta; Johnathan Mizell; Joseph Murphy; Judy Riddell; Kate Kenwright;  
Kirk Milam; Paul Watkins; Robert Baxter

### Remote Attendance

Reanna Mayoral

### Not In Attendance

Michael Johnson

Notice that certain aldermen or commissioners may be included in the meeting via teleconference, subject to the City of Oxford Code of Ordinances, Section 2-82.

- A. June Planning Commission Memorandum
- B. June Legal Advertisements
  - 1. Call to Order
  - 2. Approval of the Agenda
    - Move: Harry Alexander Second: Kirk Milam Status: Passed
  - 3. Approval of minutes from the May 8, 2023 Meeting
    - Move: Kirk Milam Second: David Spragins Status: Passed
  - 4. Staff Reports
    - a. Planning Staff Report
    - b. Building Official's Report
  - 5. Map of Cases this Month

<https://coogis.maps.arcgis.com/apps/instant/sidebar/index.html?appid=ff8873ac54dc47a481c5f2c8a64d4be1>

- C. Administrative Approvals
  - 1. Case #2977-A – Aretha Powell has filed a request for a Special Use for an Accessory Dwelling Unit as authorized in Section 3.5.6 Dwellings – Accessory of the Land Development Code for property located at 101 Luther Street. (PPIN #6328) Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception (**POSTPONED**)
  - 2. Public Hearing for Case #2978-A – Billy Clark has filed a request for a Special Use for an Accessory Dwelling Unit as authorized in Section 3.5.6 Dwellings – Accessory of the Land Development Code for property located at 808 Royal Oaks Drive. (PPIN #37805) Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception



## D. Consent Agenda

Move: Harry Alexander Second: David Spragins Status: Passed

1. Public Hearing for Case #2962 – Chipotle (Joe Pegram) has filed a request for a Special Exception as provided in Section 2.6.9 Suburban Center – Front Yard Build-to Line, Maximum for property located at 702 Sisk Ave. (PPIN #27876)
2. Public Hearing for Case #2963 – Myers Apothecary (Sam Myers) has filed a request for Site Plan Approval for 'Myers Apothecary' located at Concordia Ave (PPIN #4562)
3. Public Hearing for Case #2964 – Oxford OBGYN (Michael Shields) has filed a request for Site Plan Amendment for 'Oxford OBGYN' for property located at 1204 Medical Park Drive. (PPIN #15614)
4. Public Hearing for Case #2965 – Oxford Farms, LLC (Andy Callicutt) has filed a Site Plan Amendment for 'The Landing at Oxford Farms' property located at Oxford Way (PPIN #8844)

## E. Public Hearings

1. Public Hearing for Case #2905 – Betty Jane Gary has filed a request for a Preliminary and Final Plat Approval for 'Gary Subdivision' for property located at 703 Lincoln Ave. (PPIN #8399)  
**(TABLED FROM NOVEMBER) POSTPONED**
2. Public Hearing for Case #2966 – BRB, LLC (Brian Boettler) has filed a Special Exception as provided in section 5.6.1.2 Building Façade Recess for property located at intersection of Molly Barr Road and Washington Ave (PPIN #5638)

Ben Requet presented on behalf of the city.

**Planning Comments:** The owner of the property was previously approved (2019) to construct an age-restricted multi-story (3 residential floors with ground level parking), residential common interest (RCID) development consisting of 39 dwelling units (2 and 3 bedrooms) with a total of 90 bedrooms on 1.75 acres. That site plan has since expired.

The applicant, a different developer, is proposing a similar development now known as Chelsea Lofts at Oxford; however, this proposal does not include the age restriction. The ground level, which is considered a basement level because at least 50% or more of the finished floor is less than six feet above ground level, will still provide parking for residents of the facility. The plans indicate a total of 83 parking spaces will now be provided in this area with 15 surface spaces located at the side of the building near Stone Park.

Sec. 5.6.1.3 of the development code requires that "a portion of the façade of any buildings over 3 stories in height shall step back or recess an addition 1.2 feet for every 1 foot of height above 3 stories." It further establishes that "exemption from this requirement may be requested by special exception." The exemption clause was added to address the reality that there are building sites, and sometimes preferred architectural forms, that address the underlying philosophy of the step back requirement, without a strict adherence to the form of a step back. This element of the Code was added to limit the potential for buildings (like what is now called "Uncommon Oxford" that present too "sheer" a façade to the street, creating a bulky and looming architectural presence.

The architecture proposed for Chelsea Lofts is similar to what was presented by The Barringer in that it presents varied façade treatments along the Molly Barr Road Steet frontage – punctuated by differing window shapes, recessed steel structured porches that are all open, and a flat roof that has multiple elements that offer some varied roof lines.

**Recommendation:** While this proposed façade does not step back, it does present considerable architectural variety, which breaks up the visual components into four discernable and individually attractive segments, similar to what was previously approved. Staff believes the variety presented, and the style of the design, offer sufficient adherence to the intent of the step back standard and approval is recommended.

**Summary of discussion:** - Chairman Rigby asked if anyone from the audience wished to speak or comment. Josh Bogen was present on behalf of residents of 200 Washington Avenue, he continued to express concern of aesthetic, set back line, building height and the trees on the property. Chairman Rigby explained the site plan would be looked at in the next case and cover more of these comments and asked if Ben Requet could expand. Ben replied about the building facade creating more of a setback than required and the building height allows for the additional footage of the setback proposed. Bogen continued to ask about the impact of the trees on the property. Paul Koshenina representing the application was present to answer questions. He explained that the trees will be cleared, and mitigation was not required, they do plan to retain some trees and plant additional ones as well. With no further questions or comments Chairman Rigby asked for a motion to approve.

All in favor.

Move: Harry Alexander Second: Joseph Murphy Status: Passed

3. Public Hearing for Case #2967 – BRB, LLC (Brian Boettler) has filed a request for Site Plan Approval for property 'Chelsea Lofts' located at intersection of Molly Barr Road and Washington Ave (PPIN #5638)

Ben Requet presented on behalf of the city.

**Planning Comments:** The owner of the property was previously approved (2019) to construct an age-restricted multi-story (3 residential floors with ground level parking), residential common interest (RCID) development consisting of 39 dwelling units (2 and 3 bedrooms) with a total of 90 bedrooms on 1.75 acres. That site plan has since expired.

The applicant, a different developer, is proposing a similar development now known as Chelsea Lofts at Oxford; however, this proposal does not include the age restricted. This new proposal consists of 39 dwelling units (2 and 3 bedrooms) with a total of 86 bedrooms. The ground level, which is considered a basement level because at least 50% or more of the finished floor is less than six feet above ground level, will still provide parking for residents of the facility.

#### Use and Parking Requirements

The property is zoned Suburban Multi-Family and a multi-family development is allowed by Special Use in this zoning district. The proposal complies with all of the additional standards for this use. A total of 96 parking spaces are required for this development. The proposal complies with this requirement by providing 98 parking spaces.

#### Coverage

The SMF district allows for 65% lot coverage and 64% is proposed with this development.

#### Building Height

The proposed three-story building will measure approximately +/- 39'9" in height utilizing average grade plane. The proposal complies with the height requirement.

#### Other Review Elements

- Architecture and Building Materials – The building will be constructed with a mix of brick, fiber cement panels and precast stone. Walk-out balconies will be located on the West (Molly Barr Road) and East (Stone Park) elevations. Spandrel Glass and Aluminum louvers will screen the parking on the Molly Barr elevation. Many of the storefronts along Molly Barr Road will consist of metal canopies with hanger rods.
- Sidewalks and Connectivity – Sidewalks are indicated along Molly Barr Road and Washington Avenue that provide access to the building. Vehicular access is provided from Molly Barr Road and Washington Avenue also.
- Landscaping & Tree Mitigation – The proposed landscape design meets all standards related to frontage trees, parking lot trees, and foundation plantings. Tree mitigation is not required for this proposal.

**Engineering Comments:** From an Engineering stand-point, this site plan is very similar to what was previously approved as The Barringer (Case 2459). Therefore, many of the comments are the same.

#### Traffic and Access

A traffic impact study was not required for this development. A site distance analysis is required and was provided.

#### Water and Sewer

Part of the proposed development is on property that was owned by the City and there is an existing sewer line and easement across the property. The existing sewer main will be relocated at the developer's expense. The Board of Alderman will have to vacate the easement for the abandoned portion of the sewer main. A new easement will be provided for the relocated sewer line. An 8" water main will be publicly owned and maintained up to the water meters and an easement will be required. The remainder of the water line will be privately owned and maintained as noted in the construction plans.

#### Grading and Stormwater

A privately owned and maintained retaining wall adjacent to the right-of-way will also be installed. This will replace a retaining wall that exists in part of this area. The wall cannot be located over any manholes or sewer main. The location of the driveway requires the removal of an existing median on Washington Avenue in order to allow for left turns into and out of the development. Staff does not object to this removal.

The proposed stormwater management plan for this project is essentially the same as the one submitted previously for Case #2459 – The Barringer. That stormwater management plan was never officially approved though the majority of the comments associated with that review had been addressed. Because this is a new submittal and due to the elapsed time, engineering staff did a full review. This resulted in some additional technical comments primarily related to the routing of offsite runoff through or around the site. The proposed stormwater management facility for this site is comprised of an underground basin with runoff conveyed to it through a network of drainpipes. The underground basin is located at the north end of the project site under a portion of the driveway. It connects and discharges to an existing curb inlet box on Molly Barr Road. At this time, the Stormwater Management Plan for this project has not been approved by the Engineering Department. The engineering staff does not foresee any issues with the proposed design that would prevent approval.

As a condominium, all owners must share ownership of the detention system and this must be noted in deeds and covenants.

**Recommendation:** Staff recommends approval of the Site Plan for 'Chelsea Lofts' with the following conditions of approval:

1. A Special Exception for Case #2966 shall be approved by the Planning Commission.
2. A Special Use for the multi-family development and for an RCID shall be approved by Staff prior to the issuance of any permits.
3. Approval is for the Site Plan as submitted.
4. Approval is contingent on the Board of Alderman vacating the existing sewer easement and receiving a new easement for the relocated line.
5. Approval is contingent on Engineering staff approving the stormwater management plan.
6. Approval is contingent on all owners sharing ownership of the subsurface detention system in accordance with the stormwater ordinance requirements.
7. Water and sewer taps will not be sold until the stormwater management plan is approved by Engineering staff.

**Summary of discussion:** Chairman Rigby asked the representative of the applicant to clarify the drainage. Paul Koshenina was present on behalf of the applicant and spoke about the subsurface water detention being in compliance with the code. Rigby asked about congestion specifically during school hours, Paul replied there are 2 access point of Molly Barr that should help ease traffic. During construction and post construction they plan to reduce access off of Washington. Rigby expressed concerned about site size and construction staging, Paul replied that the parking garage will be constructed first to create a larger staging area. Rigby asked if the city can control if the property is sold as rental or buy and if the city is aware of the applicants' intentions. Ben replied that we do not have control to determine if the property is a rental or a purchase home. Paul replied that the intention is to sell as a owner occupied home. With no further questions or comments Chairman Rigby asked for a motion to approve subject to staff conditions.

All in favor.

Move: Kirk Milam Second: David Spragins Status: Passed

4. Public Hearing for Case #2968 – Joe Christman has filed a request for a Special Exception provided in section 2.6.7 Traditional Neighborhood Business First Floor Residential for property located at 3809 Old Sardis Road (PPIN #14277)

Ben Requet presented on behalf of the city.

**Planning Comments:** The subject property is located on the north side of Highway 314 (Old Sardis Road near the GGPPP roundabout), it measures approximately +/- 1.621 acres and it is zoned Traditional Neighborhood Business. The applicant is requesting a Special Exception that will allow a residential neighborhood to be constructed.

According to Section 2.6.7 and Section 3.5.1.2(c), ground floor residential may be approved in the TNB district when a development of more than five dwellings is proposed. This proposal indicates a total of 14 - 3-bedroom two-story residential units, similar in size and scale to residential neighborhoods in the area like Keystone Cottages, Greystone Point, Clearbrook, etc. Two rows consisting of seven units parallel Old Sardis Road, and all units will face towards the road. This development proposal has not been submitted for review by the Site Plan Review Committee, but it indicates a total of 40 parking spaces to be provided.

Access to the site is indicated by a road that connects to the PineLake Church site. Engineering provided the following comments related to this connector road: Engineering staff met in February with the design engineer and Planning staff to discuss a connector road to PineLake church. Staff asked how the road related to the plans for a road from Highway 314 to the large scale planned development on the McAlexander property, for which Staff believed plans in some forms have existed for years. The design engineer stated that he was not familiar with those plans or that overall plan for the McAlexander property. Staff also informed the design engineer that MDOT approval would be required and that it would be important to notify MDOT of the planned connection and use of this road to a larger development so that they could be fully aware of the traffic volume, particularly in such close proximity to the roundabout. Construction plans were not provided to the City and the road was constructed without any permission from Engineering. Per Planning, construction plans for the roadway have not been provided. Therefore, Engineering staff is limited in knowledge or information to share with the Commission.

Currently, there is limited commercial opportunities in this area of Oxford. The closest retailer to this site is the Dollar General located approximately a mile from this site, followed by a neighborhood center located at McElroy and Highway 314. It is Staff's opinion that this area is ripe for commercial opportunity, especially with the mTrade Park facility. This is evidenced by several recently approved commercial developments near this site.

It is also worth noting that the owner of this property, Evergreens 314, LLC., also owns a considerable amount of property around the subject site. A considerable amount of the property is

also zoned Neighborhood Residential, and this type of development would be better suited for that location.

**Recommendation:** Staff recommends denial of this request.

**Summary of discussion:** - Chairman Rigby asked for questions or comments. Commissioner Judy Ridell asked for clarification on connection road being built. Requet replied that the staff has not received any plans or drawings of the road or drive being accessed or its intent. He continued that in the past there was discussion of adequate egress and proper development for residential neighborhoods, but this road has not been discussed. Rigby clarified that this commercial space being used as residential would impact the surrounding commercial zoning. Ben discussed how commercial development in this area ties into the vision 2037 plan of creating neighborhood centers. Joey Moore was present on behalf of the applicant; he explained the applicant is trying to keep the same use that the lot currently has. He continued to comment that the road is an existing driveway and the applicant asked if he could extend the road to PineLake, MDOT was okay with the road being constructed but the city was not able to approve the road as it was proposed to them and they had requested more information. Joey informed the applicant to not build the road until the city had approved it. The applicant extended the driveway and MDOT has authority since it is not a city road. Chairman Rigby asked if this road is going to service future development? Joey replied he was not aware of any future development being accessed by this road. Reanna Mayoral was present virtually and clarified that the city is not opposed to the road being built but they had not received the additional information they had requested to approve the road. Requet added that the staff received a phone call from a neighboring resident objecting to this request due to concern about the traffic impact. With no further questions or comments Rigby asked for a motion.

All in favor to deny.

Move: Kirk Milam Second: Harry Alexander Status: Failed

5. Public Hearing for Case #2969 – Oxford Farms, LLC (Andy Callicutt) has filed for a Preliminary Plat Approval for Oxford Farms Phase 10 property located at Oxford Way west of 'The Archive' (PPIN #34543)

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is +/- 12.05 acres located northwest of the roundabout on Oxford Way and is the site of 'The Reserve' at Oxford Farms. This request pertains to a single-lot subdivision to facilitate this phase of Oxford Farms. The single lot meets the dimensional requirements for the underlying zoning. Tree mitigation is more fully addressed with the Site Plan for 'The Reserve,' but trees removed in this phase are offset by trees retained in a portion of Phase 11 (Case #2970)

**Engineering Comments:** There has been a lack of continuity in the phase numbers within the Oxford Farms development which can contribute to confusion when phases are changed and duplicated over a long period of time. The area in consideration with this case and the related Case 2970 is part of a Preliminary and Final Plat for what was then known as Oxford Farms Phase 9 (Case 2365) approved in September 2018 by the Planning Commission and Board of Alderman. This approved plat was related to the site plan known as Aspen Heights (Case 2366, Postponed September, October, November and December 2018 and January 2019). The Engineering report comments provided to Planning for Aspen Heights noted that a bond was necessary for the Oxford Farms Phase 9 as a condition of approval. Aspen Heights did not progress to construction. At the time of this report, Staff can find no record of the above-noted and approved plat being vacated but is continuing with the report in anticipation of clarification and appropriate resolution.

There was also a previously approved grading site plan for what was then referred to as Oxford Farms Phase 10 that included the area near the intersection of Oxford Farms and Farm view. This area outside of the area currently being considered for preliminary and final plat was considered for a grading permit in Case 2625-A. This is noted here to help address some of the confusion associated with the duplication and alteration in phase numbers within the development.

This plat does not provide for the dedication of the future right-of-way and the future extension of Nicole Lane is referenced as an ingress/egress license.

There are technical corrections needed for the Preliminary Plat of Oxford Farms Phase 10 including clarification regarding what is possibly a pedestrian easement along the eastern boundary and southern boundary. There is also confusion regarding what this area becomes in the northernmost area. There appears to be a potential for an easement for a power line that was constructed to a previous structure and there may be other existing utility easements in place.

This plat is associated with the site plan for The Reserve (Case 2971), which proposes the construction of a regional detention pond that would only serve the needs of that site plan as currently designed. The narrative provided in the stormwater report notes that the pond and outlet control structure will have to be modified at the time of a future site plan on what is referred to as Phase 11 (Case 2970). Staff is reviewing the plat language provided on Sheet 2 of 2 regarding the regional detention pond and the need for any additional notes or documentation at this time. The stormwater plan submitted is also under review.

As noted in Case 2970, also being considered at this meeting, this area has been previously graded. Due to the time that has passed and the confusion related to the phasing numbers, it is unclear when a grading permit was issued to clear the area considered in this case and the related case 2970 or what the required stormwater management plan involved. It does appear that any efforts at establishing vegetative cover following the grading operations have not been successful and should be reattempted. In the event that grading is not complete, temporary grassing should still be established immediately on the area known as Phase 11 (Case 2970) on any areas that do not have substantial vegetative cover per Mississippi Department of Equality standards.

**Recommendation:** Staff recommends approval of the requested Preliminary Plat for 'Oxford Farms – Phase 10' with the following conditions

1. No permits shall be issued until the Mayor and Board of Aldermen grant approval of Oxford Farms Phase 9 being revoked.
2. Approval of the Preliminary Plat for 'Oxford Farms – Phase 11' by the Mayor and Board of Aldermen.
3. Prior to any approval by the Board, a resolution regarding the previously approved Plat referred to as Oxford Farms Phase 9 (Case 2365) must be achieved.
4. Prior to beginning any construction of the regional detention pond, substantial vegetative cover must be established on the previously graded area of Phase 11 (Case 2970).
5. Prior to any approval by the Board, any additional language required on the plat shall be provided.
6. Prior to the beginning of any construction of the regional detention pond, any additional documentation regarding the regional detention pond shall be provided.

**Summary of discussion:** Chairman J.R. Rigby began the discussion by asking Reanna Mayoral for engineering major concerns. Reanna replied that the detention pond was a concern, and more documents were needed as well as the grading which the building department has been communicating with them about. Reanna mentioned the multiple phases of this property and would like to call attention to the conditions prior to approval being motioned. An updated list of phases would be helpful to the staff also but is not a condition. Joey Moore was present on behalf of the applicant, he will speak with the surveyor to get an updated list of phase numbers. Commissioner Milam asked if parking would be finalized based on approval of this plat this plat. Joey replied that the final plat will have the parking addressed on it. Ben mentioned the previous 'Phase 9 Aspen Heights' approved will be vacated and need to go before board of alderman to make request. With no further questions or concerns Chairman Rigby asked for a motion to approve.

All in favor.

Move: David Spragins Second: Kirk Milam Status: Passed

6. Public Hearing for Case #2970 – Oxford Farms, LLC (Andy Callicutt) has filed a request for Preliminary Plat Approval for property 'Oxford Farms Subdivision Phase 11' located at Oxford Way (PPIN #7948)

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is +/- 57.66 acres located north of Oxford Way between the roundabout and the western edge of Stillwater and north of the Archive. This request pertains to a single-lot subdivision to facilitate this phase of Oxford Farms. The single lot meets the dimensional requirements for the underlying zoning.

Tree mitigation has been preliminarily addressed with tree clearing that took place for site work pertaining to the yet unnamed road that will head north from the roundabout on Oxford Way. 25% of the property surveyed as a sample and applied uniformly to the rest. For the clearing that took place, no mitigation was required. Any additional clearing or site work will require updates to the tree mitigation calculations.

**Engineering Comments:** There has been a lack of continuity in the phase numbers within the Oxford Farms development which can contribute to confusion when phases are changed and duplicated over a long period of time. The area in consideration with this case and the related Case 2969 is part of a Preliminary and Final Plat for what was then known as Oxford Farms Phase 9 (Case 2365) approved in September 2018 by the Planning Commission and Board of Alderman. This approved plat was related to the site plan known as Aspen Heights (Case 2366, Postponed September, October, November and December 2018 and January 2019). The Engineering report comments provided to Planning for Aspen Heights noted that a bond was necessary for the Oxford Farms Phase 9 as a condition of approval. Aspen Heights did not progress to construction. At the time of this report, Staff can find no record of the above-noted and approved plat being vacated but is continuing with the report in anticipation of clarification and appropriate resolution.

This plat does not provide for the dedication of the future right-of-way and the future extension of Nicole Lane is referenced as an ingress/egress license. There are technical corrections needed for the Preliminary Plat of Oxford Farms Phase 11 including the boundary description and resolution or clarification regarding what may otherwise be an area of undetermined and potentially contested property sometimes referred to as "spite strip" between the adjacent properties. The design engineer has stated that there is no stormwater plan and no construction plans at this time for this phase. This is common for commercial site plans and is not prohibited provided there is no disturbance or changes to the property until a site plan with stormwater accommodations has been approved.

At this time, the only proposed work on this area is for the construction of a regional detention pond associated with proposed construction of The Reserve (Case 2971) in Oxford Farms Phase 10 (Case 2969). Staff is reviewing the plat language provided on Sheet 2 of 2 regarding the regional detention pond and the need for any additional notes or documentation at this time.

Due to the time that has passed, and the confusion related to the phasing numbers, it is unclear when a grading permit was issued to clear the area considered in this case and the related case 2969 or what the required stormwater management plan involved. It does appear that any efforts at establishing vegetative cover following the grading operations have not been successful and should be reattempted. In the event that grading is not complete, temporary grassing should still be established immediately on any areas that do not have substantial vegetative cover per Mississippi Department of Equality standards.

**Recommendation:** Staff recommends approval of the requested Preliminary Plat for 'Oxford Farms – Phase 11' with the following conditions:

1. No permits shall be issued until the Mayor and Board of Aldermen grant approval of Oxford Farms Phase 9 being revoked.

2. Approval of the Preliminary Plat for 'Oxford Farms – Phase 11' by the Mayor and Board of Aldermen.
3. Prior to any approval by the Board, a resolution regarding the previously approved Plat referred to as Oxford Farms Phase 9 (Case 2365) must be achieved.
4. Prior to beginning any construction of the regional detention pond, substantial vegetative cover must be established on the previously graded area.
5. Prior to any approval by the Board, any additional language required on the plat shall be provided.
6. Prior to the beginning of any construction of the regional detention pond, any additional documentation regarding the regional detention pond shall be provided.

**Summary of discussion:** Having discussed this case with the previous case Chairman Rigby asked for a motion to approve subject to staff conditions.

All in favor.

Move: Kirk Milam Second: David Spragins Status: Passed

7. Public Hearing for Case #2971 – Oxford Farms, LLC (Andy Callicutt) has filed for a Site Plan Approval for 'The Reserve' property located at Oxford Way west of 'The Archive' (PPIN #34543) Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is located northwest of the roundabout on Oxford Way, just west of the Archive. The parcel is +/- 12.1 acres mostly zoned NR, with the southeast corner (+/- 0.74 acres) being zoned TNB. The applicant is proposing to construct a housing development similar to the Stillwater development with 68 attached and 28 detached units.

Use Requirements – The use of detached dwellings in NR is a Special Exception when proposed with more than 3 bedrooms and the use of ground floor residential in TNB districts requires a Special Exception. The applicant received approval for both of these requests at the May 2023 Meeting (Case #2958).

Parking – Parking for detached 4-BR units is calculated at one per bedroom plus one guest space for every three units. Parking for attached 3-BR units is calculated at 2 spaces per unit plus one guest space for every three units. Parking for attached 4-BR units is calculated at one per bedroom plus one guest space for every three units. Parking for multi-family 3-BR units is calculated at 2 spaces per unit plus one guest space for each unit. The required parking for the detached units will be handled by a combination of garages and driveways. The remaining parking required (all attached, multi-family and guest spaces) is 209 spaces. The applicant is providing 237 spaces which will provide a few spaces for the pool, though none are required by ordinance.

#### Other Review Elements

- Landscaping – A landscaping package is included that shows street trees, foundation plantings, parking lot trees and perimeter landscaping that meet LDC requirements.
- Tree Mitigation – Tree mitigation was handled in in two ways. The southern part of the site was previously cleared and did not require mitigation. The northern part was cleared with site work pertaining to the yet unnamed road that will head north from the roundabout on Oxford Way. Additional details may be found with the report for Phase 11 of Oxford Farms (Case #2970)
- Building Materials and Architecture – Building architecture will be very similar to other phases of Oxford Farms. The detached and attached residential structures will be very similar to the Stillwater development. Exterior materials will be a combination of Hardieplank siding and painted brick veneer with asphalt shingle roofing. The multi-family building will have fiber cement lap and board and batten siding and brick veneer with architectural asphalt shingle roofing.



- Signage – A separate approval will be required to ensure compliance with the signage requirements of the Land Development Code.

**Engineering Comments:** Staff has noted in related case reports 2969 and 2970 that there is some clarification necessary regarding the potential double-platting of the same property. This must be resolved for construction to proceed.

#### Access and Streets

The proposed development will take access from Oxford Way and an extension of Nicole Lane that has been included in a Tax Increment Financing (TIF) approval between the City and the Oxford Farms Development. Nicole Lane is proposed to be extended from the roundabout on Oxford Way to the North and intersect Belk Boulevard at the existing Belk Boulevard. There will also be a connection to Shiloh Drive, which will allow for a direct connection to Chucky Mullins Boulevard and the University of Mississippi recreation center and campus.

The developer and design engineer have been working to complete the construction plans for the extension of Nicole Lane to Belk. The timing of the completion of the extension is unknown at this time. A temporary turn-around will be needed at the end of the roadway until it is extended. The proposed typical section for the new Nicole Lane includes on-street parking in front of the residential units. Engineering differs from Planning in what the appropriate typical section for this roadway should be. It should be noted that the typical section as proposed does not match any within the Land Development Code and therefore may not be considered acceptable to Planning as shown. As a connector from multiple student housing developments within Oxford Farms to Old Taylor Road via Shiloh Drive and Belk Boulevard, Nicole Lane is anticipated to carry a high volume of traffic, particularly students. Engineering does not believe this particular section of roadway is appropriate for on-street parking, particularly when the residents who will be using the parking are primarily students and will be exiting their vehicles at all hours of the day and night. The additional width would be better served to provide adjacent bike lanes and a verge, or green space, between the sidewalk and curb.

Should the Planning Commission determine that on-street parking is appropriate, the typical section provided must be revised to eliminate the valley gutter between the travel lane and the parking space. As designed, the roadway and parking space slope towards each other creating a valley between them for the water to travel rather than in the curb and gutter. This will result in excessive wear and degradation of the pavement as it will be difficult to construct the proper pavement joint in the valley. Furthermore, the valley will hold water and could result in flooding of the adjacent travel lane during heavy rain storms, which are frequent in Oxford. This will result in unsafe driving conditions and potentially unsafe conditions for those parking adjacent to the pavement. The travel lane and parking should each slope away from the center of the roadway on the same 2% slope.

The typical section may also need to be changed to provide for a green space, or verge, between the sidewalk and the parking space or a wider sidewalk. This will possibly require the dedication of additional right-of-way if on-street parking is maintained. Street lights will be required and additional lighting (closer spacing along the lines of 1/2 to 1/3 the standard City street light spacing) should be provided in the event that on-street parking is permitted. All sidewalks, including the pedestrian paths at driveway entrances, must meet ADA requirements for both cross-slope and longitudinal slope.

The construction plans currently reflect the use of Nyloplast inlets for curb inlets. The City does not permit the use of Nyloplast inlets in City infrastructure and this will have to be revised. Any other details that are not in compliance with City standards will also require revision, whether noted or not. An additional inlet structure outside of right-of-way will likely be required at CI-12 to address the necessary drop in elevation to convey water from the street inlet to the detention pond. Given the proposed location of a regional detention pond immediately adjacent to the roadway, there is not sufficient space for the City to maintain an inlet that is 10' deep, particularly when the additional depth is for the benefit of transmitting the stormwater to the regional detention pond.

#### Water and Sewer

The plan proposed extending an 8" water main along the proposed Nicole Lane. The location of the

water line will have to be adjusted if on-street parking is permitted so that the water main is not located under the parking areas. The water main within the site is shown as private yet there are water meters beyond the private line. If the water line is to remain private, the water meters must be located at the right-of-way. If the water line is to be dedicated to the City, an easement must be shown and a written easement provided.

There is not currently a sewer line shown within the roadway of Nicole Lane but this will be required in order to provide future sewer services to future developments along this roadway. The extension of water and sewer is a requirement of new roadways unless alternate, approved means for transmitting sewer through an area are approved. A comprehensive plan for how sewer will be provided in the area should be provided to Staff for approval if sewer within the street is not advisable. There is a private 4" sewer force main that will be located outside of the right-of way, although it is currently shown located within the right-of-way. This force main connects a private lift station to an existing sewer manhole on Oxford Way. The private lift station is located in the front facing Nicole Lane and Planning may require landscaping or other measures.

### Stormwater Management

The design engineer proposes a regional detention pond to be located off site and across the roadway. The use of a regional detention pond requires particular documentation that has yet to be provided to staff. The plan provided is under review at this time and all necessary supporting documents will be reviewed once they are provided. The proposed regional pond is not currently designed to manage any stormwater from the lot that it is located on. The design engineer has noted in the narrative that the pond will be expanded in the future as needed.

**Recommendation:** Staff recommends approval of the requested Site Plan for 'The Reserve at Oxford Farms' with the following conditions:

1. Approval is for the plan as submitted subject to necessary corrections per the Site Plan Review Committee. (Planning)
2. Approval is contingent on approval of Case #2969 by the Mayor and Board of Aldermen. (Planning)
3. The Planning Commission will specify the street type to be applied (whether on-street parking is permitted or not). The construction plans will then be updated as necessary to reflect all necessary changes associated with the approved street type. (Engineering)
4. Approval is contingent on resolution or clarification regarding the plats and an appropriate Final Plat being approved for both Phase 10 and Phase 11. (Engineering)
5. Prior to the sale of water taps or issuance of building permits, the stormwater plan must be approved and all necessary documents provided. (Engineering)
6. Prior to the sale of water taps or issuance of building permits, all requested corrections must be made to the construction plans. (Engineering)
7. Prior to the receipt of a Certificate of Occupancy for any building, all easements must be provided to the City if the water main within the development is to be maintained by the City. (Engineering)

**Summary of discussion:** Commissioner Milam began the discussion with concerned about street parking and asked if there is another option. Joey replied that they have sufficient parking and that the on-street parking is intended for a guest space and keeps with the consistency of the neighborhood. Commissioner Judy Riddell ask what will happen to the property across the street. Joey Moore replied that it is zoned residential, will look similar to what is being proposed, houses facing the street and behind detached and attached homes. Chairman Rigby clarified that Nicole Lane will eventually be used as conduit to Belk and Old Taylor. Ben asked Joey to confirm the west

side of road, or a multi-use path on that road. Joey replied that the applicant, the city and the hospital are discussing ways to widen the road, pedestrian access will go as far as the city will allow. Commissioner Murphy asked if streetlights will be a part of the plan. Joey responded that yes, they will. Chairman Rigby asked for a motion to approve with a recommendation on condition number 3. Commissioner Milam proposed approval with the road and parking as is, subject to approval of a site plan of development on the east side of Nicole Lane. Chairman Rigby asked if all of Nicole Lane is within this property, Joey replied that Nicole Lane will be a designated city right of way and added that he does not have a time frame on development of the east side just yet but intended to be planning in the next few months. Chairman Rigby gave Joey a chance to speak on this site plan being held up based on the proposed condition, Joey responded that the applicant would like to get started as soon as possible with development. Chairman Rigby clarified the motion to approve with the added condition. Commissioner Riddell asked if the applicant could remove the street parking, Chairman Rigby replied that the applicant would need to come back to the commission if they chose to remove the street parking. With no further questions or comments Chairman Rigby asked for a motion.

J.R. Rigby opposed.

Milam, Alexander, Riddell, Spragins and Murphy for.

Move: Kirk Milam Second: Harry Alexander Status: Passed

8. Public Hearing for Case #2972– Callicutt Land, LLC (Andy Callicutt) has filed a Special Exception as provided in section 2.6.7 Building Height for property located at 1105 North Lamar Boulevard (PPIN #5108).

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is located on North Lamar Boulevard Just south of Dollar General. The property is zoned Traditional Neighborhood Business, it measures approximately +/- 1.14 acres and was previously developed with a detached residence. The site has a steep drop in elevation from east to west. The applicant was previously approved for a 3-story storage facility with office space with a single basement at this site (Case #2934). The applicant has returned to request the ability to add another basement. A site plan amendment has been received and is the subject of another report (Case 2974).

This report pertains to a Special Exception to allow for a 4th story and up to 50' of building height. In adding the additional basement, the average grade plane of the site was increased over 40' to 47'-7", necessitating this request. The building will still present to North Lamar as a 3-story building and the front elevation is practically unchanged. The rear of this building will have an additional +/- 10.5 feet of visible building façade at the west corner, where much of this height differential was previously accounted for with a retaining wall.

The applicant states that "this would keep the harmony of the neighborhood as it will match the previously approved site plan from the street. Previously, a large retaining wall was located at the rear of the building to accommodate the existing terrain. By adding another level below, the retaining wall will reduce in height. All other aspects of the site, including front building height, parking, and stormwater detention will remain the same as previously approved."

It is Staff's opinion that because very little with the building will change, especially with the front façade, that this is a reasonable request.

**Recommendation:** Staff recommends approval of the requested Special Exception with the finding that the requested increase in floors and feet will not adversely affect the public interest with the following conditions:

1. Approval is for the plan as submitted, subject to necessary revisions per the Site Plan Review Committee.

**Summary of discussion:** Commissioner Harry Alexander asked what the height of the building is

from the street. Ben Requet replied 33 ft. Commissioner Milam asked what happen during construction to ask for this exception. Joey Moore was present on behalf of the applicant and replied that the grading and a 12 ft retaining wall contributed to the back of the building being higher than planned. He continued to add that adding a second floor in the basement would lower the building and a shorter retaining wall in back would allow the building to look identical to the original plans. With no further questions or comments Chairman Rigby asked for a motion to approve.

All in favor.

Move: Joseph Murphy Second: Kirk Milam Status: Passed

9. Public Hearing for Case #2973 – Callicutt Land, LLC (Andy Callicutt) has filed a Site Plan Amendment for 'North Lamar Storage' for property located at 1105 North Lamar Boulevard (PPIN #5108).

Robert Baxter presented on behalf of the city.

**Planning Comments:** The subject property is located on North Lamar Boulevard Just south of Dollar General. The property is zoned Traditional Neighborhood Business, it measures approximately +/- 1.14 acres and was previously developed with a detached residence. The site has a steep drop in elevation from east to west. The applicant was previously approved for a 3-story storage facility with office space with a single basement at this site (Case #2934). The applicant has returned to request the ability to add another basement.

Use Requirements – A Self-Storage Facility is allowed by Special Exception as part of a mixed-use commercial building. A Special Exception for the use of a Self-Storage Facility in a TNB district was approved in June 2022 (Case #2787).

Parking – The Code requires four parking spaces to be provided near the leasing office. Additionally, the office area on the third floor requires two additional parking spaces. 5 spaces have been provided on site and the applicant requested an administrative reduction as provided in Section 4.9.2.1 for a mixed-use development. This request was approved by the Planning Director on February 6, 2023.

#### Other Review Elements

- Landscaping – The proposed site plan includes foundation plantings along the front and edge landscaping around the sides of the building. The rear of the building requires a 50' buffer as it abuts an area zoned primarily for residential. The frontage trees proposed comply with the regulations of the land development code. The parking lot trees will need to be replaced with a different species as Lacebark Elm is no longer a recommended species.

During sitework from the previous approval, the buffer was cleared of nearly all vegetation. A year-round visual screen is needed at this site due to the height differential between the building and the residences to the west. The landscaping plan shows trees and shrubs that would provide some coverage in the buffer, though most of the species selected are deciduous and generally slow-growing. A mix of more evergreen plantings as well as those that will provide height and screening are needed, though Staff recognizes that little will screen a building whose tallest point is roughly 75' above the lowest grade.

- Building Height – The proposed building includes four-stories with a basement, and the building height is 47'7", which requires a Special Exception. That request is the subject of Case #2973.

- Building Materials – Building materials are unchanged from the previous Site Plan Approval. The southeast elevation presents an attractive façade that will provide a storefront towards the street. The proposed materials for these façades will be a combination of brick, stucco and metal panel canopies. The northeast, southwest and northwest elevations provide modest detailing with brick and stucco walls that incorporate windows, and what appears to be emergency exits in the north and south corners of the building.

**Engineering Comments:** A narrative was not provided to confirm what changes were made to this site but there do not readily appear to be changes in the water sewer access retaining walls

or sidewalk. Therefore, the comments included in Case 2934 are hereby referenced and incorporated into this report.

#### Stormwater Management

The Stormwater Management Plan for the original site plan was not officially approved. The engineering staff has had discussions with the design engineer regarding a temporary detention basin to be used for stormwater management and silt control. The Stormwater Management Plan in this submittal is missing design elements for the temporary detention basin that the engineering staff had previously agreed to.

The construction of a temporary detention basin is necessary in order to manage stormwater until the permanent detention basin can be constructed. Staff had requested a plan noting how the management of stormwater during construction would be handled. Development Services has had extensive conversations with the design engineer, owner and builder regarding the importance of preventing any additional water beyond the original conditions or sediment from flowing downstream and negatively impacting adjacent properties.

Engineering staff has provided comments that address the missing elements but the design engineer has not had time to incorporate those changes and resubmit. Staff does not foresee an issue with addressing the additional comments for the Stormwater Management Plan that would prevent approval.

**Recommendation:** Staff recommends approval of the requested Site Plan Amendment for 'North Lamar Storage with the following conditions:

1. Approval is contingent on approval of a Special Exception as provided in Section 2.6.7 Building Height (Case 2973) (Planning)
2. Approval is for the plan as submitted with necessary corrections per the Site Plan Review Committee. (Planning)
3. No permits shall be issued until an updated landscaping plan showing year-round screening and appropriate parking lot trees is submitted to the Planning Department. (Planning)
4. All Engineering Department comments related to the site plan comments be addressed and approved before the issuance of any permits. (Engineering)
5. Acceptance and approval of the Stormwater Management Plan before the issuance of any permits. (Engineering)

**Summary of discussion:** Commissioner Milam asked about the permanent storm water management. Joey Moore was present on behalf of the applicant. He responded that there is a ditch between the property lines and that would be the location for the stormwater runoff. Joey continued that the temporary detention is intended for use until the roof is built. Commissioner Joseph Murphy asked if there is a buffer, Joey replied yes. Commissioner Murphy asked about the vegetation being cleared from the property. Joey replied that the buffer has been cleared, and the applicant plans to replant and reestablish the buffer. Commissioner Milam asked who is responsible for the maintenance of the ditch. Reanna Mayoral responded that the property owner is responsible, it is not city owned. Discussion continued about the importance of the buffer. With no further questions or comments Chairman Rigby asked for a motion to approve with staff conditions.

All in favor.

Move: Harry Alexander Second: Kirk Milam Status: Passed

10. Public Hearing for Case #2974 – City of Oxford has requested a Special Exception as provided in Section 5.6.1.8 Appropriate/Inappropriate Façade for property located at 717 Molly Barr (PPIN #5519)

Kate Kenwright presented on behalf of the city.

**Planning Comments:** The City requests a Special Exception for the purposes of building a metal building to house equipment. The subject property is located at 717 Molly Barr Road, and is the site of the City shop. The City plans to construct a +/- 4,275 sf metal building. According to Section 5.6.1.8(a) of the Land Development Code, any use of metal surface as an exterior siding may be considered by special exception. There are existing metal buildings on-site, as the buildings at the City shop are utilitarian in nature.

**Recommendation:** Recognizing that the proposed building is situated quite far back from Molly Barr Road and McElroy Drive, Staff believes that the new metal building will not be visible to the general public. Staff recommends approval of the requested special exception after finding that granting the Special Exception will not harm the public interest.

**Summary of Discussion:** With no questions or comments Chairman Rigby asked for a motion to approve.

All in favor.

Move: Joseph Murphy Second: David Spragins Status: Passed

11. Public Hearing for Case #2975 – City of Oxford has filed a request for Site Plan Amendment for 'The City Shop' for property located at 717 Molly Barr (PPIN #5519)

Kate Kenwright presented on behalf of the city.

**Planning Comments:** The proposed site plan is for a metal building that is located in the rear of the City's Shop off of Molly Barr Road. The site is zoned Institutional Government.

The new building will be +/- 4,275 sf (95 ft x 45 ft) and 20 ft tall. It will consist of 5 bays. Two bays will be enclosed and heated with access through roll-up doors. Three bays will be open across the front. The enclosed portions will be used to park vacuum truck(s) or other equipment susceptible to freeze damage. The open bays will be used for storage of pipes to prevent UV damage and other equipment not susceptible to freezing.

80% lot coverage is allowable in Institutional Government districts, while 54% is proposed with the addition of the new building. New paving to go along with the addition of the building will be TrueGrid pavers, which are permeable.

The building sits outside of the required 50' buffer from Davidson Creek, which runs behind the Shop.

The building will be subject to bid procurement and the final building may differ from that shown. The size and number of bays may be reduced depending on the result of the bid process. If the site plan is significantly changed, it will be amended and brought back to the Planning Commission.

**Engineering Comments:** Sewer and Water Service

The building will not have sewer or water. It is intended for the storage of materials and equipment.

Access, Streets, and Roads

Access to the building will be from existing points of access for the Shop area. These include two driveway entrances along Molly Barr Road and a point of access off Kelly Lane.

Stormwater Management

The additions to the facility result in increased impervious cover. There is no existing stormwater management facility for the site. Stormwater management for the increase in impervious cover will be met with the use of a pervious pavement grid system. This is similar to the stormwater management used for the OUT Facility Expansion (Case #2544).

**Recommendation:** Staff recommends approval of the site plan for 'City Shop' with the following conditions:

1. Approval is for the Site Plan as submitted with necessary corrections per the Site Plan Review Committee. (Planning)

**Summary of discussion:** With no questions or comments Chairman Rigby asked for a motion to approve subject to staff condition.

All in favor.

Move: Joseph Murphy Second: Harry Alexander Status: Passed

12. Public Hearing for Case #2976 – The City of Oxford has filed a request for modifications to the Land Development Code.

Ben Requet presented on behalf of the city.

**Planning Comments:** The changes proposed address modifications to Care Homes, Care Centers, and Daycare Facilities to establish 'Daycare Facilities' as its own category and also to establish standards for them. The City of Oxford hired a consultant to evaluate the tree mitigation and landscaping requirements found in the Land Development and Municipal codes. Many of the proposed changes come as a result of that evaluation. The proposed changes went before the Ordinance Review Committee on May 2, 2023.

### **Chapter 3**

Modifications made to include Daycare Facilities, adjust districts permitted and include additional standards.

### **Chapter 5**

Modifications made to site design standards including new language to landscape standards.

### **Chapter 6**

Modifications made to include new language to better reflect content.

### **Chapter 10**

Modifications made to definitions and language.

### **Appendix (Tree Lists)**

No changes made to the tree lists, relocated to LDC from Municipal code.

### **Chapter 34 & 98**

Relocate to LDC from Municipal code for easier reference during the development process.

**Summary of Discussion:** Oxford resident Drew Stevens was present to make comments. He agrees with the redundancy in language being moved to land development code. Ben Requet added that the LDC is still municipal code. Paul Watkins spoke on the growth of the planning department and how the code is evolving, and agrees with the modification to reflect that.

All in favor.

Move: Joseph Murphy Second: David Spragins Status: Passed

13. Motion to Adjourn

Move: Joseph Murphy Second: Kirk Milam Status: Passed

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the office at: 107 Courthouse Square, Oxford, MS 38655. (662) 232-2453 (Voice) or (662) 232-2300 (Voice/TTY)