

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

If you would like to participate in this meeting, please open the attachment for the virtual meeting information.

To view the recording of this public meeting please click the link below.

[YouTube - Public Hearing](#)

#### B. January Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

- All in favor. Move: Erin Smith Second: Kirk Milam Status: Passed

##### 3. Approval of minutes from the December 9, 2024 Meeting

- All in favor. Move: Kirk Milam Second: David Spragins Status: Passed

##### 4. Staff Report

a. Planning Staff Report – The March meeting will be moved to Thursday March 6<sup>th</sup> 2025 at 5:00 pm

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

##### **D. Consent Agenda**

- All in favor Move: Erin Smith Second: David Spragins Status: Passed

6. Public Hearing for Case #3173 – Blackburn Group, LLC (David Blackburn) has filed a request for Final Plat Approval for 'The Summit, Phase 3' for property located at Ed Perry Boulevard (PPIN #4707)

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

7. Reconsideration of Case #3161 – Oxford Farms, LLC (Andy Callicutt) has filed a request for Zoning Map Amendment for property located at Oxford Way (PPIN #7984)

Mr. Ben Requet presented on behalf of the city. (Youtube video begins at 15:39 – 21:02)

**Planning Comments:** The applicant received an approval recommendation by the Planning Commission (6-1) at the November 2024 Planning Commission to rezone approximately +/-

527 acres from Suburban Residential (SR) to Suburban Multi-Family (SMF). Since that time, the request was presented to the Mayor and Board of Aldermen for consideration with a First Reading, Second Reading and Public Hearing, and a Third Reading. At the Third Reading, held on January 7, 2025, the applicant proposed modifications to the request. After a short discussion, the Mayor and Board of Aldermen requested that the revised application being provided to the Planning Commission for reconsideration at this meeting.

The applicant performed a survey of this property, which measures 50.07 acres. The applicant is now proposing that the western 32 acres be zoned Suburban Multi-Family, and the eastern 18.07 acres be zoned Neighborhood Residential.

As previously outlined in the Planning Comments from November, Staff believes that sufficient change in the character of the neighborhood and the public need exists to support this rezoning request. *November 2024 Staff Report:*

The subject property is located on the south side of Oxford Way in the Oxford Farms Development. It measures approximately +/- 52.7 acres, and it is zoned Suburban Residential (SR). The property is immediately south of The Archive, and the property to the west is the site being considered for a development known as Rise Oxford, while the property to the east is undeveloped. Currently, this property contains one existing structure, but it is mostly undeveloped. The applicant is requesting a Zoning Map Amendment to change the zoning for all +/- 52.7 acres from Suburban Residential (SR) to Suburban Multi-Family (SMF).

#### **State Requirements for Rezoning:**

The criteria to rezone property are cited in a number of Mississippi cases and are as follows:

“Before a zoning board reclassifies property from one zone to another, there must be proof either:

(1) that there was a mistake in the original zoning, or (2) (a) that the character of the neighborhood has changed to such an extent as to justify reclassification, and (b) that there was a public need for rezoning.” (Burdine v. City of Greenville, 1999).

In another case, the court stated: “Before property is reclassified, applicant seeking rezoning must prove beyond by clear and convincing evidence either that there was mistake in original zoning, or that character of neighborhood had changed to such an extent as to justify rezoning, and that public need existed for rezoning” . (City of Biloxi v. Hilbert, 1992)

Finally, Fondren North Renaissance v. Mayor and City Council of City of Jackson, 1999, stated:

“Under the “change and mistake” rule of municipal zoning, based on the presumption that the original zoning is well-planned and designed to be permanent, before a zoning board may reclassify property from one zone to another, there must be proof either: (1) that there was a mistake in the original zoning, or (2)(a) that the character of the neighborhood has changed to such an extent as to justify reclassification, and (b) that there was a public need for rezoning.

Therefore, the merits of the applicant's request for rezoning, based on the criteria established in the cited cases, is as follows:

**Change and Need:**

In the application, the applicant provided the following justifications for the change in the character of the neighborhood and the public need.

1. **Shift in Neighborhood Character:** Overtime, neighborhoods evolve, and it is crucial for zoning regulations to reflect these changes. In the case of the property in question, the character of the surrounding area has shifted substantially. The City of Oxford has recently expanded its city limits significantly in and around the area. Although the property was already within the city limits, the expansion has created a more integrated and comprehensive urban landscape. This growth necessitates an update to the zoning to ensure cohesive development and proper utilization of the newly incorporated areas.
2. **Completion of Oxford Way Construction:** Another significant factor contributing to the changed character of the neighborhood is the completion of Oxford Way and the development adjacent to roadway. Oxford Way provides a crucial east-west connection between S. Lamar Avenue and Old Taylor Road. This roadway significantly improves accessibility and traffic flow in the area, making the Oxford Farms property more viable and attractive for multi-family residential development. Rezoning the property to a higher residential density will align with the enhanced connectivity and support the increased residential demand anticipated from this new infrastructure.

The applicant also believes that there are other circumstances to justify the proposed zoning map amendment.

3. **University of Mississippi Growth:** The University of Mississippi has experienced substantial growth in recent years, increasing its student enrollment, faculty, and staff numbers. This expansion has led to a heightened demand for housing options that are conveniently located near the campus. The Oxford Farms property is ideally situated to meet this demand, providing a strategic location for multi-family residential development.
4. **Increased Enrollment and Housing Demand:** As enrollment at the University of Mississippi continues to rise, the need for nearby housing options has become more pressing. The existing housing market is struggling to keep pace with the influx of students, leading to higher rental prices and limited availability. Rezoning the Oxford Farms property to SMF will help address this shortfall by increasing the supply of housing units, thereby easing the pressure on the housing market.
5. **Proximity to Campus:** The Oxford Farms property's proximity to the University of Mississippi makes it an ideal location for suburban multi-family housing. The short commute to campus will be highly attractive to students, faculty, and staff, providing convenient and accessible

living options. This proximity supports the university community by reducing travel times and improving the overall quality of life for residents.

6. Economic and Social Benefits: The influx of university students and staff will bring economic benefits to the area, including increased local spending and job creation. The development of SMF housing will cater to this demographic, providing affordable and accessible living options. Additionally, the diverse population will contribute to the social fabric of the community, enhancing its vibrancy and inclusivity.

**Mistake:** There is no mistake in this instance.

The applicant points out that there have been changes in the character of the neighborhood partly attributed to Oxford's most recent annexation. Also noted is the completed construction of Oxford Way, which has created a needed connection between Old Taylor Road and South Lamar. This area continues to develop with housing and a mixed-use commercial center has been approved near this site. The City plans for a connection from Oxford Way to Belk Boulevard near the hospital.

This location confronts The Archive, a student housing development, and is near an area of Oxford with multi-family housing development that include Faulkner Flats, The Mark, The Domain, The Azul, and Taylor Bend.

As the community has seen over the past few years, there is considerable demand and need for housing in Oxford as the University enrollment has grown considerably since COVID. A multi-family facility at this location is in close proximity to the Ole Miss campus and could provide much needed housing for the Oxford community.

**Recommendation:** Staff believes that there is sufficient evidence of change and need to support the rezoning of this property as requested.

**Summary of Discussion:** With no questions or comments from the commission or audience a motion to recommend was made.

Move: David Spragins. Seconded: Harry Alexander Status: Passed. All in Favor.

8. Public Hearing for Case #3174 – Darrell Crawford, LLC (Darrell Crawford) has filed a request for a Special Exception as provided in section 2.6.5 Neighborhood Residential Common Interest Development for property located at 419 Van Buren Avenue (PPIN #5985)

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 21:04 – 24:18)

**Planning Comments:**

419 Van Buren Avenue is located at the intersection of Van Buren Avenue and S 5<sup>th</sup> Street.

The .34-acre property is zoned (TNR) Traditional Neighborhood Residential and is located in the South Lamar Historic District. There are three houses located on the property currently. The applicant requests a Special Exception to allow for a Residential Common Interest at the property. There are no additional units proposed at this time.

A Special Exception is required for a Residential Common Interest Development in any historic district. In this instance the situation is already existing—the three rental units are in-place and pre-date the current Land Development Code. As no additional units are planned, Staff does not object to the approval of a Residential Common Interest Development for this property.

According to Section 3.5.8.5 of the Land Development Code, common ownership documents with provisions for a property owner's association must be provided prior to final approval. Those documents are still needed for this request.

**Recommendation:** Staff recommends approval of the requested Special Exception with the following conditions:

1. Approval is for the plan as submitted.
2. A stamped recorded copy of the covenants shall be provided to the Planning Department prior to the filing of the condominium plat.

**Summary of discussion:** Commissioner Rigby asked to clarify what would rebuilding structures look like under a residential common interest development? Mr. Requet responded that this applies to the current structures on the property and that would need to go to the historic commissions for any proposed changes. With no further questions or comments from the commission or audience a motion to approved subject to staff conditions was made.

Move: Kirk Milam. Seconded: Harry Alexander. Status: Passed. All in favor.

9. Public hearing for Case #3175 – Callicutt Lands, LLC (Andy Callicutt) has filed a request for Site Plan approval for 'The Landing at Oxford Farm's property located at 3230 Landing Lane (PPIN #8903) **(POSTPONED)**
10. Public Hearing for Case #3176 – McCurdy Development, LLC (JW McCurdy) has filed a request for a Site Plan Amendment for 'Trailhead' for property located at 1016 Molly Barr Road (PPIN #5030). Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 24:25 –54:10)

**Planning Comments:** The subject property is located on the south side of Molly Barr Road, directly west of the multi-purpose Depot Trail on approximately +/- 1.46 acres. The narrow property is currently vacant and is covered with mature trees. A site plan for 'Trailhead' an RCID of 4 duplexes and 3 detached units, all 3 bedrooms was previously approved in January 2024

(Case #3028). The applicant is proposing an amendment to move unit location and change vehicular flow.

The major change is that the applicant is changing the first-floor garages to pull-through and adding a rear access alley. Additional retaining walls, re-routed trail access sidewalks and an amenity pool are also added.

A Special Exception was previously granted in October 2023 (Case #3006). The proposed plan is not significantly changed in regard to that Special Exception (building height); however, the SE is set to expire in April 2025 if a building permit has not been issued by that time.

#### Use and Parking Requirements

4-bedroom units for both attached and Detached units are Special Exceptions in NR districts. Staff has not yet received these Special Exceptions and their approval will be a condition of approval.

A total of 53 spaces are required for this project. 44 garage spaces (potentially 22 with larger cars) and 12 parking lot spaces, for a total of 56, are provided for the residential development.

An updated Special Use for an RCID for the property will be needed as a condition of approval.

The Special Exception and Variance were approved with the condition that the developer construct six parking spaces for public users of the trail. This parking is shown on the site plan and is in addition to the required parking.

#### Coverage

The NR district allows for 60% lot coverage and 59.5% is proposed with this development.

#### Building Height

The NR district allows for up to 38 feet, with a maximum of 2 stories. The proposed units will be +/-36'-6" high with 3 stories, which is allowable due to the Special Exception received by the previous applicant.

#### Other Review Elements

- **Architecture and Building Materials**— The proposed buildings feature shingle roof, standing seam metal roofing, wood balconies, fiber cement trim, and siding. The floor plans show two floors of living space above a garage.
- **Sidewalks and Connectivity** – The Special Exception was approved with the condition that sidewalk from parking to the trailhead, trailhead improvements subject to final approval by Staff that includes benches, bike racks, approximately 26' x 16' pergola trailhead structure with signage as discussed with Staff, and the sidewalk connection from CB Webb to the Depot Trail with an easement to the City of Oxford providing access to the connection by residents will be provided. Those items are shown on the site plan.

- **Landscaping & Tree Mitigation** – The proposed plans will require 3 mitigation trees. Sufficient trees are proposed on the landscape plan to account for the needed mitigation, but should be called out specifically on the plan. The landscape plan indicates sufficient plantings for foundation plantings, frontage trees, parking lot trees and screening for the retaining walls. Additional screening/buffer plantings towards the Depot Trail will be needed to satisfy the conditions of the Variance (Case #3006).

**Engineering Comments:** Trailhead is a common interest development proposed on Molly Barr Road running adjacent to the west line of the Oxford Depot Trail. Original site plan approval for the development was sought in Case #3028, January of 2024.

#### Access

The development proposes access onto Molly Barr just west of the existing Oxford Depot Trail crossing. Two points of pedestrian access are proposed from the development to the trail on the north and south ends of the property. Easements from the University of Mississippi have been granted for these connections.

#### Water and Sewer

Water distribution to the development will be by a privately owned and maintained water main, which will connect to an existing water main on Molly Barr Road. Wastewater from the development will be collected in a privately owned and maintained collection system which will then pump wastewater to an existing City of Oxford sewer manhole along Molly Barr Road.

#### Stormwater Management

A proposed stormwater management facility with inlets, pipes, and two underground detention basins under the parking lot will meet this site's stormwater management requirements. The stormwater management plan proposed in Case #3028 proposes an underground detention basin consisting of pipes; the stormwater management plan presented with this site plan amendment proposes a chamber system for the underground detention basin. In addition to stormwater detention, the stormwater management system will pass runoff from adjacent properties to the north and east. The project property will discharge to the west into existing drainage facilities on the adjacent Oxford Housing Authority property, and easements will be required because the discharge will be closer to 40' from the property line.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmittal to address comments but does not anticipate any issues preventing its approval.

#### **Recommendation:**

Staff recommends approval of the site plan as submitted with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee. (Planning)
2. A Special Use for a RCID shall be submitted and approved by Staff prior to the issuance of any permits. (Planning)
3. Special Exceptions for the use of 4-bedroom attached and detached units shall be approved prior to the issuance of any permits.
4. Prior to the issuance of Building Permits, an updated landscape plan shall be provided for Staff review and approval that indicates a robust screening buffer towards the trail, to include trees, shrubs, grasses and other under canopy plantings. (Planning)
5. All comments and conditions set forth by the engineering department during the site plan review, including final approval of the stormwater management plan, must be satisfied before a land disturbance permit is issued.
6. The constructed stormwater management facility must be certified before issuing any Certificate of Occupancy.
7. An executed and recorded easement from the Oxford Housing Authority in favor of the development must be submitted to the city prior to issuance of a land disturbance permit.

**Summary of Discussion:** Commissioner Alexander asked about the size of the parking in the garage. Mr. John Granberry on behalf of the applicant responded that the width of the bottom floor is sufficient to house two vehicle. Commissioner Milam asked about the overflow parking. Mr. Granberry replied in the event that there is overflow parking is available adjacent to the unit with an allowable pass.

Commissioner Milam asked about the buffer between the property and the trail. Mr. Baxter reminded the commission about the variance that was granted. Mr. Requet added that this amendment does not affect the previously approvals.

Mr. Tom Howorth, a neighboring property owner, spoke about his concerns about the removal of trees, the stormwater system and buffer. Mr. Granberry explained the stormwater detainment and discharge plan. There was discussion about the pervious coverage of the lot. Commissioner Alexander asked if the previous approval was for 3 bedrooms. Mr. Granberry replied it was and made sure to correct this plan for review. Mr. Howorth expressed concern about the amount of bedrooms. Commissioner Milam asked why an additional bedroom requires a special exception. Mr. Requet responded that the code was modified for certain use types to promote consistency



and flexibility. The commission considers the scale of the proposed developments when this special exception is requested. This condition was be discussed at the next meeting as well.

With no further questions or comments from the commission or audience a motion to approved subject to staff conditions was made.

Moved: Kirk Milam. Seconded: Erin Smith. Status: Passed. Commissioner Alexander against. Commissioner Murphy, Logan, Rigby, Spragins, Milam and Smith for.

11. Public Hearing for Case #3177 – Garner Shivers (Shivers Towing) has filed a request for a) Special Exception as provided in section 3.8.14.2.b. Districts Permitted and b) Special Exception as proved in section 2.6.7 Building Height for property located at 1336 North Lamar Boulevard Avenue (PPIN #5077)

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 54:33 - 1:01:05)

#### **Planning Comments:**

The applicant seeks two Special Exceptions to allow for the construction of a commercial building for the storage and maintenance of tow trucks: a Special Exception to allow for the use of the property as a vehicle repair and maintenance facility, and for a Special Exception for the proposed building height.

The +/- .96-acre property is currently used by Shivers Towing, the applicant, to park and store vehicles. It is zoned Traditional Neighborhood Business. The proposed new 14,276 SF building would front North Lamar Boulevard. The applicant also plans to install fencing/screening to shield the neighboring gas tank storage area from the street.

##### *a. Special Exception as provided in Section 3.8.13.2.c Districts Permitted*

Vehicle repair or maintenance facilities are special exceptions in the (TNB) Traditional Neighborhood Business district. This is an existing use on the site and granting the Special Exception would not be a change of use for the property. Vehicles will not be accepted for repair. The new building will house the Shivers vehicles which are used for towing. There will not be storage on-site for damaged vehicles or vehicles to be repaired.

##### *b. Special Exception as provided in section 2.6.7 Building Height*

Typically, buildings in the TNB are required to be at least 2 and up to a maximum of 3 stories. The proposed one-story building will be 32'-4" in height to accommodate the towing vehicles used in the Shivers operation. While it is technically one-story, at around 32' in height the building is taller than many typical one-story commercial buildings, and has the appearance of two-story building.

The construction of the proposed building will improve the aesthetics of the existing lot, and put a building on a site that is currently vacant and is a gap in the streetscape. The proposed building

is compatible with the neighborhood and uses similar materials to other new buildings in close proximity on N Lamar.

**Recommendation:** The proposed changes will greatly improve the visual impact of this property on North Lamar Boulevard. The new building will house vehicles that currently sit unscreened on the site, and the screening of the gas tanks will also be an improvement.

Staff recommends approval of both requested Special Exceptions with the following conditions:

1. Approval is for the plan as submitted.
2. There will be no storage on-site for damaged vehicles or vehicles in need of repair.
3. Specifications for the fencing material must be provided and approved by Staff.
4. A landscape buffer will be provided along the new fence to provide additional screening, to include a mix of grasses and evergreen shrubs. A maintenance plan should be provided if irrigation is not proposed.

**Summary of discussion:** Commissioner Logan asked how this compares to neighboring homes. Ms. Kenwright responded that it is comparable to the new construction going on in the area and considered an improvement. With no questions from the commission or audience a motion to approve both exceptions, subject to staff conditions was made.

Moved: Erin Smith Seconded: Harry Alexander. Status: Passed. All in favor.

12. Public Hearing for Case #3178 – Blackburn Group, LLC (David Blackburn) has filed a request for Site Plan Approval for ‘The Summit, Phase 3’ property located at Ed Perry Boulevard (PPIN #4707) **(POSTPONED)**
13. Public Hearing for Case #3179 – Stewart Marlowe (Marlowe - Moye) has filed a request for a) Special Exception as provided in section 5.7.9. Stormwater Detention Standards, b) Special Exception as proved in section 2.6.7 Build-to-Line Maximum c). a Special Exception as provided in section 2.6.9. Ground Floor Residential and d). a Variance from section 5.5.4.3 Outside Storage and Disposal Area for property located at 2098 Old Taylor Road (PPIN #30736)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 1:01:05 – 1:13:29)

**Planning Comments:** The subject property measures +/- 1.42 acres and is located off of Highway 6 west of the Old Taylor Road intersection. The applicant received approval in May 2024 for similar requests, however, the applicant is proposing several amendments to the site plan that now includes five total buildings including one 2-story mixed-use (commercial ground floor) building. The development proposal consists of a total of 12 residential units and a +/- 2,100 square foot commercial space. The applicant seeks approval for 3 Special Exceptions and a Variance which are detailed below with staff comment.

#### **A. Special Exception as provided in section 5.7.9 Stormwater Design Standards**

For the Fieldhouse site plan (Case #3180), a detention basin is proposed to meet the City of Oxford's stormwater management requirements. This special exception would allow vertical interior walls for the proposed detention basin as allowed under Section 98-118 L.5.

*Section 98-118 L. 5. By special exception, detention basins may use vertical interior walls. The maximum interior height of a vertically walled detention pond is eight (8) feet built in four (4) foot high segments. Parts of a wall below the surface of the ground surface shall not be included in the measurement of height. A safety ledge a minimum of three (3) feet wide shall separate segments.*

Engineering staff supports the special exception of using vertical interior walls as part of the stormwater management facilities' design, provided all criteria of Sections 98-L.5 are satisfied.

The same special exception was requested and approved by the Engineering Department as part of Case #3083.

**Recommendation:**

Staff recommends approval of the Special Exception with the following conditions:

1. Approvals are for the plan as submitted (Planning).
2. Should the applicant not secure building permits within 18 months, the Special Exceptions shall expire.

**B. Special Exception as provided in section 2.6.9. Ground Floor Residential**

The applicant is proposing five buildings – four fully residential and one mixed-use with a commercial ground floor. The applicant seeks approval for ground-floor residential in the four fully residential buildings, which is allowable by Special Exception in the SCN District. As previously noted in the application the development will contain a commercial component, and the site is situated between an existing office development and a multi-family residential development. They believe that this proposal will be in keeping with that development.

**Recommendation:**

Staff recommends approval of the Special Exception with the following conditions:

1. Approvals are for the plan as submitted (Planning).
2. Should the applicant not secure building permits within 18 months, the Special Exceptions shall expire.

**C. Special Exception as provided in section 2.6.9. Build to Line Maximum**

The front yard build-to line in the SCN district is 15'-58', however, this proposal indicates the buildings being approximately 58.54' from the property line. The applicant is seeking a Special Exception, as provided in the ordinance to be beyond 58' up to 150'.

As noted in the application, there is an existing parking area that, along with the location of the surrounding buildings, that dictates the location of these new buildings.

**Recommendation:**

Staff recommends approval of the Special Exception with the following conditions:

1. Approvals are for the plan as submitted (Planning).
2. Should the applicant not secure building permits within 18 months, the Special Exceptions shall expire.

**D. Variance from Section 5.5.4.3 Outside Storage and Disposal Area**

Section 5.5.4.3 of the Land Development Code indicates that trash receptacles shall be located in a side or rear yard. The applicant is proposing a two dumpster enclosure that is located in the front yard along the Highway 6 frontage. The applicant notes that the proposed location is best for the design development proposal due to the existing infrastructure already in place, the topographical changes of the site and for functionality for Environmental Services. The landscaping proposal provided with the site plan does indicate evergreen shrubs on the east & west sides of the dumpster, however, shrubs should also be included along the northern wall of the enclosure. A condition for this element has been added.

**Recommendation:**

Due to the hardships that exist as outlined in the proposal, Staff recommends approval of the variance with the following conditions:

1. Approvals are for the plan as submitted (Planning).
2. Evergreen shrubs shall be provided on the north portion of the dumpster enclosure.  
(Planning)

**Summary of Discussion:** Commissioner Murphy asked why the stormwater design requires a special exception. Mr. Crawley replied that usually vertical walls would not be used for stormwater but due to issues with the topography of this site vertical walls would be allowed here. Mr. Jeff Williams on behalf of the applicant expanded and said the wall would be cut into the site. There was discussion about the location of the dumpster. With no further questions or comments from the commission or audience a motion was made.

Special Exception a) Moved: Kirk Milam. Seconded: David Spragins. Status Passed: All in favor.  
Special Exception b). Moved: Kirk Milam. Seconded: Harry Alexander. Status Passed All in favor.  
Special Exception c). Moved: Harry Alexander. Seconded Kirk Milam. Status Passed. All in favor  
Variance d). Moved: Kirk Milam. Seconded: Erin Smith. Status Passed. All in favor.

14. Public Hearing for Case #3180 – Stewart Marlowe (Marlowe-Moye) has filed a request for Site Plan Amendment for ‘The Fieldhouse’ property located at 2098 Old Taylor Road (PPIN #30736)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 1:13:30 – 1:22:30)

### **Planning Comments:**

The subject property measures +/- 1.42 acres and is located off of Highway 6 west of the Old Taylor Road intersection. The applicant received approval in May 2024 for similar requests, however, the applicant is proposing several amendments to the site plan that now includes five total buildings including one 2-story mixed-use (commercial ground floor) building. The development proposal consists of a total of 12 residential units and a +/- 2,100 square foot commercial space. The applicant seeks approval for 3 Special Exceptions and a Variance are related to this Site Plan are the subject of Case #3179.

#### Use and Parking Requirements

The applicant will need a Special Exception to locate residential units on the ground floors of buildings 1-4. 12 total residential (9 - 3 bedroom & 3 – 4 bedroom) units are proposed along with 2,156 sf commercial space.

Parking is calculated at 2 spaces per 3-bedroom unit plus 1 guest space per unit, 1 space per bedroom for 4-bedroom units plus 1 guest space, and 1 space per 300 sf of commercial space. The 48 spaces are provided, which is one less than the required 49 parking spaces.

#### Coverage, Height, and Setbacks

Coverage in the SCN is allowed up to 80%. The proposed plan shows 64.9% coverage. Structures comply with the maximum height requirements through average grade plane calculations. The plan does not meet the proposed front yard build-to line (Case #3179).

#### Other Elements

- **Architecture and Building Materials**—All proposed materials appear to be appropriate based on the requirements of the Land Development Code, however, the architectural elevations do not include specific material callouts. A condition of approval is added.
- **Landscaping and Tree Mitigation**—The proposed site plan includes foundation plantings and edge plantings as required. These plants and the proposed parking lot and frontage trees comply with the requirements of the Land Development Code.
- **Sidewalks and Connectivity**—The proposal includes a pedestrian sidewalk throughout the site. The site is connected to other neighboring offices through an existing private road/drive.

### **Engineering Comments:**

### Access

This development will have access to Old Taylor Road via a 20-ft ingress / egress easement previously recorded as Instrument No. 2018-00459. No public roadway infrastructure is being planned. All existing pavements and curbs on site are being demolished and replaced.

### Water & Sewer

Water to the site will be granted by extension and tapping an existing 8-in water main into the site. One new fire hydrant is proposed, and one existing hydrant will be relocated to accommodate proposed site changes. A 20-ft water line easement is proposed for the 8-in water main, and a standard indemnity agreement is required for access to fire hydrants.

Sanitary sewer from the facility will be routed to an existing, private sewer lift station located at the north center of the property. A private force main from Turnberry Condos currently runs through the site and will require relocation. Coordination with Turnberry Condos to ensure sewer service is not interrupted will be required as well an easement in favor of Turnberry Condos for the new, relocated sewer force main.

### Stormwater

Stormwater management for the development will be handled by an above ground detention pond.

**Recommendation:** Staff recommends approval of the requested Site Plan with the following conditions:

1. Approval is for the plan as submitted subject to necessary revisions as needed by the Site Plan Review Committee. (Planning)
2. Prior to the issuance of any permits, the applicant shall provide material callouts on the architectural elevations for confirmation materials to be used are consistent with the Land Development Code. (Planning)
3. The necessary Special Exceptions and Variance (Case #3179) are approved by the Planning Commission. (Planning)
4. Approval of a Special Use for a Mixed-Use CID prior to the issuance of any permits. (Planning)
5. An executed indemnity agreement in favor of the City of Oxford for access to all fire hydrants on the site. (Engineering)
6. Site Plan shall indicate all required FDC and other required fire apparatus subject to OFD approval. (OFD)
7. All comments and conditions set forth by the engineering department during the site plan review, including final approval of the stormwater management plan, must be satisfied before a land disturbance permit is issued. (Engineering)
8. Final approval of the stormwater management facility as designed. (Engineering)
9. Approval of Case #3179, special exception from Stormwater Management Standards. (Engineering)

10. The engineer will provide to the city approvals from MSDOH for water installations to become public infrastructure. (Engineering)
11. The stormwater management facility will be certified by the civil engineer prior to issuance of certificates of occupancy. (Engineering)
12. A copy of an executed and recorded easement in favor of Turnberry Condos for relocated sanitary sewer force main will be presented to the city. (Engineering)

**Summary of Discussion:** Commissioner Murphy asked to clarify the amount of parking space, Mr. Requet and Mr. Williams showed the commission the space on the site plan drawings. There was more discussion about the parking space and neighboring businesses. The added condition of one more parking space was required. With no further questions or comments from the commission or audience a motion to approve subject to staff conditions.

Moved: Harry Alexander Seconded: Kirk Milam Status: Passed All in favor.

15. Motion to adjourn

Moved: Harry Alexander. Seconded: Kirk Milam. Status Passed. All in favor.

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

If you would like to participate in this meeting, please open the attachment for the virtual meeting information.

To view the recording of this public meeting please click the link below.

[YouTube - Public Meeting Video](#)

#### B. February Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

- All in favor. Move: Erin Smith Second: Kirk Milam Status: Passed

##### 3. Approval of minutes from the January 10, 2024 Meeting

- All in favor. Move: Harry Alexander Second: Joseph Murphy Status: Passed

##### 4. Staff Report

###### a. Planning Staff Report

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

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

#### C. Administrative Approvals

#### E. Public Hearings

1. Public Hearing for Case #3181 – Stephani Christina has filed a request for a Special Exception as provided in Section 3.5.6.2 Dwellings – Accessory, Districts Permitted for property located at 112 Hillside Drive (PPIN #14605).

Ms. Kenwright presented on behalf of the city. (YouTube video begins at 10:08 – 12:17)

#### Planning Comments:

The subject property, located at 112 Hillside Drive, is a single-family residence on a +/- .95-acre lot. The applicant requests a Special Exception to renovate the existing garage into a one-bedroom apartment for use as a rental property.

As proposed, the ADU does not exceed 50% of the gross floor area of the principal dwelling. The proposed square footage, 840 square feet, is under the maximum of 1,000 as required by the code. The Land Development Code requires that the primary residence must be owner occupied



(LDC, 3.5.6.5). To fulfill this requirement, the applicant provided proof of homestead at the residence.

The ADU standards also require, for a special exception, that the applicant to provide the City with a covenant stating that the primary living space will be owner-occupied and that the other provisions of the code will be followed. The applicant should investigate if any neighborhood covenants would prohibit the installation of an ADU in this location.

According to Section 3.5.6 Dwellings – Accessory, an Accessory Dwelling Unit (ADU) may be approved by Special Exception in the (ER) Estate Residential zoning district if it meets all the standards listed in Section 3.5.6.5:

- a. The ADU does not exceed 50% of the gross floor area of the principal dwelling or 1,000 sq ft.  
*The proposal complies with the requirement*
- b. The ADU has a full bathroom and will be equipped with a small kitchenette consisting of a sink, a mini-fridge, and a microwave.  
*The proposal complies with the requirement*
- c. The applicant agrees to not have more than two persons reside in the ADU.  
*The applicant agrees with this standard*
- d. The principal dwelling is a detached single-family structure and the ADU is the only one proposed on this property.  
*The proposal complies with the requirement*
- e. The ADU is a minimum five feet from the property line and is at least five feet from the principal structure as required by the Land Development Code.  
*The proposal complies with the requirement. Additionally, the garage is existing on the property and the footprint of the building is not changing.*
- f. The design of the ADU appears to be in harmony with the principal dwelling regarding massing, materials, and location. The ADU is located in an accessory structure, situated in the rear yard, and meets the requirements for accessory structures as stipulated by the Land Development Code.  
*The proposal complies with the requirement*
- g. The subject lot is more than 10,000 sq. ft., as required by the Land Development Code.  
*The proposal complies with the requirement*
- h. The applicant agrees to utilize the principal structure's meter.  
*The proposal complies with the requirement*
- i. The principal structure will be owner-occupied.  
*The applicant agrees with this standard*
- j. For approval as a Special Exception the application requires a restrictive covenant registered with the Chancery Clerk stating that the use will comply with all standards

in Section 3.5.6 of the Code, and that the primary dwelling on the property will be owner occupied.

*This is a condition of approval.*

- k. This ADU will be added to the Planning Department Master ADU list.

*The proposal complies with the requiremen*

**Recommendation:** Staff recommends approval of the requested Special Exception with the following conditions of approval:

1. Approval is for the plan as submitted.
2. Prior to the issuance of any permits, the applicant shall file a restrictive covenant, with the Lafayette County Chancery Clerk, stating that the ADU will comply with all standards in Section 3.5.6 of the code, and that the primary dwelling on the property will be owner occupied.

**Summary of Discussion:** With no questions or comments from the commission or audience a motion to recommend was made.

**All in favor. Moved: Harry Alexander Seconded: Kirk Milam. Status Passed**

2. Move: Public Hearing for Case #3182 – Sheldon’s Towing (Daniel Langston) has filed a request for Special Exception as provided in Section 3.8.14.2.b. – Vehicle Repair and Maintenance-Districts Permitted for property located at 1918 North Lamar Boulevard (PPIN #17345) **(POSTPONED)**
3. Public Hearing for Case #3183 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed requests for a). a Variance from Section 5.8.4.9 NCO Design Standards - Retaining Wall Distance and b). a Variance from Section 5.8.4.9 NCO Design Standards – Retaining Wall Height for property located at 619 Van Buren Avenue (PPIN #5979).

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 12:19 –25:55)

**Planning Comments:** The applicant seeks two retaining wall variances for a proposed project at 619 Van Buren Avenue, the Theora Hamblett House. The requested retaining wall variances would relieve the applicant from requirements related to both height and distance between walls.

The retaining walls would allow for a large rehabilitation project. Should the variances be approved, the plans will still require the review and approval of the Historic Preservation Commission. The applicant plans to present the project for a complimentary review at the February 20<sup>th</sup> meeting of the Commission.

Section 5.8.4.9 of the Code states that, “In all areas [in the Neighborhood Conservation District] retaining walls shall not exceed six feet in height...Height shall be measured from finished ground to top of wall. Distance between retaining walls shall be a minimum of 20 feet...”

*A. Variance from Section 5.8.4.9—Retaining Wall Distance*

The applicant requests relief from the required distance between retaining walls, and requests that a 10’ distance be allowed instead of the required 20’. The application states that, “the steep grades to the rear northwest corner create a hardship when using the lot for much of anything. In order to build, either a structure or a pool, grades need to be leveled somewhat. Also, the existing retaining walls on site are in disrepair and will need to be replaced.” The more interior wall will not reach higher than 6’, while the outer retaining wall will require the variance detailed below in item B.

*B. Variance from Section 5.8.4.9—Retaining Wall Height*

The proposed rear retaining wall, at 11’ 8”, is taller than the required retaining wall height allowable in the district. The applicant states that, “the northwest corner of the property falls off steeply and a taller retaining wall is required to maintain proposed grades” and that without the variance request, “the steep grades at the northwest corner renders that area of lot difficult to utilize...without a variance, it would not be feasible to locate the proposed pool for the home owner.” The design choices, to add a large addition, guest house/garage and pool, requires maximizing the lot using retaining walls that are not in compliance with the requirements of the code.

While a topographic map was not included with this request, it is clear when visiting the site and in the provided plans and photos that the lot does present some challenges if the desire is to add onto the existing house and build the new garage and pool wanted by the applicant. While the location of the proposed retaining walls is not visible from Van Buren Avenue, it will be visible from E Jackson Avenue (the site backs up to the parking lot for 700 E Jackson). This request is unique in that the subject property is residential, but backs up to a property zoned (TNB) Traditional Neighborhood Business. If the adjacent property owner (700 E Jackson) requested this wall on the property line, it would not require a variance as the highest height allowable in the TNB is 12’. It is unusual for a residential property to back up to a commercial property in this manner. It is unlikely that Staff would support a request for a wall so tall between two residential properties, however, the adjacent zoning lessens the potential impact of this plan overall.

Staff finds that the issues at the site are a compelling reason to grant a variance to build if higher retention is needed. The potential impact to neighboring sites is fairly low, and particularly for the wall height variance as there is no adjacent residential home. However, it does appear that the challenges with the lot are in addition to an ambitious building plan.

It is unclear if the property owner has received an easement to construct and maintain the wall, including ongoing maintenance. Additionally, retaining walls over 6’ are required to have 4’ evergreen landscaping planted to screen the retaining wall. The wall must be relocated off of the property line to allow for the required screening.

**Staff Recommendation:** Staff recommends approval of the requested variances with the following conditions:

1. If changes to the plans are needed after the project is reviewed by the Historic Preservation Commission, the revised plans will return to this Commission for a new Special Exception.
2. The location of the rear retaining wall will be adjusted to allow for the required 4' evergreen landscaping screening.

**Summary or Discussion:** Applicant JD Caldwell was present. There was discussion about the height and location of the proposed retaining wall. Commissioner Murphy expressed concern about the water flow and the fill used to build the wall. Mr. Caldwell responded that the engineers will make sure to properly fill the site and that the drainage is consistent with the city code. Commissioner Rigby asked about access from neighboring property during construction, which Mr. Caldwell stated that they can access the lot but will get an easement if needed. There was some discussion about the footing. With no further questions or comments a motion was made subject to staff conditions.

**Variance a).** Moved: Kirk Milam Seconded: Erin Smith. Commissioner Murphy and Rigby against. Commissioner Milam, Smith, Alexander and Logan for. Status: Passed

**Variance b).** Moved: Harry Alexander Seconded: Erin Smith. Commissioner Murphy and Rigby Against. Commissioner Milam, Smith, Alexander and Logan for. Status: Passed

4. Public Hearing for Case #3175 – Callicutt Lands, LLC (Andy Callicutt) has filed a request for Site Plan approval for 'The Landing at Oxford Farms' for property located at 3230 Landing Lane (PPIN #8903) **(POSTPONED FROM JANUARY)**
5. Public Hearing for Case #3184 – Callicutt Lands, LLC (Andy Callicutt) has filed a request for a Special Exception as provided in Section 2.6.9 Suburban Center – Dwelling Unit Density Maximum, Ground Floor Residential for property located at 3230 Landing Lane (PPIN #8903) **(POSTPONED)**
6. Public Hearing for Case #3185 – The Summit at Oxford Commons, LLC (David Blackburn) has filed a request for a Special Exception as provided in Section 2.6.9 Suburban Center - Ground Floor Residential for 'The Summit, Phase 3' for property located at Ed Perry Boulevard (PPIN #4721)

Mr. Baxter presented on behalf of the city. (YouTube video begins at 26:05-57:13)

**Planning Comments:** The subject property is +/- 20.515 acres located mostly in the Oxford Commons PUD (Tract A), west of 'The Preserve', south of 'The Summit, Phase 2' and north of 'The Pearl'. The applicant proposes a townhouse development of 144, 3-BR units as a Residential Common Interest Development, the Site Plan for which is the subject of Case 3178. This Special Exception request is in furtherance of this Site Plan.

'New Condition 9' (full text below) in the 2019 update to the Oxford Commons PUD (Case #2483) allows for first floor residential in Tract A if 25% of the commercial allowance for that tract has been constructed. In this instance that 25% has not yet been constructed, so this request for ground floor residential will revert to the Special Exception allowance in the underlying SCN zoning for the areas inside the PUD as well as the portions outside the PUD that also lie within SCN.

*New Condition 9 - Development Capacity: The density for Tracts designated for "Mixed Use" (Tracts A and B1) can be developed with any use allowed in the underlying zoning, but development cannot cumulatively exceed the allotted capacity for development in the PUD. Such development can include "by right" first floor residential uses if at least 25% of the allotted non-residential potential is used within the Tract.*

Tract A of the Oxford Commons PUD will allow up to 398,618 sf of commercial development. 25% of this would be 99,654.5 sf. The applicant has provided a plan of development for 'The Summit' which encompasses the entirety of Tract A and land outside of the PUD. Retail commercial is planned for Lots 7-11 of 'The Summit, Ph 2' subdivision. Those lots are +/- 6.12 acres (266,631 sf) combined. Additionally, there is a portion of Lot 13 (+/- 5.13 acres) inside the PUD that is programmed for office space. Staff believes that the applicant has sufficient room in the plan of development to achieve the buildout of 25% of allotted commercial.

Regardless, this is good transition of density from multi-family at the 'Pearl' and 'Ruby' developments to the single-family at 'The Preserve Subdivision.' Staff believes this is an appropriate location for townhomes.

**Recommendation:** Staff recommends approval of the requested Special Exception 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:** Mr. Joey Moore was present on behalf of the applicant. Discussion began with the elevation of the neighboring property and the proposed buffer. Mr. Ben Requet reminded the commission of the PUD plan that has been previously approved that were taken into consideration. There was discussion of the road to the north and its connectivity.

Mr. Sam Myers, a resident of Oxford Commons spoke about his concerns with the design differences, potential for student housing and the road changes. He continued to speak about the value of the homes decreasing, the changes in landscaping and privacy, and the proposed through street.

Chairman Rigby responded to all Mr. Myers concerns including the importance of connectivity and reminded the audience of the previous case to close off Lakewood Hill Drive. There was discussion about frontage trees being planted along the connection road. Commissioner Smith asked about changing the road to prevent speeding. Mr. Moore spoke about the cul-de-sac would not be large enough for a roundabout or to place an island in the center. Mr. Koshenina, present

virtually on behalf of the applicant, spoke about the roadway and agreed with Mr. Moore. City Engineer John Crawley spoke about adding reflective signs as a possibility if the road layout were to change. With discussion continuing with the site plan case. A motion was made subject to staff conditions.

**Moved: JR Rigby Seconded: Joseph Murphy Status: Passed Commissioners Smith and Milam Against. Commissioners Alexander, Logan, Murphy and Rigby for.**

7. Public Hearing for Case #3178 – Blackburn Group, LLC (David Blackburn) has filed a request for Site Plan Approval for 'The Summit, Phase 3' property located at Ed Perry Boulevard (PPIN #4707)

Mr. Baxter presented on behalf of the city. (YouTube video begins at 57:14- 1:02:50)

**Planning Comments:** The subject property is +/- 20.515 acres located mostly in the Oxford Commons PUD, west of 'The Preserve', south of 'The Summit, Phase 2' and north of 'The Pearl'. The applicant proposes a townhouse development of 144, 3-BR units as a Residential Common Interest Development.

Use and Parking – 214 residential units are allowed in Tract A of the Oxford Commons PUD. These townhomes are the first residential proposal for this tract. Accounting for the 134 units proposed, 80 residential units would still be allotted. Density for the +/- 1.29 acres outside of the PUD is calculated at 52 bedrooms an acre. 30 bedrooms are proposed in this area, well under the 67 allowed.

Ground floor residential is allowable by a Special Exception for SCO and for this Tract of the Oxford Commons PUD. The applicant has filed this SE and is the subject of Case #3185.

Parking is calculated at two spaces per unit, plus on guest space per unit. This plan would require 432 spaces. The applicant has fulfilled this requirement with a combination of two-car garages for 76 units, driveways and 232 on-street spaces.

Coverage – SCO zoning allows for up to 80% coverage. The applicant has proposed 45.3%.

Height – Buildings in the SCO are allowed to be 4 stories and up to 50 feet tall. These townhomes are proposed at 2 stories and 32' to the main ridge line.

#### Other Elements

- **Landscaping and Tree Mitigation** – A landscape package has been included that indicates parking lot trees, frontage trees, foundation plantings and required screening that all meet the requirements of the LDC.
- **Tree Mitigation** – This property falls within the 2016 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. An updated

tracking spreadsheet and tracking map for these easements will be a condition of approval.

- **Building Materials** – The architectural style of these units is similar to townhouse units in the Crossing. 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.

#### **Engineering Comments:**

##### Access

This project proposes 2 lots and the construction of 2 proposed public streets. One street is the proposed “Summit Drive”, which will connect from the north in Summit Phase 2, to the south at the existing roundabout constructed as part of the Pearl development. The other is a proposed extension is Lakewood Hill Drive from the Preserve development to the east.

##### Water & Sewer

The project proposes to construct new water and sewer facilities to serve this development. Water mains throughout the site will be publicly owned and maintained. Such easements will be reflected on the final plat. Sanitary sewer mains not located within city rights-of-way will be private.

##### Stormwater Management

The site plan proposes two detention basins located at the south end of the site and on the east and west sides of Summit Drive to meet the City’s stormwater management requirements. Runoff will be conveyed to the detention basin inlets and drainage pipes. The basins will discharge into the stormwater management facility previously approved for "The Commons" Lot 4 Phase 1, Case #2660. The stormwater management facility’s 48-inch diameter discharge pipe limits peak discharge rates from the Summit Subdivision.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmittal to address comments but does not anticipate any issues preventing its approval.

**Recommendation:** Staff recommends approval of the requested Final Plat for ‘The Summit, Phase 3’ with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee.
2. An updated tracking spreadsheet and conservation map for tree mitigation shall be provided to Staff prior to the issuance of building permits.
3. All water engineering comments and conditions relating to the site plan review for this development must be met prior to the beginning of construction.

4. All publicly owned water mains must be pressure tested, and bacteriological samples approved by the Health Department, before water and sewer taps are sold.
5. Final approval of the stormwater management plan.
6. Certification of the of the stormwater management facility must be submitted to Engineering for approval prior to issuance of certificates of occupancy.

**Summary of Discussion:** Chairman Rigby asked about the 14% calculation for tree mitigation. Mr. Requet responded it is counted for this phase. There was some clarification about parking. With no further questions or comments a motion was made subject to staff conditions.

**All in favor. Moved: Joseph Murphy Seconded: Harry Alexander Status: Passed**

8. Public Hearing for Case #3186 – Oxford Commons Lots, LLC (David Blackburn) has filed a request for Preliminary Plat Approval for ‘The Heights, Phase 9 & Phase 14’ for property located at Primrose Drive. (PPIN #4503)

Ms. Kenwright presented on behalf of the city. (YouTube video begins at 1:02:52 – 1:04:56)

**Planning Comments:** The applicant seeks Preliminary Plat approval for ‘The Heights, Phase 9 & 14’, a Preliminary Plat with 2 phases and 31 lots. The lots are zoned (SR) Suburban Residential. The subject property is located in the Oxford Commons in The Heights Subdivision and is separated by phases 13 & 15 from Buddy East Parkway.

Preliminary Plat approval for these phases, along with phases 6-8, 13, 15-16, & 18 was approved in May, 2019. That approval has expired and this application is for a new approval of phases 9 & 14.

The breakdown of the 31 lots is as follows: 14 lots in Phase 9 and 17 lots in Phase 14.

Tree mitigation will be applicable to all of The Heights. There is a required conservation easement of 14% for all areas included in the Tree Mitigation Variance Agreement approved by the Planning Commission in January of 2016. An updated tracking spreadsheet and tracking map for these easements will be a condition of approval of the Final Plat.

#### **Engineering Comments:**

##### Access

This project proposes the extension of 2 city streets, Primrose and Sycamore Drives. Primrose Drive will tie into an existing stubout from Hedges Cove to the south. Sycamore Drive will dead end into a temporary cul-de-sac for future extension in the Heights Phase 13. Sidewalks will be constructed on both sides of each street.

##### Water & Sewer

The project proposes to connect to existing public water and sewer mains constructed in previous phases of the Heights. All water and sewer mains will be installed within street right-of-way and will publicly owned and maintained.



## Stormwater Management

The stormwater management requirements for these phases will be met by conveying stormwater runoff to the existing regional stormwater management facility constructed as part of the previous phases of the Heights subdivision and is covered in the "Storm Water Detention Management Report" submitted June 17, 2019, as part of the phase 3 plat.

**Staff Recommendation:** Staff recommends approval of the Preliminary Plat for 'The Heights Phases 9 & 14' with the following conditions:

1. Approval of 'The Heights Phases 9 & 14 by the Mayor and Board of Aldermen (Planning).
2. Dedication of conservation easement land and tree mitigation must be finalized at Final Plat approval (Planning).
3. Approval is for the plans as submitted (Planning).
4. All water engineering comments and conditions relating to the review of the construction drawings must be met prior to the issuance of a land disturbance permit and the beginning of construction (Engineering).

**Summary of discussion:** With no questions or comments a motion was made subject to staff conditions.

**All in favor. Moved: Harry Alexander Seconded: Erin Smith Status: Passed**

9. Public Hearing for Case #3187 – JWM Development, LLC (JW McCurdy) has filed a requested for Special Exception as provided in Sections 3.5.1.2.c. Dwellings, Detached & 3.5.4.2 Dwellings, attached – Districts Permitted, Four Bedroom Units for 'Trailhead' property located at 1016 Molly Barr Road (PPIN #5030)

Mr. Baxter presented on behalf of the city. (YouTube video beings at 1:04:57- 1:07:56)

**Planning Comments:** The subject property is located on the south side of Molly Barr Road, directly west of the multi-purpose Depot Trail on approximately +/- 1.46 acres. The narrow property is currently vacant and is covered with mature trees. A site plan for 'Trailhead' an RCID of 4 duplexes and 3 detached units, all 3 bedrooms was previously approved in January 2024 (Case #3028) and amended to all 4-bedroom units contingent on receipt of a Special Exception in January 2025 (Case #3176).

Detached units of more than 4 bedrooms and attached units when more than 25% are proposed as 4 bedrooms are Special Exceptions in the NR district. The applicant has proposed all 11 units in Trailhead as 4-bedroom.

Staff has no objections to this proposal. This development is relatively small and the addition of 11 more bedrooms should not have any negative effects on the surrounding neighborhood. The site is well parked and architectural changes between the previously approved 3-BR units and this plan are minimal.

**Recommendation:** Staff recommends approval of the requested Special Exception 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:** With no questions or comments a motion was made subject to staff condition.

**All in favor. Moved: Erin Smith Seconded: Kirk Milam Status: Passed**

10. Public Hearing for Case #3188 – Shivers Towing (Garner Shivers) has filed a request for Site Plan Approval for ‘Shivers Towing’ for property located at 1336 North Lamar Boulevard (PPIN #5077)

Ms. Kenwright presented on behalf of the city. (YouTube video begins at 1:07:58-1:10:45)

**Planning Comments:**

The applicant seeks Site Plan Approval to allow for the construction of a commercial building for the storage and maintenance of tow trucks. The applicant received two Special Exceptions related to this project at the January 13<sup>th</sup> meeting of the Planning Commission: a Special Exception to allow for the use of the property as a vehicle repair and maintenance facility, and for a Special Exception for the proposed building height.

The +/- .96-acre property is currently used by Shivers Towing, the applicant, to park and store vehicles. It is zoned Traditional Neighborhood Business. The proposed new 14,276 SF building would front North Lamar Boulevard. The applicant also plans to install fencing/screening to shield the neighboring gas tank storage area from the street. A condition of approval for the special exceptions at last month’s hearing was that the fencing material for this buffer must be approved by Staff, and that a maintenance plan or irrigation should be provided. That condition is included with the recommendation in this report.

Use and Parking Requirements

The proposed use for this site was approved by Special Exception at the January meeting of the Planning Commission. Also, this is an existing use for this site.

The applicant does not propose any parking spots as there is no office space associated with this use. However, there is space on the site to install parking should the building ever need to be repurposed, and parking could be addressed at that time with the change of use.

#### Coverage

The TNB district allows for 80% lot coverage and 45.2% is proposed with this development.

#### Building Height

The TNB district allows for up to 3 stories with a minimum of 2 stories. This design was approved to be 1-story by Special Exception. The proposed one-story building will be 32'-4" in height to accommodate the towing vehicles used in the Shivers operation. While it is technically one-story, at around 32' in height the building is taller than many typical one-story commercial buildings, and has the appearance of two-story building.

#### Other Review Elements

- **Architecture and Building Materials**— The proposed materials—brick, fiber cement siding, board and batten siding—are all appropriate according to the requirements of the Land Development code.
- **Sidewalks and Connectivity**—Sidewalks are proposed along N Lamar Boulevard and on the rear of the site along Steward Street.
- **Landscaping & Tree Mitigation**—The conditions for the Special Exception required a more robust landscape buffer to screen the new fence enclosing the existing gas tank storage area. That plan has been provided and is included with this report.

#### **Engineering Comments:**

##### Access

This project proposes the construction of a 14,000 sq ft. metal building facility to be used for vehicle repair and maintenance. The site fronts North Lamar Boulevard and two access points are proposed for ingress and egress of heavy trucks. A sidewalk is proposed along the frontage.

##### Water & Sewer

The project will tie into existing water and sewer facilities in North Lamar Boulevard.

##### Stormwater Management

A proposed stormwater management facility consisting of drainage pipes and an above-ground detention basin in the southeast corner of the property will meet the stormwater management requirements for this site plan. The stormwater management facility will discharge at the southeast corner of the property.

The Engineering Department has not completed its review of the submittal and has not approved the Stormwater Management Plan for this project. The engineering staff does not anticipate any issues preventing its approval.

**Recommendation:** Staff recommends approval of the Site Plan with the following conditions:

1. Approval is for the Site Plan as submitted (Planning).
2. Fencing material and a maintenance plan or irrigation plan for the landscaping buffer area is approved by Staff prior to the issuance of permits (Planning).
3. All water engineering comments and conditions relating to site plan review must be met prior to the issuance of a land disturbance permit and the beginning of construction (Engineering).

**Summary of discussion:** With no questions or comments a motion was made subject to staff conditions.

**All in favor. Moved: Kirk Milam Seconded: Erin Smith. Status: Passed**

11. Public Hearing for Case #3189 – Southern Land Holding, LLC (John Galtney) has filed a request for City Utilities that includes a Preliminary Plat approval for ‘Julep Phase 1’ located on Old Taylor Road (PPIN #10510)

Mr. Requet presented on behalf of the city. (YouTube video begins at 1:10:45- 1:31:32)

**Planning Comments:** This application was previously approved (April 2023) and subsequently granted City Utilities 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. The applicant’s engineer recently mentioned that he anticipates making a minor adjustment to the proposed sidewalks that is not reflected in the construction plans. A condition of approval is added for this change to the sidewalks.

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:**

### Access

This project is located outside of the corporate limits of the City of Oxford but located within 1 mile of the southern boundary. All roadways within the subdivision will be built to city standards and owned and maintained by Lafayette County.

### Water & Sewer

The project proposes to construct new water and sewer facilities, including two sewer pumping stations, to be owned and maintained by the City of Oxford.

### Stormwater Management

The topography of the land on which the Julep development is located is hilly, divided by ravines. The topography and the development phases require multiple drainages to be defined to evaluate the development and design of stormwater management facilities that meet the City's Stormwater Management Ordinance requirements. 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 one retention basin (wet pond) and two detention basins (dry ponds) to manage this phase of the subdivision's development. These basins will discharge to the un-named tributary. Additional detention basins may need to be added 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.

The Engineering Department has not approved the stormwater management plan for this project. The 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 request for City Utilities for the Julep – Phase 1 with the following conditions:

1. Approval by the Mayor and Board of Aldermen.
2. Draft Covenants shall be provided to the Planning Department prior to the issuance of permits.
3. All engineering comments and conditions relating to the review of the construction drawings must be met prior to the beginning of construction.
4. Prior to this request being heard by the Mayor and Board of Aldermen, a revised set of construction drawings to reflect the changes to the sidewalk as discussed with Staff, shall be provided to the City.
5. Approval is contingent on approval by the Mississippi Department of Health and the Mississippi Department of Environmental Quality for water and sewer improvements.

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

**Summary of Discussion:** Ms. Janice Antanow, a neighboring resident spoke her concerns about stormwater management, erosion control. Mr. John Crawley explained where the stormwater will drain into the nearby creek not the lake. He also spoke about the city's process of certification for stormwater during construction to ensure all conditions are met. Chairman Rigby confirmed what Mr. Crawley spoke about that the site would be inspected and closely monitored. Mr. John Granberry, on behalf of the applicant spoke to the concerns and confirmed the city standards will be met. With no further questions or comments a motion was made subject to staff conditions.

**All in favor. Moved: Harry Alexander Seconded: Joseph Murphy Status: Passed**

12. Public Hearing for Case #3190 – MV Commercial Construction, LLC (Dean Fairweather) has filed a request for Site Plan Approval for 'Colonnade Self Storage Facility' for property located at 1669 Bainbridge Street (PPIN #4563).

Mr. Baxter presented on behalf of the city. (YouTube video begins at 1:31:40-1:34:15)

**Planning Comments:** The subject property is +/- 1.6 acres located in the Colonnade Crossing Subdivision just north of Specialty Orthopedic Group and Myers Apothecary. The applicant has proposed a 3-story climatized self-storage facility with a footprint of 35,719 sf and a gross square footage of 104,784 sf.

Use and Parking – Self-Storage Facilities are Special Exceptions in the SCO District. The applicant was granted a SE at the November 2024 meeting (Case #3158). Four parking spaces are required or Self-Storage facilities. The applicant has provided 5, within the 125% maximum.

Coverage – Coverage in SCO is allowed up to 80%. The applicant has provided 70.8%.

Building Height – Buildings in SCO are allowed up to 50 feet and not more than 4 stories. The applicant has proposed 32'8" and three stories.

#### Other Review Elements

- **Landscaping** – A landscape package has been included that indicates parking lot trees, frontage trees, foundation planting and required screening that all meet the requirements of the LDC. The site was previously cleared, so no tree mitigation is required.
- **Building Materials** – The proposed elevations indicate the primary façade materials will be brick veneer with metal panel accents and tinted glass windows.
- **Signage** – A separate approval will be required to ensure compliance with the signage requirements of the Land Development Code.

#### **Engineering Comments:**

#### Access

This project proposes the construction of a 36,000 sq ft. building facility to be used for self-storage. The site fronts Bainbridge Street, a public street, and two access points are proposed for ingress and egress. A sidewalk is proposed along the frontage.

#### Water & Sewer

The project will tie into existing water and sewer facilities in Bainbridge Drive.

#### Stormwater Management

The stormwater management requirements for this site plan will be met by conveying stormwater runoff through inlets, pipes, and ditches to the existing regional stormwater management facility constructed as part of the Colonnade Crossing Subdivision. Case #2860 – Final Plat Approval for Colonnade Crossing – Phase 2 approved the regional stormwater management facility.

**Recommendation:** Staff recommends approval of the requested Site Plan for ‘Colonnade Self Storage Facility’ with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee.
2. All water engineering comments and conditions relating to site plan review must be met prior to the issuance of a land disturbance permit and the beginning of construction.
3. Water and Sewer tap fees must be paid before the issuance of a building permit.

**Summary of Discussion:** With no questions or comments a motion was made subject to staff conditions.

**All in favor. Moved: Erin Smith Seconded: Kirk Milam Status: Passed**

12. Motion to adjourn

**Moved: Erin Smith. Seconded: Kirk Milam. Status Passed. All in favor.**

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

If you would like to participate in this meeting, please open the attachment for the virtual meeting information.

To view the recording of this public meeting please click the link below.

[YouTube - Public Meeting Video](#)

#### B. March Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

- All in favor. Move: Kirk Milam Second: Erin Smith Status: Passed

##### 3. Approval of minutes from the February 17, 2025 Meeting

- All in favor. Move: Erin Smith Second: David Spragins Status: Passed

##### 4. Staff Report

###### a. Planning Staff Report

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

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

#### C. Administrative Approvals

5. Case #3191-A – Oxford School District (Bradley Roberson) has filed a request for Site Plan Amendment for 'Oxford High School' property located at 101 Charger Loop (PPIN #33805)

6. Case #3192-A – Aaron Crumbaugh has filed a request for Special Use for Accessory Dwelling Unit as authorized in Section 3.5.6 Dwellings: Accessory of the Land Development Code located at 305 Woodlawn Drive. (PPIN #6536) Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception – *Case was moved to Public Hearing*

#### Consent Agenda

7. Public Hearing for Case #3193 – Griffin Tanner has filed a request for Variance from section 3.2.1.18. for Retaining Walls for property located at 3841 Majestic Oaks (PPIN #17314).

8. Public Hearing for Case #3194 – DV Homes, LLC (David Vanlandeghem) and J.P. Corp General Contractors (Josh Parker) have filed a request for Special Exception as provided in Section 3.8.9.5.b Additional Standards - Drive Thru Service for 'Concourse' property located at 1007 Mistlis Lane (PPIN #6493)



9. Public Hearing for Case #3195 – DV Homes, LLC (David Vanlandeghem) and J.P. Corp General Contractors (Josh Parker) have filed a request for Site Plan Amendment for ‘Concourse’ property located at 1007 Mistlis Lane (PPIN #6493)

10. Public Hearing for Case #3196 – Capstone Development (Mac Monteith) has filed a request for Preliminary Plat for ‘The Lamar Phase 7’ property located at 1305 Main Street (PPIN #41130)

11. Public Hearing for Case #3201 – Oxford Commons Lots, LLC (David Blackburn) has filed a request for Preliminary and Final Plat Approval for ‘The Crossing, Phase 5’ property located at F.D. Buddy East Parkway (PPIN’S #3966 & 9142)

Approval of the Consent Agenda

**Moved: Harry Alexander Seconded: Kirk Milam Status Passed. All in favor.**

## **E. Public Hearings**

*Case #3192-A moved from administrative approval.*

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 8:30 – 16:10)

Planning Comments: The subject property is a single-family residence on a +/- 1.05-acre lot. The applicant has requested a special use permit to construct a freestanding living quarter behind the existing home for use as a mother-in-law suite. This proposal is defined under the City’s Land Development Code as an Accessory Dwelling Unit (ADU).

Square footage for the ADU measures +/- 950 sf which does not exceed 50% of the gross floor area of the principal dwelling. Massing, materials, and location of the ADU are in harmony with the main building. The ADU is situated appropriately on the property as it is more than five feet from property lines and the main structure and is located behind the front setback line. The property is accessed by a driveway at the corner of Woodlawn and Anderson. The applicant is currently utilizing a curb cut on the property further down Anderson near the proposed ADU as a construction entrance.

The building is divided into four spaces including a main room containing a kitchen and living area, two bedrooms, and full bathroom. The applicant agrees that the structure is to be used by family members, guests, or employees (such as caretakers) and will not request a Special Exception to allow rental. According to Section 3.5.6 Dwellings – Accessory, an Accessory Dwelling Unit (ADU) is a Special Use in the (TSR) Traditional Suburban Residential zoning district if it meets all the standards listed in Section 3.5.6.5:

- a. The accessory dwelling unit cannot exceed 50% of the gross floor area of the principal dwelling or 1,000sf (whichever is less) or contain more than two bedrooms. **This proposal complies with this provision.**
- b. The accessory dwelling must be a complete living space with kitchen and bathroom facilities. **This proposal complies with this provision.**
- c. No more than two persons may reside in an accessory dwelling unit. **Applicant has acknowledged this requirement.**
- d. The accessory dwelling may be accessory only to a detached single-family dwelling or townhouse and not more than one such dwelling shall be allowed per principal dwelling. **This proposal complies with this provision.**
- e. All accessory dwelling units (ADU) shall conform to the applicable side and rear setback requirements of this code for accessory structures. They shall also conform to all use,

design and landscaping standards applicable to the primary dwelling and structure except that where accessed by an alley, the structure may be located 15 feet from the rear property line. When an existing legal and conforming accessory structure is being converted into an ADU, the new ADU must meet all applicable building and fire code requirements. **This proposal complies with this provision.**

f. The design of the accessory dwelling shall be in harmony with the principal dwelling regarding massing, materials, and location. **This proposal complies with this provision.**

g. The lot must be over 10,000 square feet. The use may be proposed on a lot of 5,000 to 10,000 square feet by Special Exception. **This proposal complies with this provision.**

h. The accessory dwelling shall not be separately metered unless required by the electric utility provider. **Applicant has acknowledged this requirement.**

i. The primary dwelling must be owner occupied and evidence must be presented such as a homestead exemption certificate that the dwelling is the primary residence of the owner. **Owner is providing affidavit that this is their primary residence.**

j. For approval as a Special Use the application requires a restrictive covenant registered with the Chancery Clerk stating that the use will comply with all standards in Section 3.5.6 of the Code, that the primary dwelling on the property will be owner occupied, and that the accessory dwelling will be used only for family members, guests, or employees (such as caretakers), not for rentals. **Restrictive covenant will be filed upon approval of SU.**

k. For approval as a Special Exception the application requires a restrictive covenant registered with the Chancery Clerk stating that the use will comply with all standards in Section 3.5.6 of the Code, and that the primary dwelling on the property will be owner occupied. **N/A**

l. The Planning Department shall keep a record of all approved Accessory Dwelling Unit permits. **We do.**

**Summary of Discussion:** Chairman Rigby asked for clarity on what constitutes a dwelling to be accessory, to which Mr. Requet replied it is secondary to the principle structure. There was discussion about the second curb cut on the property and that the applicant is aware the access would need to come from the existing primary drive. The commission decided to make this an added condition upon approval. With no further questions or comments a motion to approve was made.

**Moved: Erin Smith Seconded: David Spragins Status: Passed All in favor.**

*12. Public Hearing for Case #3197 –Daniel Karnis has filed a request for Preliminary and Final Plat Approval for property located at 805 University Avenue (PPIN #6026)*

Ms. Kate Kenwright presented on behalf of the city. (You tube video begins at 16:13 – 23:46)

**Planning Comments:** The subject property is located on University Avenue north of the South 8<sup>th</sup> Street intersection and is +/- .86 acres. The property is located in the South Lamar Historic District.

There is an existing contributing building (known as the Meek-Duvall House) on the lot which is to remain in-place.

The applicant states that the owner intends to designate the proposed Lot 2 for a new single-family residence. Any such plans would require the review and approval of a Certificate of Appropriateness from the Historic Preservation Commission.

Should this proposal receive approval, the existing lot would be subdivided into two lots measuring +/- .42 acres and +/- .46 acres. Lot 1 would consist of the existing building while Lot 2 would encompass the existing drive and yard.

The proposed lots meet the dimensional standards for the TNR district and are consistent with the size of lots found in the neighborhood as required in the Neighborhood Conservation Overlay District. Draft covenants have been provided to the Planning Department as a part of this application.

#### **Engineering Comments:**

This plat proposes the subdivision of an existing lot (Parcel ID 135N-21-395.00) lying along the north side of University Avenue just west of the South 9<sup>th</sup> Street intersection, into 2 separate parcels.

#### **Access**

As the property is shown to be divided each lot will have its own access to University Avenue, and only one access per lot will be allowed at this location. There is an existing sidewalk along the entire frontage of the property. Any proposed redevelopment of the lots will be required to retain and upgrade the sidewalk as needed to meet current city and ADA requirements.

#### **Water & Sewer**

This property will have access to public water and sewer facilities in University Avenue. A sewer easement is shown across Lot 2 for the existing private sewer line from the existing structure on Lot 1.

#### **Stormwater Management**

The proposed site plan has two areas that will have stormwater management. The additional parking area near the front entrance to the campus will use porous pavement to mitigate any increase in runoff. The turf field will be connected to the underground detention basin installed as part of the CTE Building addition site plan Case #3005. The turf field will connect to the underground detention basin by a series of drain pipes.

The Engineering Department has approved the site's Stormwater Management Plan.

**Recommendation:**

Staff recommends approval of the Preliminary and Final Plat with the following conditions:

1. Approval is for the plan as submitted.
2. Approval by the Mayor and Board of Aldermen of the Preliminary and Final Plat for '805 University'.
3. The stormwater management facility must be certified before issuing a Certificate of Occupancy.

**Summary of discussion:** Commissioner Erin Smith asked about the plans for the house that is currently on the property. Mr. Jeff Williams was present on behalf of the applicant and informed the commission and audience a design is being planned for renovations to the existing house. Ms. Molly Misenhimer, a neighboring resident spoke about concerns of traffic, the type of housing being proposed and the condition of the current home on the property. Mr. Williams replied that the covenants will cover the usage of the property not being a rental property and restrictions about the size and orientation of the building. Mr. Jonathan Mattox was also present to speak about the designing process for the current home and that they owner has plans to go to the Historic Properties Commission in the coming months with a proposal. With no further questions or comments a motion was made to recommend approval to the Mayor and Board of Alderman.

**Moved: Kirk Milam Seconded: David Spragins. Status: Passed. All in favor.**

*13. Public Hearing for Case #3198 –Todd Paine has filed a request for Special Exception as provided in Section 3.5.3.2.b Districts Permitted Ground Floor Residential for property located at North Lamar Boulevard (PPIN #36354)*

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 23:48- 29:42)

**Planning Comments:** The subject property measures +/- 3.6 acres, and is located on N Lamar Boulevard just south of the Molly Barr/Hwy 30 intersection. The property is zoned (TNB) Traditional Neighborhood Business and is undeveloped. The property technically fronts N Lamar, but is a flag lot—with just 50 feet of frontage along N Lamar. It widens significantly once it stretches behind the existing neighboring businesses (NAPA Auto Parts and a small 3-bay shopping center).

The applicant seeks a Special Exception to allow for ground floor residential on this property to allow for the construction of 26 townhomes. Each townhome would consist of 3 bedrooms.

The applicant believes that this property is unique because of the nature of the lot. As stated in the application:

*"This lot is a flag lot on North Lamar. As such, it only has 50 feet of street frontage. The lot opens up significantly down grade and almost 300 feet away from North Lamar. The developable area*

*of the lot, once it opens up, is really more a part of the neighborhood behind the lot than it is North Lamar. We believe that this lot really should be developed as residential given that condition. It would not be detrimental to either:*

*1) The commercial character of North Lamar since it has no real frontage to the street and is not even visible from North Lamar*

*2) The residential nature of the neighborhood behind the lot given that it is residential in zoning and use and therefore we would be in harmony with it.”*

Staff does agree that this lot presents a unique circumstance for the applicant. Due to the unusual shape of the lot, the proposed units will not be visible from North Lamar, and it would be challenging for any business or commercial activity that is located so far from the road. Staff is supportive of the requested Special Exception for ground floor residential.

**Recommendation:** If the Commission finds that the circumstances in this application are unique due to the nature of the lot, then Staff recommends approval of the Special Exception with the following conditions:

1. The Special Exception shall expire in 18 months if no building permit has been issued.
2. The granting of this approval by the Planning Commission will not adversely affect the public interest.
3. Approval is for the plan as presented with any necessary revisions by the Site Plan Review Committee.

**Summary of Discussion:** Chairman Rigby asked about the requirements for a buffer if this use were to be commercial instead of residential. Mr. Requet responded a 50-foot landscaped buffer with maximum screening would be required. Mr. Stewarts Povall on behalf of the applicant and stated that they have spoken with the neighboring property and they agreed to plant ample screening and will amend the landscaping plan to reflect that. Mr. Povall added that the applicant is in communication with the neighboring property owners about access during construction and easements. With no further questions or comments a motion was made with the added condition of a landscaped buffer at the rear of the property.

**Moved: Erin Smith Seconded: Kirk Milam. Status: Passed. All in favor**

*16.Public Hearing for Case #3199 – Capstone Development (Mac Monteith) has filed a request for Site Plan Approval for ‘The Lamar Phase 7’ property located at 1305 Main Street (PPIN #41130)*

Mr. Baxter presented on behalf of the city. (YouTube video begins at 29:45-32:54)

**Planning Comments:** The subject property is +/- 2.198 acres at the north end of the Lamar TND. The applicant is requesting site plan approval for the Lamar Phase 7, a three-story multi-family building with 44-units and 89 bedrooms that fronts Molly Barr Rd. This building will have 2, 1-BR, 39, 2-BR, and 3, 3BR units.

Use and Parking – The 2024 update to the Lamar TND plan calls for multi-family at this location. Density is required to be between 15 and 22 units an acre. In this instance the applicant has proposed 20 units an acre.

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. Residential uses shall meet or exceed the standard requirement. In this instance 103 spaces are required and 107 are provided, 2 of which are ADA accessible.

Height – The Lamar TND plan limits multi-family structures to no more than 3 stories and 45 feet. The applicant has proposed 3 stories at 30'4".

#### Other Elements

- **Landscaping** – The applicant has provided a landscape plan that includes parking lot trees, frontage trees, foundation plantings and screenings for the dumpsters and retaining walls that all meet LDC requirements.
- **Tree Mitigation** - 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. Staff is working with the applicant to finalize tree mitigation calculations for this phase. It is likely that no tree mitigation will be required.
- **Building Materials and Architecture** – The proposed elevations are similar in building materials to the multi-family buildings currently under construction in Phase 5. The ground floor has a brick veneer façade, while upper floors have a combination of fiber cement panel and lap siding. The major difference between the two buildings is that Phase 7 will have a flat roof, similar to the commercial elements of Phase 1, as opposed to the asphalt shingled, sloped roof of Phase 5.
- **Signage** – A separate approval will be required to ensure compliance with the signage requirements of the Land Development Code.

**Engineering Comments** - This plan proposes the construction of a multi-family building in the southeast quadrant of the Molly Barr/Chickasaw/Main Street intersection.

#### Access

This site will have primary access to Main Street and alternate access into Phase 5 to the north.

#### Water & Sewer

This property will have access to public water and sewer facilities along Main Street. A public 8-inch water main will be run into the site to feed the new building. Sewer facilities within the site will be privately owned and maintained.

## Stormwater Management

The stormwater management requirements for this site plan will be met by conveying stormwater runoff through inlets and pipes to an underground detention basin located in the center of the property beneath the parking lot.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmittal to address comments but does not anticipate any issues preventing approval of the stormwater management plan.

**Recommendation:** Staff recommends approval of the requested Preliminary Plat for 'The Lamar Phase 7' with the following conditions:

1. Approval is for the plan as submitted subject to any necessary technical revisions per the Site Plan Review Committee.
2. All Engineering comments relating to site plan review must be satisfied before a land disturbance permit is issued.
3. The proposed 8-inch water main into site to feed the new building must be inspected and tested in accordance with the standard specifications of the City of Oxford prior to acceptance.
4. The stormwater management facility must be certified before issuing a Certificate of Occupancy.

**Summary of Discussion:** With no questions or comments from the commission or audience a motion was made.

**Moved: Erin Smith Seconded: Kirk Milam Status: Passed. All in favor.**

*17. Public Hearing Case #3200 – Ricky Britt Storage, LLC (Kyle Swafford) has filed a request for Preliminary and Final Plat Amendment for 'Greenpointe Commercial Plus Subdivision, Phase II' property located at 253 Ricky D. Britt Boulevard (PPIN #7503)*

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 32:55-34:36)

**Planning Comments:** In January 2024, this subdivision was the subject of an amendment that created a total of three lots (Lot 1-A, Lot 1-B and Lot 1-C). The applicant returns to the Commission with a proposal to amend the subdivision plat in order to combine Lots 1-B & 1-C; Lot 1-A remains unchanged. Lot 1-A measures approximately +/- 2 acres, while the proposed new Lot 1-B measures approximately +/- 6.6 acres. This is appropriate as the underlying (SCO) Suburban Corridor district does not have a minimum or maximum lot size.

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 herein," and requires their written approval of the proposed modification. The applicant is responsible for identifying such persons and obtaining their written approval as part of the application.

In considering parties named in a petition or application and whose approval was submitted, the Commission can decide whether those identified persons' approvals are sufficient or whether additional parties must be named and their signatures acquired. If the applicant cannot obtain those signatures, the application cannot proceed.

The applicant has identified the two parties they believe to be directly interested in this change and have provided their letters of approval.

### **Engineering Comments:**

#### Access

This site has its primary access onto Ricky D. Britt Sr. Boulevard.

#### Water & Sewer

This property will have access to public water and sewer facilities along Ricky D. Britt Sr. Boulevard.

#### Stormwater Management

Permanent stormwater management has not been approved for the original Phase II Lot 1 plat. A recorded drain easement covers a temporary detention basin on proposed Lot 1-B A. This temporary detention basin is the stormwater management for the existing Enterprise Rent-A-Car development on Lot 1-A. The temporary detention basin was approved as part of the Enterprise Rent-A-Car site plan in Case #2137 in November 2016.

Any development of Lot 1-B must provide stormwater management for Lot 1-A, or the site plan for Lot-1A must be amended to provide site-specific stormwater management for Lot 1-A. Suppose Lot 1-B is developed and continues to provide stormwater management for Lot 1-A. In that case, the stormwater management facilities on Lot 1-B will be considered regional stormwater management and all the requirements of ARTICLE V. STORMWATER MANAGEMENT, Sec. 98-119. Regional stormwater management must be satisfied as part of a site plan.

**Recommendation:** Staff recommends approval of the requested Preliminary and Final Plat for 'Greenpointe Commercial Subdivision Phase 2' with the following conditions:

1. Approval of the Final Plat for 'Greenpointe Commercial Subdivision Phase 2, Lot 1' by the Mayor and Board of Aldermen. (Planning)
2. Prior to the plat being heard by the Board of Alderman, all of Engineering Staff's comments shall be addressed. (Engineering)

**Summary of discussion:** With no questions or comments from the commission or audience a motion to recommend approval to the Mayor and Board of Alderman was made.

**Moved: Kirk Milam Seconded: David Spragins. Status: Passed. All in favor**

12. Motion to adjourn

**Moved: Erin Smith. Seconded: Kirk Milam. Status Passed. All in favor.**





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

If you would like to participate in this meeting, please open the attachment for the virtual meeting information.

To view the recording of this public meeting please click the link below.

[YouTube - Public Meeting Video](#)

#### B. April Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

- All in favor. Move: Kirk Milam Second: Yolanda Long Status: Passed

##### 3. Approval of minutes from the March 2025 Meeting

- All in favor. Move: David Spragins Second: Harry Alexander Status: Passed

##### 4. Staff Report

###### a. Planning Staff Report

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

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

#### C. Administrative Approvals

6. Case #3202-A –Richard Holander has filed a request for Special Use for Accessory Dwelling Unit as authorized in Section 3.5.6 Dwellings: Accessory of the Land Development Code located at 523 Fazio. (PPIN #37247) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception**

#### D. Consent Agenda

7. Public Hearing for Case #3203 – MS Sip Development, LLC (Keith Burba) has filed a request for a) Special exception as provided in section 5.6.1.3 Building Form and Materials b). Special Exception as provided in section 2.6.7 Ground Floor Residential and c). a Special Exception as provided in section 2.6.7 Building Height for 'The Overlook' property located at 1113 Jackson Avenue East (PPIN #6763)
8. Public Hearing for Case #3204 – Capstone Development (Mac Monteith) have filed a request for Preliminary and Final Plat Approval for 'The Lamar, Phase 1, Lot 1' property located at 1305 Main Street (PPIN #41130)

9. Public Hearing for Case #3205 – North Mississippi Primary Healthcare Inc (Bill Stone) has filed a request for Special Exception provided in section 2.6.8 Build to Line Maximum for property located at 409 Highway 6 West (PPIN #7686)
10. Public Hearing for Case #3206– Jackie Rozier has filed a request for Variance from section 2.6.3 Front yard build to line maximum for property located at 306 Ridgewood Manor Drive (PPIN #4756)
11. Public Hearing for Case #3207 – North Mississippi Rural Legal Services, LLC (Ben Cole) has filed a request for City Utilities for property located at County Road 321 (PPIN #10274)

#### **Approval of the Consent Agenda**

**Moved: Kirk Milam Seconded: Harry Alexander Status: Passed**

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

12. Public Hearing for Case #3208 – Melissa Williams & Sara Camp have filed a request for a). Variance from section 2.6.4.1 Traditional Suburban Residential Overlay – Lot Size Minimum and b). Variance from section 5.8.4.4. Conservation Overlay Districts, Yard Standards for property located at 1418 Adams Avenue (PPIN #6162) **POSTPONED**
13. Public Hearing for Case #3209 – Melissa Williams and Sara Camp have filed a request for Preliminary and Final Plat Approval for property located at 1418 Adams Avenue (PPIN #6162) **POSTPONED**
14. Public Hearing for Case #3210 – Walker & Walker Enterprises, LLC (Ryan Walker) have filed a request for Variance from section 5.8.4.10 Conservation Overlay Districts for property located at 619 Van Buren Avenue (PPIN #5979)

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 14:12 – 16:58)

**Planning Comments:** The applicant seeks approval for a Variance from Section 5.8.4.10 Conservation Overlay Districts to allow for additional bedrooms at 619 Van Buren Avenue. The subject property, the Theora Hamblett House, is located in the South Lamar Historic District. The applicant plans to add onto the existing house and to build a new garage. Those plans are currently under review with the Historic Preservation Commission.

The applicant notes that the house will be used as a single-family dwelling and not as a rental property. There are four bedrooms currently and the applicant would like to add two for a total of six bedrooms, which would ensure one bedroom for each child in the applicant's family.

The Neighborhood Conservation Overlay Standards note that in NR (like the subject property) and in SMF zoning districts that dwelling units should be no larger than three bedrooms.

The Historic Preservation Commission will determine if the size and massing of the new additions are appropriate in the context of the Oxford Design Guidelines. Staff finds that adding needed bedrooms for this family to be able to live in and use the house is an appropriate reason to grant a variance in this instance.

**Recommendation:** Staff recommends approval of the variance with the following conditions:

1. The variance is for the plan as submitted with necessary revisions due to Historic Preservation Commission review.

**Summary of Discussion:** Chairman Rigby clarified that this approval would be for the variance and not any aesthetic proposals for the home. With no further questions or comments a motion was made.

**Moved: Harry Alexander Seconded: Kirk Milam Status: Passed All in favor.**

15. Public Hearing for Case #3211 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Site Plan Approval for ‘Patterson Place’ property located at Anchorage Road (PPIN #15716)

Mr. Robert Baxter presented on behalf of the city. (You tube video begins at 16:59 – 22:13)

**Planning Comments:** The subject property is a +/- 18.86-acre parcel that stretched from George G Pat Patterson Parkway and Anchorage Road due south of the Western Hills subdivision. The applicant is proposing a 145-unit RCID of 32 detached and 94 attached units. The site is split between SR (+/- 3.25 acres) and NR (+/- 15.61).

Use, Density, and Parking – The proposed mix of units is allowed in each of the zoning districts. The SR portion has 19 units, all 3-BR detached. The NR portion has 32 detached, 3-BR units (25.4%) and 94 attached, 3-BR units (74.6%). Each of these unit types can be approved by Special Use and the applicant has filed the necessary requests.

SR allows 6 units an acre; for the 3.25 acres, 19 units would be allowed. NR allows 9 units an acre; for the 15.61 acres, 140 unit would be allowed.

Parking for 3-BR detached units is calculated at two spaces per unit plus one guest space for every three units. Parking for 3-BR attached units is calculated at two spaces per unit plus one guest space per unit. For this development a minimum of 401 and a maximum of 501 spaces are allowed. The applicant has proposed 458 spaces, 2 of which are ADA accessible.

Coverage – SR and NR both allow for 60% coverage. The applicant has proposed 55.8% and 54.3% respectively.

Other Elements

- **Landscaping** – The applicant has proposed a landscaping plan that provides for parking lot trees, foundation plantings and required screenings that all meet LDC standards. Frontage trees are provided along each of the public frontages, but those along

Anchorage should be spaced closer together, or a larger tree specimen should be provided.

- **Tree Mitigation** – This site was previously part of a certified tree farm that was harvested recently, and as such, those areas do not require mitigation. No other significant trees remain on site.
- **Architecture and Building Materials** – The proposed units will have a similar style to the attached units in South Grove. The primary façade materials will be brick and siding

**Engineering Comments:** This project proposes to construct 145 new dwelling units on property between Pat Patterson Parkway and Anchorage Road.

### **Access**

This development will have access onto Pat Patterson Parkway and Anchorage Road. All roads within the development will be privately owned and maintained.

### **Water and Sewer**

Water to the site is proposed by new publicly owned and maintained water mains with individual meters for each unit. An easement will be provided for the maintenance of all water infrastructure.

Gravity sewer facilities within the proposed site will be privately owned and maintained. Wastewater will be collected and conveyed to a publicly owned and maintained lift station, which will pump through a new 6-inch force main to an existing city manhole on Pat Patterson Parkway.

### **Stormwater Management**

A proposed stormwater management facility featuring inlets, pipes, and two detention basins will meet this site's stormwater management requirements. The detention basins are located along the south side of the site. The western detention basin will discharge to the south into an existing ditch that runs south across the adjoining undeveloped property. The eastern detention basin will discharge to the south into an existing ditch formed at the toe of the grading of the western building pads of the adjoining Keystone Cottages development. This ditch connects to a pipe that runs south through Keystone Cottages.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmission to address comments, but does not anticipate any issues that would prevent its approval.

**Recommendation:** Staff recommends approval of the requested Site Plan for 'Patterson Place' with the following conditions:

1. Approval is for the plan as submitted subject to necessary revisions per the Site Plan Review Committee.
2. Prior to the issuance of permits, an updated landscape plan that reflects the needed changes to frontage trees shall be provided to Staff for approval.
3. Prior to the issuance of a Certificate of Occupancy, a Special Use for a Residential CID shall be approved by Staff. (Planning)
4. All engineering comments related to preliminary site plan drawings are to be addressed before a land disturbance or building permit is issued, including approval of the stormwater management plan.
5. Water connection fee and sewer fees (per unit) shall be paid before building permits are issued.
6. Water and sewer approvals from MSDOH and MDEQ are required before water meters can be set.
7. The completed stormwater management facility must be certified by the civil engineer for conformance to the design plans and specifications before certificates of occupancy are issued.

**Summary of discussion:** Mr. Shane Caldwell was present on behalf of the applicant. Chairman Rigby asked about adding more connectivity. Mr. Caldwell spoke about an easement on the far west side to provide a connecting road to the north. With no further questions or comments a motion was made.

**Moved: Harry Alexander Seconded: Kirk Milam. Status: Passed. All in favor.**

16. Public Hearing for Case #3184 – Callicutt Lands, LLC (Andy Callicutt) has filed a request for a Special Exception as provided in Section 2.6.9 Suburban Center – Dwelling Unit Density Maximum, Ground Floor Residential for property located at 3230 Landing Lane (PPIN #8903) **(POSTPONED FROM FEBRUARY)**

**Planning Comments:** The applicant was previously approved for a Special Exception for Ground Floor Residential as part of a mixed-use development in Oxford Farms. The applicant has proposed modifications to the plan that was originally approved in October 2022 and amended in June 2023. Therefore, a new Special Exception is required.

The subject property is +/- 3.10 acres and located on the north side of Oxford Way just east of the Stillwater development. The applicant is proposing a mixed-use development consisting of one, three-story, multi-family residential building and two, three-story, mixed-use buildings. The site plan for this development is being considered in Case #3175.

The applicant is looking to keep the two uses separate between the buildings which would entail having residential on the ground floor. Use of ground floor residential is a Special Exception in SCN districts.

The applicant states that this will keep the harmony within the buildings and provide a consistent feel with the rest of the Oxford Farms Development and that the unique design of each of the respective buildings lend themselves to keep the uses coherent within the buildings.

Staff is not opposed to this plan. The residential building that fronts Oxford Way will serve as a transition in density between the mixed-use buildings and the lower density residences in the Stillwater development.

**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. Staff recommends the following conditions of approval:

1. Approval is for the plan as submitted.

Should the applicant not secure building permits within 18 months, the Special Exception shall expire.

**See Case Below for summary of discussion.**

17. Public Hearing for Case #3175 – Callicutt Lands, LLC (Andy Callicutt) has filed a request for Site Plan approval for 'The Landing at Oxford Farms' for property located at 3230 Landing Lane (PPIN #8903) (**POSTPONED FROM JANUARY**)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 22:30-45:46)

**Planning Comments:** The subject property is +/- 3.1 acres located on the north side of Oxford Way just east of the Stillwater development. The applicant is proposing an amendment to the Site Plan that was approved in December of 2022 and amended in June of 2023. This proposal would modify the existing plans to add additional floors of residential units.

Building A will remain the same, with 15 3-bedroom units. Building B will have an additional story, and will cut the previous 16,000 SF of commercial space to 8,000 to allow for 16 – 1 & 2 bedroom residential units on floors 2 & 3. Building C will also feature a reduction of the commercial space to 8,000 SF to allow for 16 – 1 & 2 bedroom residential units on floors 2 & 3.

#### Use and Parking Requirements

The use of ground floor residential in a SCN district requires a Special Exception. The applicant sought, and was granted this Special Exception at the October 2022 Planning Commission meeting (Case #2901). The changes to the site plan do require the applicant to seek a new Special Exception, the subject of Case #3184.

Based on the proposal provided, 53 parking spaces are required for the commercial portions of the development and 103 are required for the residential, a total of 156. 154 spaces are provided,

including several on-street parking spaces. The development is proposing a mix of retail/office space, which will lend itself to shared parking between the business and residential components.

#### Coverage

The SCN district allows for 80% lot coverage and 79.9% is proposed with this development.

#### Building Height

The residential building is proposed at 3 stories and 33' tall. The commercial buildings are proposed at 3 stories and 39' tall. SCN allows for up to 4 stories and 50' in height.

#### Other Review Elements

- **Architecture and Building Materials** – The proposed architecture is generally in keeping with the rest of Oxford Farms. The residential building will have brick veneer and fiber cement siding as the primary façade material while the commercial buildings will have brick veneer and cast stone panels. The commercial buildings will make use of metal as accent materials for the windows, balconies, and parapet caps.
- **Sidewalks and Connectivity** – A multi-use path already exists along Oxford Way that this development will tie into with additional sidewalks that will connect to all buildings and the Stillwater development.
- **Landscaping & Tree Mitigation** - The proposed landscape design meets all standards related to frontage trees, buffers, and foundation plantings. One parking lot tree needs to be changed as a Lacebark Elm is no longer a recommended parking lot tree. Tree mitigation is not needed on this site as the site was previously cleared.

#### **Engineering Comments:**

This project has received previous approvals for site plan and site plan amendment under cases 2923 and 2965.

#### Access

All streets within the development are privately owned and maintained by the development. Cross access easements are required for the private streets/drive aisles.

#### Water and Sewer

Water to the property will be a proposed public water main. Sewer facilities will be collected by a private sewer collection system and transmitted to a public sewer manhole in Oxford Way for transport and treatment.

#### Stormwater Management



The stormwater management requirements for this site plan will be met by conveying stormwater runoff through inlets and pipes to an existing regional detention basin located north of the site. The detention basin spans the property line between the Landing and Stillwater. The regional detention basin's use and maintenance are shared with the Stillwater development. A maintenance agreement between the Landing and Stillwater has been recorded. This maintenance agreement satisfies the regional detention requirements of the City of Oxford's Stormwater Management Ordinance.

The Engineering Department has approved the site's Stormwater Management Plan.

**Recommendation:** Staff recommends approval of the Site Plan for 'The Landing' with the following conditions:

1. Approval is for the plan as submitted with any necessary technical changes required by the Site Plan Review Committee. (Planning)
2. Approval of Case #3184, a Special Exception for Ground Floor Residential. (Planning)
3. Prior to the issuance of a Certificate of Occupancy, a Special Use for a Mixed-Use CID shall be approved by Staff. (Planning)
4. The completed stormwater management facility must be certified before issuing a Certificate of Occupancy. (Engineering)
5. All water and sewer taps must be paid prior to a building permit being issued. (Engineering)
6. All engineering comments related to the site plan must be met prior to a land disturbance permit being issued, including final approval of the stormwater management facility. (Engineering)

**Summary of Discussion:** There was a review of what changes are being proposed and the location of the detention pond. The following case, site plan, was also presented at this time. Discussion continued about the changes to the commercial space and future effects of similar special exceptions being granted. Mr. Joey Moore spoke on behalf of the applicant about the reasoning for a reduction in commercial space. Commissioner Murphy mentioned traffic to which Mr. Requet responded that the city is looking at the transportation plan and will be making adjustments soon to include the increased traffic flow. With no further questions or comments a motion was made.

**Special Exception - Moved: Harry Alexander. Seconded: David Spragins. Status: Passed**

Chairman Rigby against, Commissioners Alexander, Spragins, Murphy, Logan and Milam for.

**Site Plan – Moved: Kirk Milam Seconded: Harry Alexander Status: Passed.**

Chairman Rigby against, Commissioners Alexander, Spragins, Murphy, Logan and Milam for.

18. Public Hearing for Case #3212 – MS Sip Development, LLC (Keith Burba) has filed a request for Site Plan Approval for 'The Overlook' property located at 1113 Jackson Avenue (PPIN #6763)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 45:55-53:45)

**Planning Comments:** The subject property is the site of the former FNB Bank located at the intersection of Jackson Avenue and Fraternity Row. The site measures approximately +/- 2.04 acres and it zoned Traditional Neighborhood Business.

The applicant is proposing a mixed-use development consisting of a four-story building with approximately +/- 5,300 sq/ft of commercial, and 52 residential units (107 bedrooms) on upper floors. The ground floor of the building will also be utilized for podium parking; however, it is mostly screened from view with materials consistent with the remainder of the building. This development proposal requires Special Exceptions, the subject of Case #3203, to allow a 4<sup>th</sup> floor, relief from the building step-back provisions, and to allow the ground-floor to be podium parking.

#### Use and Parking Requirements

The development consists of slightly more than 5,000 sq/ft of commercial on the ground floor. The applicant did apply for a Special Exception to allow the ground floor to be used as podium parking. Upper floors may be used for residential purposes, provided the density does not exceed 39 bedrooms per acre, which the proposal adheres to. The ownership mechanism for the development will be through a Mixed-Use Common Interest Development. Prior to the issuance of a Certificate of Occupancy, a Special Use shall be approved by Planning Staff that includes the covenants and condominium plat to be filed with Lafayette County.

The proposal indicates a total of 133 parking spaces in the development, but 140 spaces are required. 123 parking spaces are required for the residential portions of the development with 17 required for the commercial portion. The applicant believes that a portion of the commercial space will be utilized for backstock areas and would not necessitate 17 spaces, but they also believe that the proposed uses will be complimentary, allowing for some shared parking.

#### Coverage

The Overlook coverage is less than the 80% maximum lot coverage and complies with this requirement.

#### Building Height

The Traditional Neighborhood Business District stipulates the maximum height allowed is 3 stories and 40' unless a Special Exception is granted for a 4<sup>th</sup> story not to exceed 50' in height. The applicant is proposing a 4-story building that measures 50', and has filed for a Special Exception, the subject of Case #3203.

#### Other Review Elements

- **Architecture and Building Materials** – The proposed architecture is compatible with the requirements of the Land Development Code. The building will consist of brick masonry,

wood siding, glass storefronts, portions of stucco and columns that are wrapped in stone. The podium parking is also screened by the building.

- **Sidewalks and Connectivity** – Sidewalks exist along Jackson Avenue and the development proposes pedestrian connectivity throughout the proposed development
- **Landscaping & Tree Mitigation** - The proposed landscape design meets all standards related to frontage trees, buffers, and foundation plantings. This site was previously developed; however, several trees do exist on the site. The development proposal will remove all these trees. The applicant will be required to mitigate a total of 6 – 2” caliper trees.

#### **Engineering Comments:**

This project proposes to construct a mixed-use facility on West Jackson Avenue consisting of 1 ground floor commercial space, and 107 above ground residential bedrooms.

#### **Access**

This development will have access onto West Jackson Avenue via one right-in / right-out drive. It will also have access to the north via connection to the University of Mississippi’s Jackson Avenue campus.

#### **Water and Sewer**

Water to the facility is proposed by a new publicly owned and maintained water main with individual meters for each unit. An easement will be provided for the maintenance of all publicly owned and maintained water infrastructure.

Wastewater from the site will be collected and conveyed to an existing sewer manhole on West Jackson Avenue.

#### **Stormwater Management**

A proposed stormwater management facility, featuring inlets, pipes, and an underground detention basin, will be installed beneath the parking lot to meet this site's stormwater management requirements. The underground detention basin will utilize an ADS Stormtech chamber system beneath the parking lot along the site's south side. The underground detention basin will discharge at the west corner of the site.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is reviewing a resubmittal that addresses comments and does not anticipate any issues that would prevent its approval.

**Recommendation:** Staff recommends approval of the Site Plan for 'The Overlook' with the following conditions:

1. Approval is for the plan as submitted with any necessary technical changes required by the Site Plan Review Committee. (Planning)
2. Approval is contingent on the approval of Case #3203. (Planning)
3. The Fire Access will have bollards installed subject to Oxford Fire Department review and approval prior to the issuance of Building Permits. (Planning)
4. Prior to the issuance of a Certificate of Occupancy, a Special Use for a Mixed-Use CID shall be approved by Staff. (Planning)
5. All engineering comments related to preliminary site plan drawings are to be addressed before a land disturbance or building permit is issued, including approval of the stormwater management plan. (Engineering)
6. Water connection fee and sewer fees (per unit) shall be paid before building permits are issued. (Engineering)

The completed stormwater management facility must be certified by the civil engineer for conformance to the design plans and specifications before certificates of occupancy are issued. (Engineering)

**Summary of Discussion:** With no questions or comments a motion was made.

**Moved: Kirk Milam Seconded: Harry Alexander Status: Passed. All in favor**

7. Public Hearing for Case #3213 – Oxford SH Owner, LLC (Jonathan Fronczek) has filed a request for a). Special Exception as provided in 3.5.1.2.c. Districts Permitted, Dwellings Detached and b). Special Exception from Section 2.6.7 Traditional Neighborhood Business District - Ground Floor Residential for 'Anderson Road Student Housing' property located at Anderson Road (PPIN #32319)

**Planning Comments:** The subject property is +/- 42.22 acres on Anderson Rd north of the Heritage intersection. The applicant proposes to construct a student housing development of 243 units in a mix of 1, 2, 3, and 4 bedrooms in a combination of detached, attached townhouse, and multi-family styles. Additional space is dedicated to a clubhouse, a pavilion, a food truck court and some ground floor retail commercial in a multi-family building. The parcel wraps around the Meadow Crest development on three sides, though the applicant currently only proposes to build on the west and north. These requests are to facilitate the Site Plan.

**a) Special Exception as provided in 3.5.1.2.c. Districts Permitted; Dwellings Detached & 3.5.3.2.b Districts Permitted; Dwellings Attached – 4 Bedrooms**

This request is to exceed the 25% of allowed 4-bedroom units in NR. The applicant has proposed 210 total units in the NR portion between the attached and detached units, 88 of which would be 4-bedroom. However, it may be more appropriate to consider the development as a whole and there are another 33 one and two-bedroom units proposed with the multifamily buildings in

the TNB bringing the total unit count for the development to 243 and the percentage of 4-bedroom units to +/- 36%.

The applicant makes mention of a few nearby developments that have similar, if not higher, rates of 4 and 5-bedroom units including The Lark (66% 4 & 5-BR) and College Town (70% 4 & 5-BR). Because of this, the applicant contends that this request would be in harmony with the surrounding neighborhood.

Staff believes that the applicant has achieved a reasonable mix of 1, 2, 3 & 4-BR units. Should the student housing model become no longer feasible, the layout of the proposed development could relatively easily be changed to a conventional rental or condominium model.

**Recommendation:** Staff recommends approval of the requested Special Exception with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee.
2. The Special Exception shall expire if building permits are not issued within 18 months.

**b) Special Exception from Section 2.6.7 Traditional Neighborhood Business District - Ground Floor Residential**

The applicant has proposed three multi-family buildings in the TNB portion of the development, one of which has a +/- 767 sf of ground-floor retail. The use of any ground floor residential in a TNB district is a Special Exception. The larger multi-family building is more internal to the site and takes access from the parking lot and drives shared by the townhomes and detached residential. The two smaller multi-family buildings are closer to Anderson and take access just off the main drive.

The applicant has also provided space programed for a food truck court along Anderson just west of the main drive that would integrate with ground-floor retail component of the first multi-family building. There is an additional +/- 18,700 sf of unprogrammed, developable frontage on the east side of the main drive.

Staff finds that this request is reasonable as the areas requested for ground floor residential are generally off the frontage, and internal to the site. The applicant has provided some commercial along the main frontage and not foreclosed on the opportunity for additional commercial at this highly visible location.

**Recommendation:** Staff recommends approval of the requested Special Exception with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee.
2. The Special Exception shall expire if building permits are not issued within 18 months.

### **See below for summary of discussion**

3. Public Hearing for Case #3214 – Oxford SH Owner, LLC (Jonathan Fronczek) has filed a request for Site Plan Approval for ‘Anderson Road Student Housing’ property located at Anderson Road (PPIN #32319)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 53:50-1:18:32)

**Planning Comments:** The subject property is +/- 42.22 acres on Anderson Rd north of the Heritage intersection. The applicant proposes to construct a student housing development of 243 units in a mix of 1, 2, 3, and 4 bedrooms in a combination of detached, attached townhouse, and multi-family styles. Additional space is dedicated to a clubhouse, a pavilion, a food truck court and some ground floor retail commercial in a multi-family building. The parcel wraps around the Meadow Crest development on three sides, though the applicant currently only proposes to build on the west and north.

Use, Density and Parking – In the NR the applicant has proposed attached and detached residential of 2, 3, and 4-BR. The 2 & 3-BR units can be approved by Special Use, while the 4-BR units can be approved by Special Exception as they exceed 25% of all units (Case #3213). In the TNB the applicant has proposed multi-family units with some ground floor residential which is allowable by Special Exception (Case #3213).

Density for the NR portions is allowed to be up to 9 units an acre, while the applicant proposes 5.6. The TNB allows for 39 bedrooms an acre, where the applicant proposes 10.6.

Parking for the detached units is 2 per unit for the 3-BR units (52) and 1 space per bedroom for the 4-BR units (136) plus one guest space for every 3 total units (21) for a total of 209. For the attached units, two spaces are needed for each 2 or 3-BR unit (196) and one space per bedroom are needed for the 4-BR units (208), with 1 space for every three units of guest parking for the 2-BR (4) and 1 space per unit of guest parking for the 3 and 4-BR units (140) for a total of 548. The multi-family units require 1 space per unit for the 1-BR units (17) and 2 spaces per unit for the 2-BR units (32) with 1 guest space for every 3 units for both the 1 and 2-BR units (12) for a total of 61. The retail space, clubhouse and pavilion each require 1 space for each 300 sf of gross floor area (30).

In total 848 spaces are required and the applicant has provided 852, 17 of which are ADA accessible.

Height – Buildings in NR districts are limited to 38 feet and no more than 2 stories and building in TNB districts are limited to 40 feet and no more than 3 stories. All proposed structures meet these requirements.

### Other Elements

- **Landscaping** – A landscaping plan is provided that indicates frontage trees, parking lot trees, foundation plantings, and required screenings that all meet LDC standards.

- **Tree Mitigation** – Sufficient numbers of trees, especially on the east side of the property, are being retained to offset those being removed so that no additional trees are required for replanting.
- **Architecture and Building Materials** – All buildings on site will have similar architectural styles. Primary façade materials will be fiber cement siding with asphalt shingled gable roofs.

**Engineering Comments:** This project proposes to construct a multi-use development on Anderson Road.

### **Access**

This development will have access onto Anderson Road at two locations: a western access at the existing intersection of Esplanade Ridge, and a main entrance at the existing intersection of Heritage Drive. The intersection of Heritage Drive will require the installation of a traffic signal and associated geometric improvements to the roadways.

### **Water and Sewer**

Water to the site is proposed by a new publicly owned and maintained water main with individual meters for each unit. An easement will be provided for the maintenance of all publicly owned and maintained water infrastructure.

Gravity sewer from the site will be conveyed through a privately owned and maintained system to a proposed publicly owned and maintained lift station. The lift station will pump to an existing manhole on Anderson Road.

### **Stormwater Management**

A proposed stormwater management facility featuring inlets, pipes, and a detention basin will meet this site's stormwater management requirements. The detention basin is located along the northwest corner of the site. The detention basin will discharge to the west into an existing ditch that runs south across the adjoining undeveloped property.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is reviewing the site plan submittal and does not anticipate any issues that would prevent its approval.

**Recommendation:** Staff recommends approval of the requested Site Plan for 'Anderson Road Student Housing' with the following conditions:

1. Approval is contingent on receipt of the Special Exceptions as requested in Case #3213.
2. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee.

3. All engineering comments related to preliminary site plan drawings are to be addressed before a land disturbance or building permit is issued, including approval of the stormwater management plan.
4. Water connection fee and sewer fees (per unit) shall be paid before building permits are issued.
5. The completed stormwater management facility must be certified by the civil engineer for conformance to the design plans and specifications before certificates of occupancy are issued.
6. Water and sewer approvals from MSDOH and MDEQ are required before water meters can be set.

**Summary or Discussion:** Mr. Jonathan Fronczek was present to speak about the property. There was discussion about the number of bedrooms, Mr. Requet added the code has been modified to have more consistency between the different types of homes being built. There was discussion about the tree mitigation plan. Commissioner Murphy asked how the additional traffic will be handled. Mr. Crawley, the city engineer stated that a traffic light will be added to the intersection at Heritage Drive. Mr. Paul Koshenina was also present to discuss the signal and plans to widen the road with turn lanes to help. Mr. Koshenina spoke about the storm water detention.

Mr. Fronczek added to the commercial elements for resident and public use. An added condition that the food truck and commercial elements will need to be on the site plan documents prior to the issuance of building permits. With no further questions or comments a motion was made.

**Special Exception a)-- Moved: Joseph Murphy Seconded: Yolanda Logan Status Passed**

**Special Exception b)- Moved: Harry Alexander Seconded: David Spragins Status Passed**

**Site Plan - Moved: Joseph Murphy Seconded: Harry Alexander Status: Passed**

19. Public Hearing for Case #3215 – The Crossing at Oxford Commons, LLC (David Blackburn) has filed a request for Special Exception as provided in section 2.6.9 Suburban Center District Ground Floor Residential for 'The Crossing, Phase 5' property located at F.D. Buddy East Parkway (PPIN'S #39666 & #9142)

**Planning Comments:** The subject property measures approximately +/- 59 acres located south of the Heights in Oxford Commons. This property is not located in the Oxford Commons Planned Unit Development. The majority of the property is zoned Suburban Residential, however, approximately 9 acres are zoned Suburban Center.

The applicant is proposing a single-family detached residential neighborhood, consistent with other phases of The Crossing, located in Oxford Commons. The proposal indicates a total of 189 residential units that include detached garages. The development takes access from F.D. Buddy East Parkway, but it connects to another phase of The Crossing, located just south of Della Davidson Elementary. This development will consist of a Residential Common Interest Ownership mechanism.



The nature of this request is to allow approximately 43 units to be located in the Suburban Center zoning district. The application states that the property is unique due to the fact there is a small portion of property that is zoned SCN, while the majority of the property is zoning SR which allows for ground floor residential. In order to create unity between the two zonings, the proposed project intends to construct the same product throughout the development.

The development will connect to Buddy East Parkway as well as the existing Oxford Commons Development to the north. Oxford Commons has created numerous non-residential uses along

Sisk Avenue and Ed Perry Blvd and will continue to do so in the future. The developer feels like this small portion of the property zoning was intended for the piece to the south of the proposed development which has frontage along Buddy East Parkway and University Avenue, better suited for non-residential uses. The proposed project will be in harmony with the surrounding properties due to the properties to the west and north all have residential uses.

**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. Staff recommends the following conditions of approval:

1. Approval is for the plan as submitted.
2. Should the applicant not secure building permits within 18 months, the Special Exception shall expire.

**See below for summary of discussion**

21. Public Hearing for Case #3216 – The Crossing at Oxford Commons, LLC (David Blackburn) has filed a request for Site Plan Approval for ‘The Crossing, Phase 5’ property located at F.D. Buddy East Parkway (PPIN’S #39666 & #9142)

Mr. Ben Requet presented both cases on behalf of the city (YouTube video starts at 1:18:46-1:33:45)

**Planning Comments:** The subject property measures approximately +/- 59 acres located south of the Heights in Oxford Commons. This property is not located in the Oxford Commons Planned Unit Development. The majority of the property is zoned Suburban Residential, however, approximately 9 acres are zoned Suburban Center.

The applicant is proposing a single family detached residential neighborhood, consistent with other phases of The Crossing, located in Oxford Commons. The proposal indicates a total of 189 residential units that include detached garages. The development takes access from F.D. Buddy East Parkway, but it connects to another phase of The Crossing, located just south of Della Davidson Elementary. This development will consist of a Residential Common Interest Ownership mechanism. Approximately 43 units are located in an area that is zoned Suburban Center, the subject of Case #3215, a Special Exception for Ground Floor Residential.

### Use and Parking Requirements

The use of ground floor residential in a SCN district requires a Special Exception. The applicant filed a request for a Special Exception, the subject of Case #3215. The ownership mechanism for the development will be through a Residential Common Interest Development. Prior to the issuance of a Certificate of Occupancy, a Special Use shall be approved by Planning Staff that includes the covenants and condominium plat to be filed with Lafayette County.

The Crossing Phase 5 will consist of 44 3-bedroom and 145 4-bedroom units. There is not a limitation on the quantity of bedrooms in the SR district; the limiting factor will be the quantity of parking provided. The proposal indicates a total of 906 parking spaces in the development. 4 spaces are provided for each unit (2 in a garage with 2 spaces in the driveway behind the garage. An additional 150 spaces are provided in on-street parking.

### Coverage

The Crossing Phase 5 complies with the coverage requirements.

### Building Height

The residential buildings included in the building elevations consist of 2 story buildings with a maximum height below 38'.

### Other Review Elements

- **Architecture and Building Materials** – The proposed architecture is generally in keeping with the rest of The Crossing. The residential building will consist of brick masonry, horizontal siding, board and batten siding, and includes windows with decorative fixed shutters.
- **Sidewalks and Connectivity** – A sidewalk will be installed along Buddy East Parkway, and they will also provide pedestrian connectivity throughout the proposed development. This development also proposes connectivity with the other phase of the Crossing located northwest of the development.
- **Landscaping & Tree Mitigation** - The proposed landscape design meets all standards related to frontage trees, buffers, and foundation plantings. Staff has requested several technical changes to the landscaping plan, which is listed as a condition of approval. While a significant quantity of trees are proposed to be removed from the site, the applicant plans to preserve as many trees as possible. Based on the proposed mitigation plan provided, several trees are indicated to be preserved but are located on the adjacent properties and subsequently they do not count as credit. Based on Staff's calculation, the applicant is required to provide 63 – 2" caliper trees for mitigation.

### **Engineering Comments:**

This project proposes to construct a residential development in the Oxford Commons area containing 189 total units.

### **Access**

This development will have access onto FD Buddy East Parkway, and into Phase 1 of The Crossing, already constructed. All roadways will be privately owned and maintained.

### **Water and Sewer**

Water to the site is proposed by a new publicly owned and maintained water mains with individual meters for each unit. An easement will be provided for the maintenance of all publicly owned and maintained water infrastructure.

Gravity sewer from the site will be conveyed through a privately owned and maintained system to a proposed publicly owned and maintained lift station. The lift station will pump to an existing manhole on within Phase 1 of the Crossing. The existing lift station in Phase 1 of the Crossing will need to be upgraded to handle the additional flows from this phase.

### **Stormwater Management**

A proposed stormwater management facility featuring inlets, pipes, and two detention basins will meet this site's stormwater management requirements. The site is divided by a stream, with each side having its detention basin.

The northwestern detention basin will discharge into the stream at the western bank. The eastern detention basin will discharge to the south into an existing ditch that runs south across the adjoining undeveloped property. The eastern detention basin will discharge into the stream near the site's eastern property line.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is reviewing a resubmittal that addresses comments and does not anticipate any issues that would prevent its approval.

**Recommendation:** Staff recommends approval of the Site Plan for 'The Crossing, Phase 5' with the following conditions:

1. Approval is for the plan as submitted with any necessary technical changes required by the Site Plan Review Committee. (Planning)
2. Approval of Case #3215, a Special Exception for Ground Floor Residential. (Planning)
3. Prior to the issuance of a Certificate of Occupancy, a Special Use for a Residential CID shall be approved by Staff. (Planning)
4. All engineering comments related to preliminary site plan drawings are to be addressed before a land disturbance or building permit is issued, including approval of the stormwater management plan. (Engineering)
5. Water connection fee and sewer fees (per unit) shall be paid before building permits are issued. (Engineering)

6. The completed stormwater management facility must be certified by the civil engineer for conformance to the design plans and specifications before certificates of occupancy are issued. (Engineering)
7. Water and sewer approvals from MSDOH and MDEQ are required before water meters can be set. (Engineering)

**Summary of Discussion:** Commissioner Logan asked about traffic. Mr. Crawley spoke about a traffic study for the parkway which is sufficient for the anticipated traffic. Commissioner Murphy asked about the privately-owned sewer and if the city would need to maintain that. Mr. Crawley said the developer or owner of the development would be responsible for its maintenance and upkeep.

Mr. Joey Moore was present on behalf of the applicant to tell the commission about the utilities and road plan. With no further questions or comments a motion was made.,

**Special Exception - Moved: Kirk Milam Seconded: David Spragins Status Passed: All in favor.**

**Site Plan - Moved: Joseph Murphy Seconded: Yolanda Logan. Status: Passed. All in favor**

12. Motion to adjourn

**Moved: Joseph Murphy. Seconded: Harry Alexander. Status Passed. All in favor.**

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

If you would like to participate in this meeting, please open the attachment for the virtual meeting information.

To view the recording of this public meeting please click the link below.

[YouTube - Public Meeting Video](#)

#### B. May Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

- All in favor. Move: Kirk Milam Second: David Spragins Status: Passed

##### 3. Approval of minutes from the April 2025 Meeting

- All in favor. 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

#### C. Administrative Approvals

6. Case #3217-A Larry McAlexander has filed a request for Site Plan Approval for 'Evergreens Farmer's Market' located at 5207 George Pat Patterson Parkway (PPIN #24879)

#### D. Consent Agenda

7. Public Hearing for Case #3218 – Nickle Smith has filed a Preliminary and Final Plat Approval for 'Connie's Chicken' property located at 2622 West Jackson Avenue (PPIN #7875)

#### Approval of the Consent Agenda

**Moved: Harry Alexander Seconded: Kirk Milam Status: Passed**

## E. Public Hearings

8. Public Hearing for Case #3208 – Melissa Williams & Sara Camp have filed a request for  
a). Variance from section 2.6.4.1 Traditional Suburban Residential Overlay – Lot Size Minimum and b). a Variance from Section 5.8.4.4. Conservation Overlay Districts, Yard Standards for property located at 1418 Adams Avenue (PPIN #6162) (**Postponed from April Meeting**)

Ms. Kate Kenwright presented on behalf of the city (YouTube video begins at 12:05 – 43:10)  
Commissioner Milam was recused.

**Planning Comments:** The applicant seeks two variances: one from the lot size minimum and one from the Conservation Overlay District yard standards for the existing building at 1418 Adams Avenue. The applicant intends to subdivide the lot upon which the existing house sits into a two-lot subdivision (the plat is the subject of Case #3209, also on this meeting agenda).

The two requested variances are intended to rectify nonconformities that would be created by subdividing the lot.

The existing L-shaped lot has a house fronting Adams Avenue (1418 Adams Avenue) and was the site of an unapproved demolition of the second house that was located on the lot, 433 N 15<sup>th</sup> Street.

This lot was the subject of a Special Exception in November, 2022 to allow for a Residential Common Interest Development. At that time, the lot was overbuilt according to the Land Development code as the lot size does not allow for two primary dwelling units on a lot of this size (+/- 0.323 acres). Staff and the applicant discussed that if one of the dwellings were to be removed, that it would correct this nonconformity and no new dwelling in its place would be supported by Staff.

At the November 2022 meeting the Special Exception for the RCID was approved by the Planning Commission. One of the stated conditions of approval was that, “if either primary building is demolished, a new dwelling cannot be rebuilt in its place.”

### a. Variance from section 2.6.4.1 Traditional Suburban Residential Overlay – Lot Size Minimum

Lot 1 (the site of the existing house) would be only 5,575.68 sq ft after subdivision, which would require a 1,924.31 sq ft variance from the code.

433 N 15<sup>th</sup> Street was the site of a building listed as a contributing structure in the North Lamar Historic District. The prior property owner received approval from the Historic Preservation Commission (COA Case #745) for rehabilitation and addition plans. The building was then fully demolished instead.

As noted above, a prior case regarding this property placed the condition that if 433 N 15<sup>th</sup> Street was demolished, that no building could be built back in its place. The applicants fail to provide a hardship that would justify the granting of this variance. Additionally, the unapproved demolition carries consequences according the City’s Historic Preservation Code. According to Section 54-27 of the municipal code, the Preservation Commission has the authority to deny any application on the property where a resource was demolished without approval for up to 48

months. The building was demolished in late 2023—meaning that the Preservation Commission could still enforce the moratorium allowed by the code.

It is Staff's position that the circumstances of this request are a result of the actions of prior owner.

**Recommendation:** Staff remains consistent with prior action by the Planning Commission and recommends denial of the requested variance.

**b. Variance from Section 5.8.4.4 Conservation Overlay District, Yard Standards**

The second variance request is from the side-yard setback requirements, which are 10' for this lot. The house is an existing nonconformity when it comes to this requirement—according to the survey it sits 6.98' away from the property line at the rear corner and 9.64' away at the front corner. There are no additions planned to the building at this time, and it is appropriate for the Commission to grant this variance to remedy the existing nonconformity.

Staff finds that this request is reasonable as the proposed variance would remedy the existing nonconformity.

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

**Summary of Discussion:** It was clarified by the commission that the previous owner is not included in this application and the lot is under new ownership, however the house facing Adams Avenue is still under the previous owner of the lot facing North 15<sup>th</sup> Street.

Chairman Rigby asked if subdividing the lot would keep the current RCID in place? It was stated that it would not. There was discussion of when the demolition took place and clarification about ownership.

Mr. Jeff Williams spoke on behalf of the applicant. He spoke on the variance request and expressed the hardship created. Applicant and owner Ms. Melissa Camp was present and spoke to the commission of her plans to build a single-family home on the vacant portion of the lot and how the change in ownership took place. A fine was paid by the owner who carried out the unauthorized demolition. Chairman Rigby spoke about the condition of approval set in place that was to remain with the property should ownership change within the RCID. Ms. Camp replied that the neighborhood would prefer a home on the lot.

Chairman Rigby and Mr. Requet agreed that the RCID was requested and granted with conditions because the lot size was smaller than the zoning would allow to subdivide. Mr. Requet also stated that in the event the variance and plat are approved it would require approval from the Historic Preservation Commission for construction of a new home to begin and expressed concern for the historic districts process' of renovations to historically contributing homes.

There was further discussion about the demolition requirements and approval process set by the ordinance and put into place due to the circumstances.

Motion to approve with added condition.

*Variance a). - Moved: Harry Alexander. Seconded: Joseph Murphy. Status: Passed*

*Commissioner Spragins and Rigby against. Commissioner Alexander, Murphy, Logan and Smith for.*

*Variance b). Moved: Harry Alexander. Seconded: David Spragins. Status: Passed All in favor.*

9. Public Hearing for Case #3209 – Melissa Williams and Sara Camp have filed a request for Preliminary and Final Plat Approval for 'One Adams Place' for property located at 1418 Adams Avenue (PPIN #6162) **(Postponed from April Meeting)**

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 43:15- 45:40)

**Planning Comments:** The subject property is +/- .323 acres. It is an L-shaped lot with frontage on Adams Avenue and N 15<sup>th</sup> Street. The applicant requests approval for a two-lot subdivision.

The plat would allow for a subdivision resulting in two lots, measuring .128 (Lot 1) and .195 (Lot 2). This would create a nonconformity, as Lot 1 would be below the lot size minimum for TSR (Traditional Suburban Residential) upon subdivision.

This property is the subject of two variances that are the subject of Case #3208. As Staff is recommending denial of one of the variances requested, Staff cannot recommend approval of this plat.

**Engineering Comments:** This is a subdivision to create 2 separate parcels from one (ID 135P-21-288.00).

#### **Access**

Each lot will be allowed only one point of ingress / egress.

#### **Water and Sewer**

Water and sewer to these 2 lots are existing connections to city infrastructure.

#### **Stormwater Management**

No stormwater management is required for this subdivision.

**Recommendation:** Staff recommends denial of the proposed preliminary and final plat.

Should the Planning Commission choose to approve the variances that are the subject of Case #3208, Staff recommends the following conditions:

1. Approval is for the plan as submitted.
2. Approval of the Preliminary and Final Plat for 'One Adams Place' by the Mayor and Board of Aldermen.
3. Each lot will be allowed only one point of ingress/egress (Engineering).

**Summary of Discussion:** With discussion from previous case and no further questions from the commission or audience a motion to approve subject to staff conditions was made.

*Moved: Erin Smith Seconded: Harry Alexander. Status: Passed. Chairman Rigby against,*



*Commissioner Smith, Alexander, Logan, Murphy and Spragins for. Chairman Rigby against*

10. Public Hearing for Case #3219- 407 Cullen Road, LLC (Dustin Clibrun) has filed a Variance from Section 2.6.5 Front Build to Line Maximum for property located at 401 Cullen Road (PPIN #38119) **(POSTPONED)**

11. Public Hearing for Case #3220 – Stites Design Studios (Carly Barnes) has filed a request for a Variance from Section 2.6.4 Side Yard Setback Minimum for property located at 1559 La Rhonda Road (PPIN #9411)

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 45:57-50:29)

Commissioner Milam rejoined.

**Planning Comments:** The subject property is a residential parcel consisting of +/- 0.47 acres, zoned as Suburban Residential (SR). The applicant is seeking to construct an addition on the southwest side of the existing house, which encroaches into the 10' side setback in SR by approximately eighteen inches (1'6").

The City's Land Development Code lays out that variances may be granted based on conditions which create hardship for the property owner. In their narrative, Applicant describes their hardship as a desire to create a larger bathroom and closet, listing that aesthetically it would be best to extend the existing gabled roof line over the addition, which creates the encroachment into the setback. Staff do not find this explanation sufficient in establishing a hardship which is not self-created.

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

Should Planning Commission find the application demonstrates a hardship such to justify approval, Staff requests the following condition:

1. Approval is for the plan as submitted.

**Summary of Discussion:** Applicant, Ms. Barnes was present to tell the commission the variance would be for an addition to her current home. With no further questions or comments a motion was made.

*Moved: Harry Alexander. Seconded: Kirk Milam. Status: Passed. Commissioner Rigby and Murphy against. Commissioner Alexander, Milam, Logan, Smith and Spragins for.*

12. Public Hearing for Case #3221 – MFM Development (JW McCurdy) has filed a request for a) Special Exception as provided in section 2.6.8 First Floor Residential in Suburban Corridor District b). Variance from section 2.6.8 Front Build to Line Maximum and c). Variance from section 3.2.18.4 Retaining Walls for 'Trinitas' for property located at 814 Claremont Road (PPIN'S #18837 & #4563)

Mr. Robert Baxter presented on behalf of the city (YouTube video begins at 50:42- 1:02:50)

**Planning Comments:** The subject property is +/-21.12 acres on the north side of the Colonnade Crossing development directly to the west of the Edison apartment complex. The applicant is

proposing 'Trinitas' development, a 274-unit, 752-BR multi-family complex targeted towards students.

**a) Special Exception as provided in Section 2.6.8 - First Floor Residential in SCO**

The applicant proposes to construct 9 fully residential multi-family buildings in a commercial district. The use of first floor residential in SCO may be approved by Special Exception.

The applicant states that Colonnade Crossing is a large commercial subdivision where the south half of the property is actively being developed with commercial uses including offices, service stations, restaurants, retail sales, banks, and medical facilities. Given this large, concentrated commercial area, this multifamily development will provide the concentration of households and incomes needed to support this new retail and commercial development.

In the initial conceptualization of Colonnade Crossing, prior to 2020, the two large lots to the north (this subject lot and The Edison) were conceived as either multi-family developments or big-box style retail. Multi-family use makes sense, as the lot is away from the main traffic corridor and is physically lower in elevation, making it a less desirable retail location. Staff agrees with the applicant that the large number of beds will support the commercial developments, and the commercial developments will provide the needed goods and services for the residential.

**Recommendation:** Staff recommends the approval of the requested Special Exception with the finding that granting the request will not harm the public interest with the following condition:

1. Approval is for the plan as submitted.

**b) Variance from Section 2.6.8 Front Yard Build-to Line Maximum**

The subject property has three frontages on Ferndale Boulevard, Claremont Avenue and Hurricane Lane. The applicant is requesting relief from the front yard build-to line maximum for the frontage along Hurricane Lane. SCO has a front yard build-to maximum of 58' with up to 150' allowed by Special Exception. The applicant is requesting to be +/-155' from the property line on that front.

The applicant details the 'significant topographical challenges' of that particular frontage, the fact that the lot has 3 fronts, and the desire to retain the existing vegetation as a natural buffer for the residences to the north as reasons to grant the variance request.

Effectively, with this and the following request, the applicant is seeking to have the northwest side of the property be allowed to function as a side/rear. The grade differential and the three fronts are hardships outside of the applicant's control. For this reason, Staff sees this request as reasonable.

**Recommendation:** Staff recommends approval of the requested Variance with the following condition:

1. Approval is for the plan as submitted.

### **c) Variance from Section 3.2.18.4 Retaining Walls, Maximum Height**

The applicant is requesting to exceed the 4' retaining wall front yard maximum for the front towards Hurricane Lane to allow up to 12' retaining walls. As with the previous request, the applicant details the 'significant topographical challenges' of that particular frontage, the fact that the lot has 3 fronts, and the desire to retain the existing vegetation as a natural buffer for the residences to the north as reasons to grant the variance request.\

Again, the applicant is seeking to have the northwest side of the property be allowed to function as a side/rear. 12' retaining walls would be allowed for this use and zoning if this was considered a side or rear. Additionally, as the grade slopes away from the road and the existing vegetation between the top of the walls and the property line is proposed to be retained, these walls would only be visible to the interior of the site. As such, Staff finds this to be a reasonable request.

**Recommendation:** Staff recommends approval of the requested Variance with the following condition:

1. Approval is for the plan as submitted.

**Summary of discussion:** Commissioner Alexander asked about the amount of recent first floor residential proposals. Mr. Requet replied that this request comes after the majority of commercial use has been built for this development which may be different than some of the other similar requests heard recently. Mr. John Granberry was present on behalf of the applicant to discuss the topography of the site. Commissioner Alexander asked if first floor commercial was considered. Mr. Granberry responded that they did consider it, but felt that multi-family housing was needed and that there was commercial to the south. Chairman Rigby agreed that this request differs from other since the commercial has been built prior to the residential portion of the development. With no further questions or comments a motion was made subject to staff conditions.

*a). Special Exception – Moved: Joseph Murphy. Seconded: Kirk Milam Status Passed. All in favor*

*b). Variance – Moved: Joseph Murphy Seconded: Erin Smith Status Passed. All in favor*

*c). Variance – Moved: Joseph Murphy Seconded: Erin Smith Status Passed. All in favor*

13. Public Hearing for Case #3222 – Brian Hill has filed a request for Site Plan Approval for 'The Solitude' for property located at 1782 College Hill Road (PPIN #31413)

Ms. Kate Kenwright presented on behalf of the city (YouTube video begins at 1:02:58 – 1:35:40)

**Planning Comments:** The applicant seeks Site Plan Approval for a new residential development at 1782 College Hill Road. The subject property, which measures +/- 27.35 acres, is zoned Suburban Residential and is located adjacent to the Fieldstone Farms development. The applicant proposes 81 3-bedroom units.

Use, Density, and Parking — The use of the property to build detached residential structures is permitted based on the requirements of the Land Development Code, as well as the number of dwellings.

The applicant proposes 222 spaces which is adequate parking for this development according to the requirements of the Code.

Coverage — Impervious coverage is allowed up to 60% in SR (Suburban Residential) and 23.3% is proposed with this development.

#### Other Elements

- **Landscaping** — The landscaping plan provided meets the requirements of the Code including the necessary foundation plantings, edge plantings, parking lot trees, and frontage trees.
- **Tree Mitigation** — Due to the quantity of trees being retained no mitigation is required.
- **Architecture and Building Materials** — The proposed two-story buildings feature a front porch and gallery. Materials include horizontal lap siding and asphalt shingle roofs. The proposed architecture meets the requirements of the Land Development Code.

#### **Engineering Comments:**

This residential development will provide 81 – 3 Bedroom homes on a 27.35 Acre parcel.

#### Access

The development will have access onto College Hill Road, with emergency access into the Fieldstone Farms Development to the north.

#### Water and Sewer

Water to the development will be made by tapping an existing 12" water main along College Hill Road. Water mains interior to the site will be owned and maintained by the City of Oxford. Easements will be provided.

Sewer will be collected from the development into a privately owned and maintained gravity and pressure system. The wastewater will be pumped to a publicly owned and maintained lift station in nearby Fieldstone Farms.

#### Stormwater Management

A proposed stormwater management facility featuring inlets, pipes, and two detention basins will meet this site's stormwater management requirements. The detention basins are located at the east and west ends of the site. The western detention basin will discharge to the south. The eastern detention basin is divided into two parts by a driveway. It will discharge to the south from a discharge point about midway along the development's south side. Both points of discharge are well in the property's boundary.

**Recommendation:** Staff recommends approval of the requested Site Plan for 'The Solitude' with the following conditions:

2. Approval is for the plan as submitted subject to necessary revisions per the Site Plan Review Committee. (Planning)
3. Prior to the issuance of a Certificate of Occupancy, a Special Use for a Residential Common Interest Development shall be approved by Staff. (Planning)
4. Calculations that show the existing public lift station in Fieldstone Farms can adequately accept and convey the proposed additional wastewater flows from this development. (Engineering)
5. Final approval of the stormwater management plan. (Engineering)
6. Executed easement in favor of the City of Oxford for the ownership and maintenance of the proposed water mains and appurtenances. (Engineering)
7. All water and sewer connections fees must be paid prior to issuance of building permits. (Engineering)
8. All water mains and appurtenances must be inspected and tested in the presence of city personnel before final acceptance. (Engineering)
9. MDEQ and MSDOH approvals for water and sewer are required before city utilities will be connected. (Engineering)

**Summary of Discussion:** Discussion began with Dr. Linda Spargo, a neighboring resident who spoke about her thoughts for the amenities, density and accessibility. Chairman Rigby replied that the commission does not rule on the HOA and that the code requires an access roads. There was brief discussion about the lift station and water and sewer approvals. A neighboring resident, Ron Balducci spoke about concerns for traffic and ownership of the new development. Mr. Joey Moore, on behalf of the applicant spoke that they will be single owner condominium with common space and that this development does not meet the requirements for a traffic study. He stated that this will help the current neighborhood by adding access and a better view of the oncoming traffic when pulling out onto College Hill Road.

Commissioner Murphy asked Mr. Balducci to come back to respond to Mr. Moore's response. He suggested trimming the trees by the entrance to help with view. Mr. Tom Mickula, a neighboring resident spoke about concerns over the shared common space. Mr. Brian Hill offered to speak with the residents and the HOA and showed the commission his original plans which he felt did not benefit the residents. With no further questions or comments a motion was made subject to staff conditions.

*Moved: Kirk Milam. Seconded: Harry Alexander. Status: Passed All in favor*

14. Public Hearing for Case #3223 – Callicutt Lands, LLC (Andy Callicutt) has filed a request for a Site Plan Amendment for 'Bella Vita' for property located at 1657 Amalfi Circle (PPIN #18837)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 1:35:50-1:43:05)  
Commissioner Smith has left the meeting at this time.

**Planning Comments:** The subject property is +/- 12.37 acres located between Harlan Drive and Oxford Farms. The applicant is proposing an amendment to the previously approved 'Bella Vita' residential development of 30 attached and 31 detached units to now be a development of 68 attached and 25 detached, 93 units total. The 30 attached units on the east side of the property are generally the same, with the footprints being slightly smaller to allow for some new, on-street parking.

The previous 31 detached units on the west side of the property have been reduced to 25 and 38 additional attached units have been added, the drives have been altered, and a cross-access to the west has been added.

bedroom (68), plus one guest space per unit of 3 or 4BR (68). For this proposal 296 spaces would be required with up to 370 allowed. The applicant has proposed 302.

Coverage – NR allows up to 60% coverage. The applicant proposes 54%.

#### Other Elements

- **Access** – An additional point of access to the west (Harlan Creek property) has been added to the previous two points: a main entrance and exit south through the Oxford Farms development to Oxford Way and a one-way entrance to the north from Harlan Drive.
- **Landscaping** – Per the Variance issued to encroach on the 50' blue line stream buffer (Case #3058), under canopy plantings will be required in addition to the proposed trees between the drive and the creek.
- **Tree Mitigation** – A tree survey was conducted for this site that indicates that 373 2" caliper trees will be required for mitigation. 202 trees are marked on the landscape plan for mitigation while the other 171 2" caliper trees will be paid into the tree escrow account.
- **Building Materials and Architecture** – Exterior materials will be a combination of fiber cement siding and brick veneer with asphalt shingle roofing.
- **Signage** – A separate approval will be required to ensure compliance with the signage requirements of the Land Development Code.

**Engineering Comments:** Site plan approval for this development was originally heard under case 3071 in April, 2024. The site plan has been modified to reflect a change in number of dwelling units, which total 93 units, 68 attached and 25 detached.

#### Access

The development will have a one-way access onto Harlan Drive, and will also connect to the existing Stillwater development to the south. All drives will be privately owned and maintained. The drive to the south will require a new box culvert within a blue line stream, which will require approval from the Army Corp of Engineers

#### Water and Sewer

Water to the development will be made by tapping an existing 8" water main in the Stillwater development and running north into the site. Water mains interior to the site will be owned and

maintained by the City of Oxford. Easements will be provided. An additional connection north to Harlan Drive is required.

Sewer will be collected from the development into a privately owned and maintained gravity system with the exception of a trunkline that runs east and west through the site to an existing city manhole along Bailey Branch Creek. This line will be owned and maintained by the city as it also collects wastewater from adjacent properties to the west and north of the property. Easements will be provided.

### Stormwater Management

Stormwater management for this site was originally approved under Case #3071. The amended site plan proposes additional units and changes to the interior drives. These changes affect the amount of impervious cover, requiring a resubmission of the stormwater management plan. The resubmitted stormwater management plan must follow the approved stormwater management as much as possible, with modifications accounting for changes to the original plan.

The stormwater management requirements for this site plan will be met by a proposed stormwater management facility consisting of drainage pipes, an above-ground detention basin, and two underground detention basins. The above-ground detention basin is located in the south-central portion of the site along the property boundary. The underground detention basins are located beneath the parking lot drives, one in the center of the site and the other along the east side of the site. There are three discharge points for the stormwater facility, one into Bailey Branch on the east side of the property and two into an un-named tributary of Bailey Branch.

Because of the elevation of lot 13 and the grading proposed in this site plan, a 24-inch diameter drainage pipe is proposed along the north side of the property to drain lot 12. This drainage pipe is not tied into the detention basins and discharges into Bailey Branch.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmittal to address comments but does not anticipate any issues preventing approval of the stormwater management plan.

**Recommendation:** Staff recommends approval of the requested Site Plan Amendment for 'Bela Vita' with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee. (Planning)
2. Prior to the issuance of a Certificate of Occupancy, an updated landscape plan will be submitted to Planning staff that shows under canopy plantings in accordance with the conditions of approval from Case #3058. (Planning)
3. Prior to the issuance of a Certificate of Occupancy, a Special Use for a Residential Common Interest Development shall be approved by Staff. (Planning)
4. Final approval of the stormwater management plan. (Engineering)

5. The stormwater management facility must be certified by the civil engineer prior to issuance of certificates of occupancy. (Engineering)
6. Executed easement in favor of the City of Oxford for the ownership and maintenance of the proposed water mains and sewer mains and appurtenances as approved. (Engineering)
7. All water and sewer connections fees must be paid prior to issuance of building permits. (Engineering)
8. All water mains and appurtenances must be inspected and tested in the presence of city personnel before final acceptance. (Engineering)
9. MDEQ and MSDOH approvals for water and sewer are required before city utilities will be connected. (Engineering)
10. Written confirmation of approval from the Army Corps of Engineers for the construction of the box culvert under the south access drive. (Engineering)
11. All construction must adhere to the City of Oxford's Flood Damage Prevention Ordinance, which includes elevation certificates on all building within the floodplain at minimum intervals of the following:
  - a. Prior to foundation inspection
  - b. Prior to issuance of final certificate of occupancy

**Summary of Discussion:** Chairman Rigby asked about the creek and possibility of flooding. Mr. Joey Moore, on behalf of the applicant, spoke about the previous engineering plan and how concerns about stormwater were addressed. With no further questions a motion was made subject to staff conditions.

*Moved: Harry Alexander. Seconded: Joseph Murphy. Status Passed All in favor*

15. Public Hearing Case #3224 – Walker & Walker Enterprises (Ryan Walker) has filed a request for Site Plan Approval for 'Harlan Creek' for property located at 980 Harlan Drive (PPIN #8878)

Mr. Robert Baxter presented on behalf of the city (YouTube video begins 1:43:15-1:51:30)

**Planning Comments:** The subject property is +/- 5.41 acres at the end of Harlan Drive, directly west of the Bella Vita development. The applicant is proposing a 48-unit Residential Common Interest Development (RCID) with a mix of 3BR attached, and 3 & 4BR detached units to be called Harlan Creek.

Use and Parking – The mix of attached and detached units meets the minimum 25% detached unit requirement. The applicant has proposed fewer than 25% 4BR units, so no SE is required.

Detached 3BR units require two spaces per unit (8), 4BR units require one space per bedroom (32), plus one guest space for every three units of detached (4). Attached 3BR units require two spaces per unit (72), plus one guest space per unit (36). For this proposal 152 spaces would be required with up to 190 allowed. The applicant has proposed 171.

Coverage - NR allows up to 60% coverage. The applicant proposes 59.3%.

Other Elements



- Access – The property has two points of access: one directly to Harlan Drive on the north and cross-access to Bella Vita to the east. Additionally, a cross-access to the west has been provided for future connectivity.
- Landscaping – A landscaping package is included that shows foundation plantings, parking lot trees and perimeter landscaping that meet LDC requirements.
- Tree Mitigation – A tree survey was conducted for this site that indicates 145 significant and heritage trees. All trees are proposed to be removed and Staff is working with the applicant to finalize mitigation calculation numbers and a mitigation plan.
- Building Materials and Architecture – The building materials and architecture will be similar to other developments the applicant has proposed recently including South Grove, and Chickasaw Creek. The primary façade materials will be brick and siding.

**Engineering Comments:** This is a residential development on a parcel 5.41 acres in size. It proposes 48 total units and 152 bedrooms (36 - 3 BR attached and 12 detached).

#### Access

The development will have access onto Harlan Drive at its current southern terminus, and one access into the proposed Bella Vita development to the east. All drives will be privately owned and maintained.

#### Water and Sewer

Water to the development will be made by tapping an existing 8" water main in Harlan Drive. The water mains interior to the site will have connectivity to the east into the proposed Bella Vita development and to the west. Water mains interior to the site will be owned and maintained by the City of Oxford. Easements will be provided.

Sewer will be collected from the development into a privately owned and maintained gravity system with the exception of a trunkline that runs east and west through the site. This trunkline will carry existing wastewater from adjacent properties to the west and into the proposed Bella Vita development to the east. This trunkline will be owned and maintained by the City of Oxford. Easements will be provided.

#### Stormwater Management

A proposed stormwater management facility featuring inlets, pipes, and an underground detention basin will be installed beneath the parking lot to meet this site's stormwater management requirements. The stormwater management facility will discharge from the site's southeast corner onto the Bella Vita property. An agreement between the owners of Harlan

Creek and Bella Vita to all direct discharge onto the Bella Vita will need to be drafted and recorded.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmission to address comments but does not anticipate any issues preventing its approval.

**Recommendation:** Staff recommends approval of the requested Site Plan for 'Harlan Creek' with the following conditions:

10. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee. (Planning)
11. The applicant shall work with Staff to finalize a mitigation plan prior to the issuance of permits. (Planning)
12. Final approval of the stormwater management plan and an executed, recorded easement in favor of the Harlan Creek development from the Bella Vita development. (Engineering)
13. The stormwater management facility must be certified by the civil engineer prior to issuance of certificates of occupancy. (Engineering)
14. Executed easements in favor of the City of Oxford for the ownership and maintenance of the proposed water mains and sewer mains and appurtenances as approved. (Engineering)
15. All water and sewer connections fees must be paid prior to issuance of building permits. (Engineering)
16. All water mains and appurtenances and sewer mains and appurtenances must be inspected and tested in the presence of city personnel before final acceptance. (Engineering)

**Summary of discussion:** There was discussion about the stormwater drainage and the connecting oxford farms development. Mr. Alex Smith a neighboring resident spoke about his concerns about the retaining wall and topography. With no further questions or comments a motion to approve subject to staff conditions was made.

*Moved: Joseph Murphy Seconded: Yolanda Logan Status: Passed All in favor.*

16. Public Hearing for Case #3225 – AAA Holdings, LLC (Todd Paine) has filed a request for Site Plan Approval for 'AAA Holdings – North Lamar' for property located at North Lamar Boulevard (PPIN #36354)

Mr. Ben Requet presented on behalf of the city (YouTube video begins at 1:51:40- 2:23:19)

**Planning Comments:** The subject property measures +/- 3.6 acres and is located on N Lamar Boulevard just south of the Molly Barr/Hwy 30 intersection. The property is zoned (TNB) Traditional Neighborhood Business and is undeveloped. The property technically fronts N Lamar, but is a flag lot—with just 50 feet of frontage along N Lamar. It widens significantly once it

stretches behind the existing neighboring businesses (NAPA Auto Parts and a small 3-bay shopping center).

The proposed development consists of 27 3-bedroom townhomes located at the rear of the property. In the TNB district, the density is regulated at 39 bedrooms per acre. This proposal indicates 81 total bedrooms on the site, well within the density limitation.

This property has been the subject of considerable discussion in the past in 2017 & 2018. A copy of the staff reports (Case #2274) from the appeal to the Planning Commission and Mayor and Board of Alderman are included in this report. As a result of the appeal of Case 2274, an agreement was made between Mr. Paine & Mr. Don Brewer regarding necessary improvements to the City of Oxford Right of Way to assist with that project getting off the ground. The previously approved site plan expired and subsequently, Napa did not move forward with the necessary improvements in the specified timeline.

#### Use and Parking Requirements

The use of first floor residential in a TNB district requires a Special Exception. The Planning Commission granted this Special Exception, the subject of Case #3198, at the March 2025 meeting. The ownership mechanism for the development will be through a Residential Common Interest Development. Prior to the issuance of a Certificate of Occupancy, a Special Use shall be approved by Planning Staff that includes the covenants and condominium plat to be filed with Lafayette County.

The site is a flag lot with the development positioned a considerable distance from the North Lamar property line. In the TNB district, buildings are required to be located within 0-58' from the front property line, but due to this site being a flag lot, it is not possible to locate a building within this distance. Therefore, a variance is necessary to facilitate the building locations in excess of the build-to line maximum. As of the writing of this report, an application for this variance has not been submitted to the Planning Department.

The development will consist of 27 – 3-bedroom units. The proposal indicates a total of 90 parking spaces in the development, 9 more than what is required by code.

Coverage  
The proposal complies with the coverage requirements of the TNB district with approximately 56% lot coverage.

#### Building Height

The residential buildings included in the building elevations consist of two- story buildings with a maximum height below 38'.

#### Other Review Elements

- **Architecture and Building Materials** – The proposed architecture of the residential buildings is in keeping with the architectural design elements of the Land Development Code. The building will consist of brick masonry, horizontal fiber cement lap siding, and fiber cement board and batten siding.

- **Sidewalks and Connectivity** – Engineering provided comments regarding access that may impact the sidewalk and connectivity to this site. The plans do not indicate a sidewalk along North Lamar Boulevard despite one being required. The plans do indicate a sidewalk along the east portion of the private drive and throughout the development. This development also proposes connectivity with the adjacent properties along North Lamar, in addition to, the undeveloped southwest portion of the site.
- **Landscaping & Tree Mitigation** - The proposed landscape design meets all standards related to frontage trees, buffers, and foundation plantings. Oxford Utilities may require the relocation of several parking lot tree islands to minimize conflicts with transformers in the development. Tree mitigation is not required for this site, as none of the existing trees to be removed are of sufficient size to require mitigation.

**Engineering Comments:** This is a residential development on a parcel 3.63 acres in size. It proposes 27 – 3 BR (81 bedrooms) units.

### **Access**

The development will have access onto North Lamar Boulevard Drive via a 50 ft strip of land which runs between the properties that currently house the NAPA Auto Parts Store and the Oxford Pawn Shop.

A previous site plan for this property was approved December 11, 2017 as “My Oxford Storage”. A condition of approval of that site plan was that off-site improvement to the right-of-way in front of the NAPA store were to be made. These off-site improvements included construction of curb and gutter with controlled access points resulting in changes to ingress and egress that were more restrictive in nature than what currently exist. The owner of the NAPA store appealed this approval on March 12, 2018 to the Planning Commission and the approval was upheld. Further appeal was made to the Board of Aldermen on April 3, 2018. The BOA upheld the decision of the Planning Commission to approve the site plan with condition that within 18 months an agreement be reached between the two property owners shifting financial responsibility of the off-site improvements to the owner of the NAPA property. The “My Oxford Storage” project was never constructed and the site plan expired.

Engineering continues to recommend off-site improvements to the right-of-way in front of the NAPA store be made in conjunction with this proposed project due to concerns of trip ends generated by the 81 bedrooms, and potential conflicts with traffic entering and exiting the NAPA site, which has no controlled points of access across almost 200 linear feet of roadway frontage.

### **Water and Sewer**

Water to the development will be made by tapping an existing water main in North Lamar. The water mains interior to the site will be owned and maintained by the City of Oxford. Easements will be provided.

- Sewer will be collected from the development into a privately owned and maintained gravity system and conveyed to a proposed lift station and associated force main that will be owned and maintained by the City of Oxford. Easements will be provided.

### **Stormwater Management**

The stormwater management requirements for this site plan will be met by conveying stormwater runoff through inlets and pipes to an underground detention basin along the site's south side.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmittal to address comments but does not anticipate any issues preventing approval of the stormwater management plan.

**Recommendation:** The site plan drawings as submitted show none of the off-site improvements recommended above. As such, Engineering recommends **denial** of the site plan as currently proposed. However, should the commission choose to approve the site plan, engineering would like to add the following conditions of approval:

1. Approval is for the plan as submitted with any necessary technical changes required by the Site Plan Review Committee. (Planning)
2. Approval is contingent upon the Planning Commission granting approval of a variance to the Front Yard Build-To Line standards for the Traditional Neighborhood Business District. (Planning)
3. Prior to the issuance of a Certificate of Occupancy, a Special Use for a Residential Common Interest Development shall be approved by Staff. (Planning)
4. Final approval of the stormwater management plan. (Engineering)
5. The stormwater management facility must be certified by the civil engineer prior to issuance of certificates of occupancy. (Engineering)
6. Executed easements in favor of the City of Oxford for the ownership and maintenance of the proposed water mains, sewer lift station and force main as approved. (Engineering)
7. All water and sewer connections fees must be paid prior to issuance of building permits. (Engineering)

8. All water mains and appurtenances and sewer mains and appurtenances must be inspected and tested in the presence of city personnel before final acceptance. (Engineering)

**Summary of Discussion:** Commissioner Murphy asked about the stormwater conditions. Mr John Crawley responded that one condition is for the design and one is for when it is built, a certification is a standard requirement.

Mr. Stuart Povall, on behalf of the applicant, spoke about the neighboring site, Napa Auto and the agreement between the parties for fixing the safety concerns. Mr. Povall proposed a bond with the conditions that “A performance bond of the amount equal to the average of two quotes, one by each, city and applicant to lapse after one year to be paid to the city for them to do the work. The quotes are to be based on plans drawn by JM Engineering and approved by city engineering department’. Mr. Crawley agreed that there would be a sidewalk built in the future and that this would just address the safety concerns and not a sidewalk extending past the 50 feet required by applicant.

Chairman Rigby clarified that the plans as shown are strictly meeting the code, this is a flag lot which will introduce more traffic at a fixed point and the proposal is to extend the curb and gutter about 250 feet to the north to add safety. Mr. Paul Walkins, on behalf of the city spoke about the previous application from 2017 and engineering’s concerns with no control of the access point, as a result a site plan was approved with an agreement between the neighboring owners which exceeded it’s 18-month time period. Mr. Walkins added that the bond would need to be assessed to ensure it was correct and that there is a corridor study in place regarding North Lamar Boulevard that should be considered.

Chairman Rigby asked about the wording of the condition. Mr. Walkins replied that the parties would need to work together to agree upon the wording. Chairman Rigby asked if the applicant would consider tabling this request until that can be done. Mr. Povall replied that the applicant would like to have a motion on this request before coming back to the commission next month for a variance request. There was discussion about the distance, timeline and design of egress. Mr. Walt Davis, present on line for the applicant and the commission what would be an appropriate value and that using the previous approval may be a way to get to that agreement. Mr. Walkins worded the condition as follows ‘The applicant and city staff agree on a mechanism for the design and construction improvements along the right of way on North Lamar Boulevard along the subject Napa site whereby the applicant would guarantee the payment of those costs, to include the time frame for the surety’ With no further questions or comments a motion was made subject to staff conditions, and added commission condition.

*Moved: Kirk Milam Seconded: David Spragins Status: Passed. All in favor*

17. Public Hearing for Case #3226 – Mike Halford has filed a request for City Utilities that includes a Preliminary and Final Plat Approval for ‘Belle Rivers’ for property located at 71 CR 403 (PPIN #10219) **(POSTPONED)**

18. Public Hearing for Case #3228 - The Pearl at Oxford Commons, LLC (David Blackburn) has filed a request for a). Special Exception as provided in section 3.6.9. Front Yard Set Back Maximum and b).a Variance from section 3.2.18.2 Retaining Wall Height for 'The Commons Entertainment Block' for property located at 801 Sisk Avenue (PPIN #26631)

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 2:23:22 – 2:28:20)

**Planning Comments:** The subject property is located northeast of the intersection of Sisk Avenue and Commonwealth Boulevard. The applicant proposes to build The Commons Entertainment Block, which features an outdoor area as well as three commercial buildings, which are intended for restaurant use. This development is also the subject of Case #3227, a request for Site Plan Approval. The applicant seeks a Special Exception to the Front Yard Build-To Line Maximum, as well as a Variance for Retaining Wall Height.

A different iteration of this project on the same property received a Special Exception for the Front Yard Build-to-Line Maximum and a Retaining Wall Variance, as well as Site Plan Approval in August, 2021. The plans proposed here are significantly altered since those approvals were granted, and so the applicant returns to request new approvals for the updated project.

**a. Special Exception as provided in section 3.6.9 Front Yard Setback Maximum:**

The applicant seeks approval to locate the proposed building 94 feet from the right-of-way line, which is 36 feet beyond the 58-foot front yard setback maximum prescribed in the Code. The applicant notes in the application that this proposed plan is a part of the greater Commons master-planned development, and states that the setback would be generally in-keeping with the other buildings along Sisk Avenue.

**Recommendation:** Staff is supportive of this request as it maintains the rhythm of the existing buildings on Sisk. Additionally, the Commission has previously approved a similar request for this same site.

Staff recommends approval of the requested Special Exception with the following conditions:

1. Approval is for the plan as submitted.
2. Should the applicant not secure building permits within 18 months, the Special Exception shall expire.

**b. Variance from Section 3.2.18.2 Retaining Wall Height**

The applicant seeks to exceed the front yard maximum wall height of 4 ft. One wall would exceed that maximum by 2.39 feet, for a total maximum wall height of 6.39 feet.

The applicant states that the topography of the lot is unique, as the location was previously a stormwater detention pond, though it has been filled to be consistent with the elevations within the adjacent developed area. The applicant also notes that all of the retaining walls, including this wall, will not be visible to the public from the adjacent city streets and will not be a visible detriment to the proposed site.

Staff is supportive of this request. As the site currently sits below Sisk and Commonwealth, the retaining walls are needed to allow for continuity and pedestrian activity between this site and the rest of the Commons. The Land Development Code stipulates that

retaining walls in excess of 6' shall provide for evergreen shrubs that are at least 4' in height at the time of planting. A condition of approval for this requirement is added to Staff's recommendation.

**Recommendation:** Staff recommends approval of the variance with the following condition:

1. Approval is for the plan as submitted.

2. Prior to the issuance of permits, the applicant shall provide an updated landscaping plan that reflects evergreen shrubs, 4' in height at planting, in front of portions of the retaining wall that exceed 6' in height.

**Summary of discussion:** Commissioner Murphy asked what the southwest corner was going to be. Mr. Paul Koshenina, on behalf of the applicant responded that it would be a partial parking and vehicular access with green space. With no further questions or comments a motion to approved subject to staff conditions was made.

*Special Exception - Moved: Harry Alexander. Seconded: Kirk Milam. Status Passed All in favor  
Variance - Moved: Kirk Milam. Seconded: David Spragins. Status Passed. All in favor.*

19. Public Hearing for Case #3227 – The Pearl at Oxford Commons, LLC (David Blackburn) has filed a request for Site Plan Approval for 'The Commons Entertainment Block' for property located at 801 Sisk Avenue (PPIN #26631)

Ms. Kate Kenwright presented on behalf of the city. (Youtube video begins at 2:28:32 – 2:35:15)

**Planning Comments:** The subject property is located northeast of the intersection of Sisk Avenue and Commonwealth Boulevard. The applicant proposes to build The Commons Entertainment Block, which features an outdoor area as well as three commercial buildings, which are intended for restaurant use. This development is also the subject of Case #3228, a request for a Special Exception to the Front Yard Setback Maximum, as well as a Variance for Retaining Wall Height. The applicant seeks Site Plan Approval for this project.

A different iteration of this project on the same property received a Special Exception for the Front Yard Build-to-Line Maximum and a Retaining Wall Variance, as well as Site Plan Approval in August, 2021. The plans proposed here are significantly altered since those approvals were granted, and so the applicant returns to request new approvals for the updated project.

Use Requirements: Restaurants are special uses in the Suburban Center District. Additional standards include requirements to follow the sound ordinance, and the times allowed for outdoor service if the restaurant sells alcohol.

Parking — Restaurant uses require 1 parking space per 100 square feet of patron area and an additional 1 parking space per 100 square feet of tavern area. Retail also requires 1 per 300 square feet of gross floor area.



The areas around this site have been approved and/or constructed with parking infrastructure. This development requires 90 spaces and 63 are provided. However, there are additional spaces of the adjacent developments to adequately provide parking, and the proposal provides shared parking and access easements between all three of the lots.

The Commons	Required Parking	Provided Parking
A1 & A2	96	93
Entertainment	90	63
Pearl Ph 1	324	405
Pearl Ph 2	211	211
<hr/>		
Total	721	772

Coverage and Setback Requirements — Uses in the SCN district are limited to 80% lot coverage. The proposed development has 80.5% lot coverage. Staff has spoken with the applicant's engineer and this is planned to be reduced to the acceptable amount.

A Special Exception to exceed the 58-foot maximum front build-to-lines is the subject of Case #3228.

#### Other Review Elements

- **Landscaping and Tree Mitigation** — The proposed landscaping meets the requirements of the code regarding edge plantings, foundation plantings, and parking lot trees. However, the applicant must specify a plan for frontage trees to fully satisfy the requirements of the Code.
- **Building Materials** — Elevations show architecture consistent with the other commercial developments in the Oxford Commons. Materials include masonry, fiber cement siding and trim, metal canopies, and canvas awnings. The proposed materials are consistent with the requirements of the Code.
- **Signage** — The Site Plan Approval does not include the approval of signage. A separate approval will be required to ensure compliance with the signage requirements of the Land Development Code.

#### **Engineering Comments:**

This is a commercial / retail development in Phase 4 of the Commons.

#### Access

This development will utilize existing curb cuts on Commonwealth Boulevard and Sisk Avenue.

#### Water and Sewer

Water to the development will be supplied by existing infrastructure already in place from previous phases of the Commons.

Sewer will be collected from the development into an existing privately owned and maintained gravity system and conveyed under Sisk Avenue into an existing city manhole.

### **Stormwater Management**

A stormwater management plan was not submitted for this site, but it is inferred that it is covered under a previously approved plan. Due to the number of developments and phases in the area of this site, it is unclear which approved site plan is applicable. Clarification has been requested from the submitting engineer.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmittal to address comments but does not anticipate any issues preventing approval of the stormwater management plan.

**Recommendation:** Staff recommends approval of the requested Site Plan with the following conditions:

17. Approval is for the plan as submitted with any necessary technical revisions by the Site Plan Review Committee. (Planning)
18. Approval is contingent on approval of Case #3228, a requested build-to-line Special Exception and the retaining wall height variance. (Planning)
19. An updated landscaping plan showing the necessary frontage trees along Sisk and Commonwealth is required. (Planning)
20. An updated plan that reflects compliance with the lot coverage requirements shall be provided prior to the issuance of any permits. (Planning)
21. Final approval of the stormwater management plan. (Engineering)
22. The stormwater management facility must be certified by the civil engineer prior to the issuance of certificates of occupancy. (Engineering)
23. Water and sewer connection fees for each unit will be required prior to building permits being issued. (Engineering)

**Summary of Discussion:** There was discussion about the shared parking and specific language in the easement and with the patrons. Chairman Rigby added a condition that the applicant will explore parking signage with staff approval. With no further questions or comments a motion was made.

*Moved: Joseph Murphy Seconded: Harry Alexander Status Passed All in favor.*

12. Motion to adjourn

**Moved: David Spragins. Seconded: Yolanda Logan Status Passed. All in favor.**



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

If you would like to participate in this meeting, please open the attachment for the virtual meeting information.

To view the recording of this public meeting please click the link below.

[YouTube - Public Meeting Video](#)

#### B. June Legal Advertisements

##### 1. Call to Order

##### 2. Approval of the Agenda

Case #3231 was moved to public hearings.

- All in favor. Move: David Spragins Second: Joseph Murphy Status: Passed

##### 3. Approval of minutes from the May 2025 Meeting

- All in favor. Move: Erin Smith Second: Kirk Milam Status: Passed

##### 4. Staff Report

###### a. Planning Staff Report

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

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

#### C. Consent Agenda

1. Public Hearing for Case #3229 – Mike Halford has filed a request for Final Plat Approval for 'Grove at Grand Oaks, Phase 6B' property located at 1406 Pine Valley Lane (PPIN #26136)
2. Public Hearing for Case #3230 – Ascent Construction (Todd Paine) has filed a request for a Variance from section 2.6.7 Front Yard Build to Line for property located at 514 Northview Cove (PPIN #36354)
3. Public Hearing for Case #3231 – The Grove at North Lamar, LLC (Jay Evans) has requested a Variance from section 5.7.9. Stormwater Design Standards for located at 1401 Chickasaw Road (PPIN #4983) Moved to Public Hearings

#### Approval of the consent agenda

**Moved: David Spragins Seconded: Yolanda Logan. Status: Passed**

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

1. Public Hearing for Case #3219- 407 Cullen Road, LLC (Dustin Clibrun) has filed a Variance from Section 2.6.5 Front Build to Line Maximum for property located at 401 Cullen Road (PPIN #38119) **(POSTPONED)**
2. Public Hearing for Case #3232 – Capstone Development, LLC (Mac Monteith) has filed a request for Preliminary and Final Plat Approval for ‘Lamar Phase 5’ located at 305 Baldwin Drive (PPPIN #5067)

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 6:11-7:15)

**Planning Comments:** The subject property consists of +/- 5.075 acres in the Lamar TND in what has been previously referred to as Phase 5. The applicant is requesting a single-lot subdivision plat, inclusive of the two-existing three-story, multi-family buildings (49 units). The proposed lot complies with the dimensional requirements of TND.

#### **Engineering Comments: Water and Sewer**

Water mains within the development will be publicly owned and maintained. Necessary easements are shown on the plat. Sewer collected from the site will be privately owned and maintained and will connect to public sewer off-site.

#### **Stormwater Management**

The Engineering Department has previously approved the Stormwater Management Plan for this project.

**Recommendation:** Staff recommends approval of the requested Preliminary and Final Plat for ‘Lamar Phase 5’ with the following conditions:

1. Approval is for the plat as submitted subject to necessary technical revisions (Planning).
2. Approval of the Preliminary and Final Plat for ‘Lamar Phase 5’ by the Mayor and Board of Aldermen (Planning).
3. A copy of the stamped and recorded covenants are required prior to the issuance of a Certificate of Occupancy (Planning).
4. Water mains to be dedicated to the city for ownership must be tested and inspected in the presence of city personnel before acceptance (Engineering).

**Summary of Discussion:** With no questions or comments from the commission or audience and motion to approve was made.

**Motion: Kirk Milam. Seconded: Harry Alexander. Status: Passed All in favor.**

5. Public Hearing for Case #3233 – Kenny Gowen has requested a Variance from section 2.6.5 Set Back Maximum for property located at 1602 Grand Oaks Boulevard (PPIN #21213)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 7:20-9:14)

**Planning Comments:** The subject property is located in the original Grand Oaks Planned Unit Development. It is an irregularly shaped lot of approximately a quarter acre and is the first residential property along Grand Oaks Boulevard. The property is directly adjacent to a recently constructed two-story mixed-use building. The existing deck is in need of repair or replacement, and the applicant is seeking privacy from the neighboring building's second story, which overlooks this property.

The proposed deck will extend approximately 2'6" into the rear setback where the total area in the setback is approximately 15 sf. Staff acknowledges the applicant's desire for privacy in the backyard and agrees that the newly built two-story structure next door has created a hardship that was not caused by the applicant. Staff also notes that the lot's irregular shape contributes to this hardship and that the requested variance is the smallest possible to address these concerns.

**Staff Recommendation:** Staff recommends approval of the requested Variance with the following condition:

1. Approval is for the plan as submitted.

**Summary of discussion:** With no questions or comments from the commission or audience a motion to approve was made.

**Motion: Harry Alexander Seconded: Joseph Murphy Status: Passed. All in favor.**

6. Public Hearing for Case #3234 – Delta Utilities (Casey Clevenger) has filed a request for a Variance from section 5.5.2.6 Fence Height for property located at 3559 Fielders Lane (PPIN #24097)

Mr. James Hirsch presented on behalf of the city (YouTube video begins at 9:15-10:45)

**Planning Comments:** The subject property consists of +/- 2.09 acres near the end of Fielder Lane, just to the south of MS Hwy 6. This lot is the location of above ground Natural Gas facilities maintained by Delta Utilities.

Applicant plans to install eight (8) foot wooden privacy fencing around the above ground Natural Gas facilities for security and protection. The Land Development Code Section 5.5.2.6 sets maximum fence height at eight (8) feet in the rear, six (6) feet on the sides, and four (4) feet in the front yard, with visibility. As a result, applicant is requesting a fence height variance.

Staff finds security concerns for the exposed Natural Gas facilities sufficiently creates a hardship from strict enforcement, and additionally notes these facilities are unique in comparison to their surroundings such to support this request.

**Staff Recommendation:** Staff recommends approval of the requested Variance with the following condition:

1. Approval is for the plan as submitted.

**Summary of Discussion:** With no questions or comments from the commission or audience a motion to approve was made.

**Motion: Erin Smith. Seconded: Kirk Milam. Status Passed. All in favor**

7. Public Hearing for Case #3231 – The Grove at North Lamar, LLC (Jay Evans) has requested a Variance from section 5.7.9. Stormwater Design Standards for located at 1401 Chickasaw Road (PPIN #4983)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 10:50-16:52)

Commissioner Harry Alexander was recused.

**Planning Comments:** The subject property is +/- 1.21 acres, and is located in the northwest corner of the recently constructed roundabout at Molly Barr Road and Chickasaw Road. The applicant proposes to construct a 3-story residential building with 18, 2-BR units, the site plan for which is the subject of Case #3235.

The applicant has requested a Variance from Section 98-118(I) of the municipal code.

Stormwater Management - The engineering staff supports the variance request to the requirements of Section 98-118. (I)(3). The detention basin is relatively small in area and volume. In the engineering staff's professional opinion, the change from a 4:1 exterior slope to a 3:1 exterior slope does not present a safety issue. A 3:1 slope also conforms to the surrounding land contours as specified in Section 98-118. (I)(3). The change in slope will allow for an additional bottom area in the detention basin to meet the requirements of Section 98-118. (I)(7).

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

1. Approval is for the plan as submitted.

**Summary of Discussion:** Commissioner Murphy asked for clarification about the variance requested and why this type of request would be allowed. Mr. Norman Nichols, Assistance city engineer responded that the basin was an irregular shape and did not meet the requirements and that the 3:1 slope is maintainable. There was discussion about sod versus grass for the landscaping. With no further questions or comments from the commission or audience a motion to approve was made.

**Motion: Joseph Murphy Seconded: Erin Smith. Status: Passed. All in favor.**

8. Public Hearing for Case #3235 – The Grove at North Lamar, LLC (Jay Evans) has requested a Site Plan Approval for ‘Chickasaw Flatts’ property located at 1401 Chickasaw Road (PPIN #4983)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 17:03-19:16)

Commissioner Alexander was recused.

**Planning Comments:** The subject property is +/- 1.21 acres, and is located in the northwest corner of the recently constructed roundabout at Molly Barr Road and Chickasaw Road. The applicant proposes to construct a 3-story residential building with 18, 2-BR units.

Use and Parking – The proposed use of upper floor 2-BR multifamily units is a permitted use in TNB and is allowed by Special Exception on first floors. The applicant received this Special Exception at the October 2024 meeting (Case #3144).

Parking for 2-BR units is calculated at 2 spaces per bedroom (36) plus 1 guest space for every 3 units (6). This project would require a minimum of 42 spaces with a maximum of 52 allowed. The applicant proposes 42 spaces.

Coverage – TNB allows for up to 80% coverage and the applicant proposes 25.4%.

#### Other Elements

- **Landscaping** – A landscaping package has been provided that indicates required frontage trees, parking lot trees, foundation plantings and screenings that all comply with LDC standards.
- **Tree Mitigation** – A tree survey and mitigation plan have been provided by the applicant. Per Staff calculations, the applicant is required to mitigate 51, 2” caliper trees, which the applicant proposes to plant all on-site. These trees are accounted for on the landscape plan. Staff is working with the applicant to finalize these numbers.
- **Building Materials** – The primary façade materials will be fiber cement siding and brick veneer with a dimensional shingle roof.

**Engineering Comments:** This development is located in the NW quadrant of the intersection of Molly Barr Road and Chickasaw Road. The development will have access to Chickasaw Road just north of the existing roundabout.

#### Water and Sewer

Water and sewer mains within the development will be privately owned and maintained and will connect to existing city infrastructure.

#### Stormwater Management



A proposed stormwater management facility featuring inlets, pipes, and a detention basin will meet this site's stormwater management requirements. The detention basin is located at the northeast corner of the site. The detention basin will discharge to the north along the property line.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is awaiting a resubmittal to address comments but does not anticipate any issues that would prevent approval of the stormwater management plan.

**Recommendation:** Staff recommends approval of the requested Site Plan for 'Chickasaw Flatts' with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee.
2. The applicant will provide an updated tree mitigation plan in concert with Staff prior to the issuance of permits.
3. Approval is contingent on the approval of Case #3231 or a revision to the stormwater plan approved by Engineering Staff.
4. Water and sewer connection fees are to be paid prior to issuance of building permits.
5. The stormwater management facility must be certified by the project engineer before certificates of occupancy are issued.

**Summary of discussion:** With no questions or comments from the commission or audience a motion to approve was made.

**Motion: David Spragins. Seconded: Yolanda Logan. Status Passed. All in favor.**

**Motion to adjourn**

**Moved: Erin Smith Seconded: Kirk Milam Status: Passed**

