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. July Legal Advertisements

1. Call to Order

2. Approval of the Agenda

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

3. Approval of minutes from the June 2025 Meeting

- All in favor. Move: Yolanda Logan Second: Harry Alexander Status: Passed

4. Staff Report

a. Planning Staff Report – Mr. Ben Requet introduced the new commissioners Mr. Chris Latimer and Mr. Craig Brasfield.

b. Building Official's Report

5. Map of Cases this Month

Administrative Approvals

1. Case #3236-A– Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Site Plan Amendment for 'Chickasaw Creek' property located at 1511 Chickasaw Road (PPIN #4977)

Consent Agenda

1. Public Hearing for Case #3237 – Larry McAlexander has filed a request for Preliminary and Final Plat Approval for 'Evergreens Farmers Market, Phase IV' property located at 5207 Pat Patterson Parkway (PPIN #24879)

2. Public Hearing for Case #3238 – Rebel Properties KP7, LLC (Jonathan Fronczek) has filed a request for Preliminary and Final Plat Approval for 'Anderson Road Student Housing' property located at Anderson Road (PPIN # 32319)

Approval of the consent agenda
Moved: Chris Latimer Seconded: David Spragins Status: Passed

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a Variance from Section 2.6.5 Front Build to Line Maximum for property located at 401 Cullen Road (PPIN #38119) **(Withdrawn)**

2. Public Hearing for Case #3239 – Blue Delta Capitol, LLC (Kyle Swafford) has filed a request for a Special Exception as provided in section 2.6.8 First Floor Residential for property located at 253 Ricky D Britt Boulevard (PPIN #7503) **(Postponed)**

3. Public Hearing for Case #3240 – Charter Road Hospitality (Chan Patel) has filed a request for Preliminary and Final Plat Approval for property located at 130 Slack Road (PPIN #9203) **(Postponed)**

4. Public Hearing for Case #3241 – Charter Road Hospitality (Chan Patel) has filed a request for Variance from section 3.2.18.2 Retaining wall height for property located at 130 Slack Road (PPIN #9203)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 9:47-12:10)

Planning Comments: The subject property is +/- 0.783 acres in the 'Tallahatchie Oxford Baptist Association Subdivision' between Slack Rd and University Ave. The applicant is seeking to construct a +/- 13,866 sf, three-story office building, the site plan for which is under review by staff.

This request is to allow retaining wall height of more than 4 feet in a front yard. The property has frontage on both Slack Rd and University Ave and the applicant is requesting the ability to construct a wall with a maximum height of 6.73' on the University side, a variance of 2.73 feet.

The applicant states that the lot tapers significantly from west to east, reducing from +/- 162' to +/- 62', that University Ave varies from 15 to 20 feet above the site, and Slack Rd falls approximately 12 feet along the site frontage. Additionally, the University Ave right-of-way between the roadway and the property is already steeper than 3:1, meaning that no additional grading work could happen there to reduce the adjacent grade.

The wall would be internally facing to the site and would be only visible from the site as the proposed building would obscure the view from Slack Rd. Staff sees sufficient hardship between the topographical issues and the irregular lot shape and does not see a public harm in this request.

Staff Recommendation: For the above stated reasons, Staff recommends approval of the requested Variance with the following conditions:

1. Approval is for the plan as submitted.
2. Approval is contingent upon a subdivision amendment to combine existing lots G, H, I, J, K, & L.

3. Approval is contingent upon an approved site plan for the proposed office building.

Summary of discussion: With no questions or comments from the commission or audience a motion to approve subject to staff conditions was made.
Moved: Harry Alexander. Seconded: Chris Latimer. Status: Passed. All in favor.

5. Public Hearing for Case #3242 – Joseph Echols has filed a request for a Variance from section 3.2.18 Retaining Wall Height for property located at Hathorn Road (PPIN #7808)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 12:18-15:47)

Planning Comments: The subject property is a +/- 1.625-acre flag lot on Hathorn Rd between the Campus Walk and The Gather developments. The applicant proposes a residential development of 16 units, 3 detached and 13 attached.

The applicant is requesting a variance from the retaining wall height maximum of four feet in a front yard. The front in question is the western edge of the 'flag' portion of the lot. This front is shared with the rear of the Gather Apartments where there is an existing +/- 9' retaining wall. The applicant is requesting the ability to have a retaining wall of 11.25 feet parallelling the existing wall, a variance of 7.25 feet.

The applicant states for hardship that in addition to the property being a flag lot, the site is both higher and lower than the two adjacent sites and significant cut and fill retaining walls are needed to make the site developable.

Because of the internal location of the proposed retaining wall, and the existing wall on the adjacent site, this wall would only be visible to residents of the proposed development and would additionally act as a screen between the two developments. Staff sees sufficient hardship between the topographical issues and the flag lot and does not see a public harm in this request.

Recommendation: For the above stated reasons, Staff recommends approval of the requested Variance with the following condition:

1. Approval is for the plan as submitted.

Summary of discussion: Staff clarified that with this particular lot the retaining wall would be placed in what is considered the front yard without street frontage. With no further questions or comments from the commission or audience a motion to approve with staff condition was made.
Moved: David Spragins. Seconded: Harry Alexander. Status: Passed. All in favor.

6. Public Hearing for Case #3243 – Joseph Echols has filed a request for Site Plan Approval for property located at Hathorn Road (PPIN #7808)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 15:50-22:50)

Planning Comments: The subject property is a +/- 1.625-acre flag lot on Hathorn Rd between the Campus Walk and The Gather developments. The applicant proposes a residential development of 16 units, 3 detached and 13 attached.

Use and Parking – SMF regulates residential density at 52 BR per acre. For 1.625 acres, 84 BR could be allowed and the applicant has proposed 48. Townhouses of 3BR are allowed in SMF by Special Use, which the applicant has applied for.

Parking is calculated at 2 spaces per unit plus one guest space for every attached unit and one guest space for every 3 detached units. For this development, a minimum of 46 spaces would be required. Each unit has a two-car garage and space for two cars in the driveway, which will easily cover this requirement.

Height – Attached and detached units in SMF are allowed to be up to 38 feet tall. The applicant proposes buildings that are 37'8" to the midpoint of the roof.

Coverage – SMF allows for 65% impervious coverage. The applicant proposes 64.99%.

Other Elements

- **Landscaping** - A landscaping package has been provided that indicates required screenings and foundation plantings that all comply with LDC standards.

- **Tree Mitigation** - A tree survey and mitigation plan have been provided by the applicant. The applicant is required to mitigate tree loss via 37, 2" caliper trees, which the applicant proposes to plant all on-site. These trees are accounted for on the landscape plan.

- **Building Materials** - The building materials will primarily a brick façade with Hardie-board details and an architectural shingled roof.

Recommendation: Staff recommends approval of the requested Site Plan for 'Hathorn Townhomes' with the following conditions:

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

2. Approval is contingent on granting of the Variance requested in Case #3243.

Summary of discussion: Commissioner Murphy asked about the storm water calculations. After discussion from the city engineer and the applicant's engineer the commission requested that staff review the elevations prior to issuance of permits. With no further questions or comments from the commission or audience a motion to approve subject to staff conditions was made.
Moved: Harry Alexander. Seconded: Joseph Murphy. Status: Passed. All in favor.

7. Public Hearing for Case #3244 – Snider Development, LLC (Greg Snider) has filed a request for Zoning Map Amendment to change the underlying zoning from (SR) Suburban Residential to (NR) Neighborhood Residential for property located at Christman Road and Northwoods Trail. (PPIN #27674)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 22:55-43:55)

Planning Comments: The Blackberry Hills Planned Unit Development (PUD) received its initial approval in October 2005, was annexed into the City of Oxford in 2006, and underwent an amendment in April 2012. Development to date has focused primarily on residential uses, though the plan also designates certain areas for mixed-use purposes. Substantial progress has been made along Molly Barr Road and adjacent northern sections, featuring a combination of attached and detached homes in both cottage and townhouse designs. In contrast, the southwestern sections of the property remain largely undeveloped. The zoning established for this PUD aligns with the approved plat, supporting a blend of residential options and commercial mixed-use spaces.

In 2012, only approximately 39 residential structures were constructed in the Grove Hill Condominium development on property then owned by Alumni Properties, and a new developer, Chance Properties, approached the City to not only amend the Alumni Properties portion of the Blackberry Hills PUD, but to also add an additional 20 acres on the north side of the original PUD. The proposed modification introduced changes to the PUD plan that enabled the Highland Square Development, encompassing all existing development in the area. This includes additional detached homes, duplexes, townhomes, and multi-family residences, some of which incorporate commercial mixed-use spaces. In 2022, the Rowandale Residential Common Interest Development (RCID) was established. Many of the homes, previously leased by a single entity, were sold individually.

In this request, the applicant is seeking a Zoning Map Amendment to change the underlying zoning from (SR) Suburban Residential to (NR) Neighborhood Residential for approximately 10 acres in the northeastern most portion of the PUD. The applicant is also seeking another Zoning Map Amendment, the subject of Case #3245, to remove all the Rowandale property and the northeastern 10 acres from the Blackberry Hills PUD.

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.

The neighborhood surrounding the subject property has experienced significant changes due to various developments and infrastructure improvements. The proposed dissolution of the Blackberry Hills PUD is a critical change that allows the property to be aligned with its intended future land use under the Traditional Neighborhood Development (TND) plan. Additionally, nearby NEW neighborhood developments, such as Colonnade, the Lamar Sullivan's Marketplace, a 25,000-square-foot grocery store within 1 mile, and the pending Chickasaw Creek Condominium Development at 3115 Chickasaw Road, approximately 0.1 miles away, reflect the increasing demand for residential and commercial development.

The Blackberry Hills "PUD" was never properly created, as has been documented multiple times to staff and attorneys, under MS Law. It has been problematic and ambiguous and there have been multiple attempts to understand it by staff, owners and developers since inception. Even the prior owners did not know what they had or what could be done. Removing all 220 Rowandale parcels and the 10 Acres from the "PUD" allows the City and new owner to work together without complication or ambiguity on who can do what. Upon successful rezoning and removal or the Rowandale and its adjacent subject property from the existing "PUD" the Callicutt parcel will be the only owner left in Blackberry Hills and unencumbered to work with the City Planning Department and Aldermen to develop a new PUD Document and Plat, without interference from other potential PUD Owners.

These changes justify the need to rezone the property to better align with the area's evolving character and growth in population, density, in fill development and infrastructure improvements.

In addition to the physical changes in the surrounding area, the proposed rezoning aligns with the Traditional Neighborhood Development (TND) principles outlined in Oxford's Vision 2037 Comprehensive Plan. The plan encourages higher-density, walkable, and connected neighborhoods that blend housing types and are located near commercial services and schools. The proximity of the subject property to infrastructure improvements, such as the roundabout at Molly Bar Road, new OUT Bus stops, the new commercial services at Sullivan's Marketplace,

and the nearby Chickasaw Creek attached condominium development, make this rezoning particularly suitable.

The Comprehensive Plan emphasizes connectivity and proximity to commercial amenities, as well as the public need for housing to accommodate Oxford's growing population, particularly from the University of Mississippi. The rezoning to Neighborhood Residential (NR) helps fulfill these objectives by enabling higher-density residential development that supports Oxford's sustainable and compact growth goals.

Mistake: The subject 10 acres SR parcel sticks out like a sore thumb. It's an island of incompatible development surrounded by higher density for miles. It does not work with the current neighborhood and it not feasible to develop detached homes due the topography and need. The rezoning amendment would better align the property's current zoning designation, surrounding land uses, and intended future land use plans. The property's current Suburban Residential (SR) zoning does not optimize the site's potential within the Traditional Neighborhood Development (TND) place type, which envisions higher-density residential developments. Rezoning the property to Neighborhood Residential (NR) will better align it with the City's comprehensive growth strategy, ensuring consistency with zoning of adjacent properties and accommodating the growing demand for housing.

If the picture on the front doesn't indicate a map error, then we don't really know what else a map error could look like. Does it make any sense? The current Suburban Residential (SR) zoning of the 10-acre property which was always a part of Rowandale is misaligned with surrounding land uses and the city's future development plans. Key issues corrected by the proposed Neighborhood Residential (NR) zoning include:

- Inconsistency with Surrounding Zoning: The property is surrounded by NR-zoned land on all sides, rendering the SR designation illogical under the 2025 planning context.
- Misalignment with TND Vision: The SR zoning does not support the higher density residential development envisioned in the TND place type, which is outlined in the Comprehensive Plan.
- Underutilization of Potential: The SR zoning limits the site's ability to accommodate the growing demand for housing and integrate with the mixed-use character of adjacent developments like Rowandale and Lamar.

The prior owner visited with the original Developer of Highland Square that owned this subject parcel. Per A. Feinhour, President of Student Quarters, "NO, it was never intended to be green space or left undeveloped. Our site plan used the topography of the initial 2 phases to build Highland Square. Evidence still remains of roads and infrastructure showing future development of the same type of unit mix as currently built into the 10-acre site. It was cost prohibitive to develop that part of the site at the time due to the topography. However, it was always going to be a final phase of Highland Square prior to our sale of the property"

Rezoning to NR corrects these errors by aligning the property with the zoning of surrounding areas, optimizing its development potential, and ensuring consistency with Oxford's comprehensive growth strategy.

Additional Staff Comments: The applicant points out that there have been changes in the character of the neighborhood partly attributed to development nearby or in close proximity to this site, and with infrastructure changes, particularly to Molly Barr Road with the installation of a new roundabout at Chickasaw, in addition to the multiple roundabouts constructed on Highway 30 in front of the Colonnade Crossing development. It is also important to note that the City of Oxford plans to commence construction of a new roundabout, replacing the traffic signal, at the intersection of Molly Barr Road and North Lamar this fall. This area continues to develop with housing and a mixed-use commercial center has been approved near this site.

During the Comprehensive rezoning in 2017, Staff met with one of the owners of the Blackberry Hills PUD about removing the PUD designation due to inactivity of the development and due to the lack of detailed information to facilitate the development of the PUD. While the owner was receptive to the conversation, ultimately it was determined by the owners of the property to keep the PUD in place. Staff evaluated the proposed uses in the PUD plan and assigned land uses it felt most appropriate and consistent with the proposed Land Development Code. Staff disagrees with the applicant's assessment that the SR designation was a mistake, particularly when the area was proposed to contain single-family detached houses or have "minimal disturbance".

Blackberry Hills is one of Oxford's earliest PUDs. Since the initial approval of this PUD in 2005, Oxford's Land Development Code has become more sophisticated, especially with respect to PUDs. Staff believes that the information provided with the Blackberry Hills PUD, as approved and amended, lacks critical information necessary for it to develop. Staff has met with many developers interested in Blackberry Hills but the lack of information has proven to be a continued barrier with its development. Ultimately, this is a primary reason Staff proposed removing the PUD designation to one of the owners in 2017.

The proposed change in use will facilitate additional density, and building types that are not otherwise allowed in the Suburban Residential District. Neighborhood Residential allows up to 9 units per acre (compared to 6 in Suburban Residential), and it allows for the construction of detached, and attached units (including duplex, triplex, quadplex units and townhomes). This zoning is consistent with the surrounding area. 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.

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

Summary of Discussion: An additional letter of support was given to the commission and added to staff report. Mr. Jeff Williams, on behalf of Snider Groupe spoke about the original documents for this PUD and lack of information included in those, and spoke about the changes in surrounding zoning. Mr. George Haymans was also present and spoke about the incomplete PUD

documents and research he has done to find more information. With no further questions or comments from the commission or audience a motion to recommend approval was made.

Moved: Chris Latimer. Seconded: Joseph Murphy. Status: Passed All in favor.

8. Public Hearing for Case #3245 – Snider Development, LLC (Greg Snider) has filed a request for Zoning Map Amendment to remove the property from the Blackberry Hills Planned Unit Development (PUD) for property located at Christman Road and Northwoods Trail (PPIN #27674)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 44:00-54:00)

Planning Comments: The Blackberry Hills Planned Unit Development (PUD) received its initial approval in October 2005, was annexed into the City of Oxford in 2006, and underwent an amendment in April 2012. Development to date has focused primarily on residential uses, though the plan also designates certain areas for mixed-use purposes. Substantial progress has been made along Molly Barr Road and adjacent northern sections, featuring a combination of attached and detached homes in both cottage and townhouse designs. In contrast, the southwestern sections of the property remain largely undeveloped. The zoning established for this PUD aligns with the approved plat, supporting a blend of residential options and commercial mixed-use spaces.

In 2012, only approximately 39 residential structures were constructed in the Grove Hill Condominium development on property then owned by Alumni Properties, and a new developer, Chance Properties, approached the City to not only amend the Alumni Properties portion of the Blackberry Hills PUD, but to also add an additional 20 acres on the north side of the original PUD. The proposed modification introduced changes to the PUD plan that enabled the Highland Square Development, encompassing all existing development in the area. This includes additional detached homes, duplexes, townhomes, and multi-family residences, some of which incorporate commercial mixed-use spaces. In 2022, the Rowandale Residential Common Interest Development (RCID) was established. Many of the homes, previously leased by a single entity, were sold individually.

In this request, the applicant is seeking a Zoning Map Amendment to change remove all of the Rowandale properties and the approximately 10 acres in the northeastern most portion of the property from the Blackberry Hills PUD. The applicant is also seeking another Zoning Map Amendment, the subject of Case #3244, to change the underlying zoning from (SR) Suburban Residential to (NR) Neighborhood Residential for approximately 10 acres in the northeastern most portion of the PUD.

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

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Mistake: The subject 10 acres SR parcel sticks out like a sore thumb. It's an island of incompatible development surrounded by higher density for miles. It does not work with the current neighborhood and it not feasible to develop detached homes due the topography and need. The rezoning amendment would better align the property's current zoning designation, surrounding land uses, and intended future land use plans. The property's current Suburban Residential (SR) zoning does not optimize the site's potential within the Traditional Neighborhood Development (TND) place type, which envisions higher-density residential developments. Rezoning the property to Neighborhood Residential (NR) will better align it with the City's comprehensive growth strategy, ensuring consistency with zoning of adjacent properties and accommodating the growing demand for housing.

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- Inconsistency with Surrounding Zoning: The property is surrounded by NR-zoned land on all sides, rendering the SR designation illogical under the 2025 planning context.
- Misalignment with TND Vision: The SR zoning does not support the higher density residential development envisioned in the TND place type, which is outlined in the Comprehensive Plan.
- Underutilization of Potential: The SR zoning limits the site's ability to accommodate the growing demand for housing and integrate with the mixed-use character of adjacent developments like Rowandale and Lamar.

The prior owner visited with the original Developer of Highland Square that owned this subject parcel. Per A. Feinhour, President of Student Quarters, "NO, it was never intended to be green

space or left undeveloped. Our site plan used the topography of the initial 2 phases to build Highland Square. Evidence still remains of roads and infrastructure showing future development of the same type of unit mix as currently built into the 10-acre site. It was cost prohibitive to develop that part of the site at the time due to the topography. However, it was always going to be a final phase of Highland Square prior to our sale of the property"

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Additional Staff Comments: The applicant points out that there have been changes in the character of the neighborhood partly attributed to development nearby or in close proximity to this site, and with infrastructure changes, particularly to Molly Barr Road with the installation of a new roundabout at Chickasaw, in addition to the multiple roundabouts constructed on Highway 30 in front of the Colonnade Crossing development. It is also important to note that the City of Oxford plans to commence construction of a new roundabout, replacing the traffic signal, at the intersection of Molly Barr Road and North Lamar this fall. This area continues to develop with housing and a mixed-use commercial center has been approved near this site.

During the Comprehensive rezoning in 2017, Staff met with one of the owners of the Blackberry Hills PUD about removing the PUD designation due to inactivity of the development and due to the lack of detailed information to facilitate the development of the PUD. While the owner was receptive to the conversation, ultimately it was determined by the owners of the property to keep the PUD in place. Staff evaluated the proposed uses in the PUD plan and assigned land uses it felt most appropriate and consistent with the proposed Land Development Code. Staff disagrees with the applicant's assessment that the SR designation was a mistake, particularly when the area was proposed to contain single-family detached houses or have "minimal disturbance".

Blackberry Hills is one of Oxford's earliest PUDs. Since the initial approval of this PUD in 2005, Oxford's Land Development Code has become more sophisticated, especially with respect to PUDs. Staff believes that the information provided with the Blackberry Hills PUD, as approved and amended, lacks critical information necessary for it to develop. Staff has met with many developers interested in Blackberry Hills but the lack of information has proven to be a continued barrier with its development. Ultimately, this is a primary reason Staff proposed removing the PUD designation to one of the owners in 2017.

The proposed change will facilitate the development of the property consistent with the underlying zoning of (SR) Suburban Residential, unless a zoning map amendment (Case #3244) is approved by the Mayor and Board of Aldermen. All portions of property west of Rowandale will continue to remain in the Blackberry Hills PUD.

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

Summary of discussion: Staff added that this request is not with the underlying zoning but with the PUD itself and that density seems to vary throughout the property. There was some discussion about what a PUD will typically look like and how it can be governed. With no further questions or comments from the commission or audience a motion to recommend approval was made.

Moved: Harry Alexander. Seconded: David Spragins. Status: Passed. All in favor.

Motion to adjourn
Moved: David Spragins Seconded: Chris Latimer Status: Passed

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A. June Planning Commission Memorandum

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To view the recording of this public meeting please click the link below.
YouTube - Public Meeting Video

B. July Legal Advertisements

1. Call to Order

2. Approval of the Agenda

- All in favor. Move: Chris Latimer Second: Yolanda Logan Status: Passed

3. Approval of minutes from the July 2025 Meeting

- All in favor. Move: David Spragins Second: Chris Latimer Status: Passed

4. Staff Report

a. Planning Staff Report

b. Building Official's Report

5. Map of Cases this Month

Administrative Approvals

1. Case #3246-A- Lafayette County School District has filed a request for Site Plan Approval for "Lafayette County Football Fieldhouse' property located at 100 Commodore Drive (PPIN #9489)

Consent Agenda

1. Public Hearing for Case #3247 – York Developments, LLC (Chance Walker) has filed a request for Preliminary Plat approval for 'York Flatts' property located at Anchorage Road (PPIN #6384)

Approval of the consent agenda
Moved: David Spragins Seconded: Yolanda Logan Status: Passed

Public Hearings

1. Public Hearing for Case #3239 – Blue Delta Capitol, LLC (Kyle Swafford) has filed a request for a Special Exception as provided in section 2.6.8 First Floor Residential for property located at 253 Ricky D Britt Boulevard (PPIN #7503) (Postponed from July)

Mr. Robert Baxter presented on behalf of the city (YouTube video begins at 12:30-16:11)

Planning Comments: The subject property is +/- 6.63 acres designated as 'Lot 1-B' in the 'Greenpointe Commercial Plus Subdivision, Phase II' on Rickey D Britt Blvd. The applicant proposes to construct a multi-use development of four, three-story buildings, two of which would have ground-floor commercial with upper floor residential fronting Rickey D Britt and two of which would be fully residential. The site plan for this development has not yet been received by Staff. This request is for the two rear buildings to have residential first floors in a Suburban Corridor district.

The applicant contends that the first floor residential on the rear two buildings is well screened by the front buildings and that the mix of commercial and residential provides a good transition from the commercial to the north and the townhomes to the south.

Staff agrees that this is a reasonable request at this location. Though not 50% of the entire development's first floor is devoted, the applicant is proposing 100% first floor commercial of the two building with public frontage. 20,000 sf of commercial space is provided along the frontage with this plan, which is a comparable size to the office building north of Enterprise and is larger than the other commercial uses along Rickey D Britt. The applicant is planning 10-12 tenants in that space, which will have the built-in customer base of the proposed apartments.

Additionally, the applicant correctly points out that this proposal will act as a transition from the relatively high intensity commercial uses further north on Rickey D Britt, car rental, car dealerships, gas station, towing company, and the townhouses to the south and multi-family to the east. For these reasons, Staff finds that proposal will not be detrimental to the neighborhood.

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

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

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

Moved: Chris Latimer. Seconded: David Spragins. Status: Passed All in favor.

2. Public Hearing for Case #3240 – Charter Road Hospitality (Chan Patel) has filed a request for Preliminary and Final Plat Amendment for 'Lots G, H, I, J, K & L Tallahatchie Oxford Baptist Assoc., First Amendment' property located at 130 Slack Road (PPIN #9203) (Postponed from July) **(WITHDRAWN)**

3. Public Hearing for Case #3248 – 197 Anchorage Road, LLC (Chris Blackwell) has filed a request for Site Plan Approval for 'Maison Eight' property located at 813 Anchorage Road (PPIN #6674)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 16:20-19:30)

Planning Comments: The subject property measures +/- 10.4 acres on the north side of Anchorage Road and is the larger of two tracts bifurcated by the same. The applicant is requesting a single-lot subdivision, in advance of a site plan currently under review by Staff. The proposed lot complies with the dimensional requirements of Neighborhood Residential. This proposal is merely for ownership purposes and does not grant the developer the ability to commence grading or construction. Covenants will be required at the time of the Final Plat approval.

Engineering Comments: Engineering recommends approval of the preliminary plat for York Flatts.

Recommendation: Staff recommends approval of the requested Preliminary Plat for 'York Flatts' with the following conditions:

1. Approval is for the plat as submitted subject to any necessary technical revisions per the Site Plan Review Committee (Planning).

2. Approval of the Preliminary Plat for 'York Flatts' by the Mayor and Board of Aldermen (Planning).

Summary of Discussion: With no comments or questions from the audience of commission a motion to approve with staff condition was made.
Moved: David Spragins. Seconded: Yolanda Logan. Status: Passed All in favor.

4. Public Hearing for Case #3249 – Lamar Landing, LLC (JW McCurdy) has filed a request for Site Plan Approval for 'Lamar Landing' property located at 4771 South Lamar Boulevard (PPIN #14383)

Mr. James Hirsch presented on behalf of the city. (Youtube video begins at 19:36-23:02)

Planning Comments: The subject property is a +/- 7.69-acre lot on South Lamar Boulevard, south of its intersection with Mississippi Highway 7. The applicant proposes a residential development of 46 detached units in a Residential Common Interest Development (RCID).

Use and Parking – The City's Land Development Code sets the maximum density in Suburban Residential (SR) at six (6) dwelling units per acre. On this site, 46 units are allowable, and 46 are proposed. RCID is a Special Use in Suburban Residential: that application has not been received. Staff will need a copy of the proposed covenants to review before the RCID is able to be approved. A condition of approval is included for this element of the proposal.

Parking is calculated at two (2) spaces per unit plus one guest space for every three (3) detached units. For this development, a minimum of 107 spaces would be required. Each unit has space for two (2) cars in the driveway (provided total of 92 spaces), and the applicant has noted potential for up to 182 total parking spaces through tandem parking in these driveways.

Coverage – SR allows for up to 60% impervious coverage. The applicant proposes 40.2%.

Other Elements

- **Landscaping** - A landscaping package has been provided that indicates required screenings and foundation plantings that all comply with LDC standards.

- **Tree Mitigation** - A tree survey and mitigation plan have been provided by the applicant. The applicant has a significant number of heritage trees marked for credit through preservation, and has provided a protection plan. The resulting credit negates their required mitigation.

- **Building Materials** - The building materials will be traditional for residential houses, including siding and a shingled roof.

Engineering Comments: This project is located on South Lamar Blvd (Old CR 401 just south of its intersection with MS highway 7. The site proposes 46 detached dwelling units in a common interest development on property containing 7.69 acres.

Access – The site proposes two access points on South Lamar into private streets and alley ways. Sidewalks are proposed along the street frontage.

Water and Sewer – Water to site will be made a proposed public water main connected to an existing city water main in South Lamar. Easements will be granted in favor of the city for ownership and maintenance of the water mains.

Sewer facilities within the project will be publicly owned and maintained via existing connections to existing city infrastructure. Easements will be granted in favor of the city for ownership and maintenance of the sewer mains.

Stormwater Management – A proposed stormwater management facility featuring inlets, pipes, and a retention basin will meet this site's stormwater management requirements. The retention basin is located at the northeast portion of the site. The retention basin will function as a water feature with a permanent pool. The retention basin will discharge to the west to a ditch along South Lamar Boulevard through a pipe that will pass through the site.

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

Recommendation: Staff recommends approval of the requested Site Plan for 'Lamar Landing' 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 any permits, the applicant shall seek and be approved for special use for a RCID. The applicant shall provide a copy of the covenants for review and approval of the RCID (Planning).

3. All site plan review comments must be addressed satisfactorily prior to permits being issued (Engineering).

4. Water and sewer fees shall be paid before building permits are issued (Engineering).

5. Approval of the stormwater management plan (Engineering).

6. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

Summary of Discussion: With no comments or questions from the audience of commission a motion to approve with staff conditions was made.
Moved: Chris Latimer Seconded: David Spragins. Status: Passed all in favor.

5. Public Hearing for Case #3250 – Oxford Row, LLC (JW McCurdy) has filed a request for Site Plan Approval for 'Oxford Row' property located at 31 Hwy 328 (PPIN #6478) **(POSTPONED)**

6. Public Hearing for Case #3251 – L&M Holdings, LLC (Hudson Magee) has filed a request for City Utilities to include a Preliminary Plat approval for 'Lafayette Landing' property located on MS Hwy 7 South (PPIN #18389)

Mr. James Hirsch presented on behalf of the city (YouTube video begins at 23:09 – 25:24)

Planning Comments: This is a request for extension of City utilities to serve 'Lafayette Landing', to be located off of Mississippi Highway 7. The property is located in Lafayette County south of Oxford City Limits. It is zoned R-2 according to the Lafayette County Zoning Map.

The aforementioned property measures +/- 12.24 acres, which the applicant proposes to subdivide into 36 lots, to include public right-of-way and area reserved for stormwater detention. The proposed lots comply with relevant City Land Development Code dimensional requirements.

City policy has been to review development in Lafayette County requesting City utilities to evaluate conformity with the recommendations on the Future Land Use Map in the Vision 2037 Master Plan.

Requests for the use of City utilities are also reviewed to ensure that they meet all other standards for subdivisions in the city.

Engineering Comments:

This project is a proposed single family development located on Highway 7 South just south of the Cross Creek Development and immediately north of the City of Oxford wastewater treatment plant. The site proposes 36 single family lots on property containing 12.24 acres.

Access

The site proposes access to Highway 7 by a new public street which will be owned and maintained by Lafayette County.

Water and Sewer

Water and sewer to site is to be publicly owned and maintained by the City of Oxford.

Stormwater Management

Stormwater management is not proposed explicitly as part of the final plat. Stormwater management is addressed as part of a site plan for this development. The site plan, which includes a stormwater management plan, has been submitted, is being reviewed, and will be presented at a future meeting of the planning commission.

Staff Recommendation: Staff recommends approval of this request for extension of city utilities with the following conditions:

1. The applicant shall provide the City of Oxford with an executed Petition for Annexation prior to this request being heard by the Mayor and Board of Aldermen (Planning).

2. Approval is contingent on the Lafayette County Planning Commission approving the development (Planning).

3. Approval is contingent on the Board of Aldermen agreeing to grant City Utilities outside of the City limits (Planning).

4. Approval is for the preliminary plat as submitted subject to necessary technical revisions (Planning).

5. Approval of the preliminary plat for 'Lafayette Landing' by the Mayor and Board of Aldermen.

6. All site plan review comments from the city and Lafayette County must be addressed satisfactorily prior to permits being issued (Engineering)

7. Water and sewer fees shall be paid before building permits are issued (Engineering).

8. Approval of the stormwater management plan (Engineering).

9. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

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

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

7. Public Hearing for Case #3252 – Collegiate Properties, LLC (Jordan Bankhead) has filed a request for Site Plan Approval for 'Ivy Place Phase 4' property located at Rogers Road (PPIN #4829)

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 25:24-29:35)

Planning Comments: The subject property consists of two properties that combined, measure approximately +/- 6.7 acres. The property is located on Varner Loop, Ivy Road, and Rogers Road, and has been previously developed through Phases I, II & III of the Ivy Road/Place development, which contains a total of 36 units. The applicant is now proposing Ivy Place Phase IV, to consist of 10 detached units in a Residential Common Interest Development (RCID).

Use and Parking – The applicant is proposing 10 – 4-bedroom units on the site, which complies with the limitations on the site's remaining density. Greater than 25% 4-bedroom detached units are allowed only by Special Exception, a request for which Staff has not received. In speaking with the applicant, they will likely seek a Special Exception for a greater percentage of 4-bedroom units at a subsequent meeting. A condition of approval is added that the proposed units will only be allowed as 25% 4-bedroom units until Special Exception is granted.

An RCID is allowed by Special Use at this location. This application has not been received. Staff will need a copy of the proposed covenants to review before the RCID is able to be approved. A condition of approval is included for this element of the proposal.

The proposal sufficiently meets requirements for parking – 43 spaces are required, and 47 are provided.

Coverage – Lot coverage in Neighborhood Residential (NR) is allowed up to 60%; 24.51% is proposed.

Other Elements

- **Landscaping**– A landscaping package has been provided that indicates parking lot trees, and foundation plantings for all units that meet LDC standards.
- **Tree Mitigation** – Trees previously counted as mitigation credit for Ivy Place Phase III are marked for removal in this proposal. As a result, tree mitigation calculations will need to be updated – Staff is working with the applicant to finalize required tree mitigation calculations.
- **Building Height & Materials** – All units are oriented towards the interior of the site, with units 36 and 45 additionally facing Rogers Road. These units will be required to show

double-fronted architecture. Staff has concerns with the architectural designs as submitted, and is working with the applicant to finalize designs which meet LDC standards.

Engineering Comments: This project proposes 10 multi-family units on Rogers Road on property containing 6.66 acres.

Access

The site proposes one access onto Rogers Road into a private street and parking area.

Water and Sewer

Water to site is to be privately owned and maintained with a proposed master meter connection to an existing city main.

Sewer from the development will be collected into a privately owned and maintained system which will convey wastewater to an existing city manhole.

Stormwater Management

A proposed stormwater management facility featuring inlets, pipes, and an underground detention basin will meet this site's stormwater management requirements. The underground detention basin is located on the east side of the site, beneath the access drive and parking lot. The underground detention basin will discharge to the east within the property boundary.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff has reviewed the plan and 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 'Ivy Road Phase IV' 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 any permits, the applicant shall seek and be approved for special use for a RCID. The applicant shall provide a copy of the covenants for review and approval of the RCID (Planning).

3. Approval is for up to 25% 4-bedroom units. If the applicant desires to construct greater than 25% of units as 4-bedrooms, then a Special Exception is required (Planning).

4. The applicant shall provide an updated tree mitigation plan for Staff approval prior to the issuance of permits (Planning).

5. All site plan review comments must be addressed satisfactorily prior to permits being issued (Engineering).

6. Water and sewer fees shall be paid before building permits are issued (Engineering).

7. Approval of the stormwater management plan (Engineering).

8. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

Summary of discussion: Chairman Rigby asked about the single point of entry. Mr. Ben Requet clarified there are two points of entry. With no further comments or questions from the audience of commission a motion to approve with staff conditions was made.
Moved: Yolanda Logan. Seconded: Craig Brassfield. Status: Passed. All in favor.

8. Public Hearing for Case #3253 – Elizabeth Fitts has filed a request for Zoning Map Amendment to change the underlying zoning from (SR) Suburban Residential to (NR) Neighborhood Residential for property located at Christman Drive (PPIN #30663)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 29:52-40:58)

Planning Comments: The Blackberry Hills Planned Unit Development (PUD) received its initial approval in October 2005, was annexed into the City of Oxford in 2006, and underwent an amendment in April 2012. Development to date has focused primarily on residential uses, though the plan also designates certain areas for mixed-use purposes. Substantial progress has been made along Molly Barr Road and adjacent northern sections, featuring a combination of attached and detached homes in both cottage and townhouse designs. In contrast, the southwestern sections of the property remain largely undeveloped. The zoning established for this PUD aligns with the approved plat, supporting a blend of residential options and commercial mixed-use spaces.

In 2012, only approximately 39 residential structures were constructed in the Grove Hill Condominium development on property then owned by Alumni Properties, and a new developer, Chance Properties, approached the City to not only amend the Alumni Properties portion of the Blackberry Hills PUD, but to also add an additional 20 acres on the north side of the original PUD. The proposed modification introduced changes to the PUD plan that enabled the Highland Square Development, encompassing all existing development in the area. This includes additional detached homes, duplexes, townhomes, and multi-family residences, some of which incorporate commercial mixed-use spaces. In 2022, the Rowandale Residential Common Interest Development (RCID) was established. Many of the homes, previously leased by a single entity, were sold individually.

At the July 2025 Planning Commission meeting, the Planning Commission recommended approval of a similar rezoning for 10 acres surround this property (Case #3244), and a rezoning

(Case #3245) to remove the same 10 acres, plus all of the Rowandale property from the Blackberry Hills PUD.

In this request, the applicant is seeking a Zoning Map Amendment to change the underlying zoning from (SR) Suburban Residential to (NR) Neighborhood Residential for approximately .44 acres in the northeastern most portion of the PUD. The applicant is also seeking another Zoning Map Amendment, the subject of Case #3254, to remove this from the Blackberry Hills PUD.

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.

The neighborhood surrounding the subject property has experienced significant changes due to various developments and infrastructure improvements. The proposed dissolution of the Blackberry Hills PUD is a critical change that allows the property to be aligned with its intended future land use under the Traditional Neighborhood Development (TND) plan. Additionally, nearby NEW neighborhood developments, such as Colonnade, the Lamar Sullivan's Marketplace, a 25,000-square-foot grocery store within 1 mile, and the pending Chickasaw Creek Condominium Development at 3115 Chickasaw Road, approximately 0.1 miles away, reflect the increasing demand for residential and commercial development.

The Blackberry Hills “PUD” was never properly created, as has been documented multiple times to staff and attorneys, under MS Law. It has been problematic and ambiguous and there have been multiple attempts to understand it by staff, owners and developers since inception. Even the prior owners did not know what they had or what could be done. Removing all 220 Rowandale parcels and the 10 Acres from the “PUD” allows the City and new owner to work together without complication or ambiguity on who can do what. Upon successful rezoning and removal or the Rowandale and its adjacent subject property from the existing “PUD” the Callicutt parcel will be the only owner left in Blackberry Hills and unencumbered to work with the City Planning Department and Aldermen to develop a new PUD Document and Plat, without interference from other potential PUD Owners.

These changes justify the need to rezone the property to better align with the area's evolving character and growth in population, density, in fill development and infrastructure improvements.

In addition to the physical changes in the surrounding area, the proposed rezoning aligns with the Traditional Neighborhood Development (TND) principles outlined in Oxford’s Vision 2037 Comprehensive Plan. The plan encourages higher-density, walkable, and connected neighborhoods that blend housing types and are located near commercial services and schools. The proximity of the subject property to infrastructure improvements, such as the roundabout at Molly Bar Road, new OUT Bus stops, the new commercial services at Sullivan’s Marketplace, and the nearby Chickasaw Creek attached condominium development, make this rezoning particularly suitable.

The Comprehensive Plan emphasizes connectivity and proximity to commercial amenities, as well as the public need for housing to accommodate Oxford’s growing population, particularly from the University of Mississippi. The rezoning to Neighborhood Residential (NR) helps fulfill these objectives by enabling higher-density residential development that supports Oxford’s sustainable and compact growth goals.

Mistake: There is not a mistake in this instance.

Additional Staff Comments:

The applicant points out that there have been changes in the character of the neighborhood partly attributed to development nearby or in close proximity to this site, and with infrastructure changes, particularly to Molly Barr Road with the installation of a new roundabout at Chickasaw, in addition to the multiple roundabouts constructed on Highway 30 in front of the Colonnade Crossing development. It is also important to note that the City of Oxford plans to commence construction of a new roundabout, replacing the traffic signal, at the intersection of Molly Barr Road and North Lamar this fall. This area continues to develop with housing and a mixed-use commercial center has been approved near this site.

During the Comprehensive rezoning in 2017, Staff met with one of the owners of the Blackberry Hills PUD about removing the PUD designation due to inactivity of the development and due to

the lack of detailed information to facilitate the development of the PUD. While the owner was receptive to the conversation, ultimately it was determined by the owners of the property to keep the PUD in place. Staff evaluated the proposed uses in the PUD plan and assigned land uses it felt most appropriate and consistent with the proposed Land Development Code.

Blackberry Hills is one of Oxford's earliest PUDs. Since the initial approval of this PUD in 2005, Oxford's Land Development Code has become more sophisticated, especially with respect to PUDs. Staff believes that the information provided with the Blackberry Hills PUD, as approved and amended, lacks critical information necessary for it to develop. Staff has met with many developers interested in Blackberry Hills but the lack of information has proven to be a continued barrier with its development. Ultimately, this is a primary reason Staff proposed removing the PUD designation to one of the owners in 2017.

The proposed change in use will facilitate additional density, and building types that are not otherwise allowed in the Suburban Residential District. Neighborhood Residential allows up to 9 units per acre (compared to 6 in Suburban Residential), and it allows for the construction of detached, and attached units (including duplex, triplex, quadplex units and townhomes). This zoning is consistent with the surrounding area. 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.

Recommendation: The Commission will have to determine if the proposal is a desirable change. Staff believes that there is sufficient evidence of change and need to support the rezoning of this property as requested.

Summary of discussion: Mr. Jeff Williams was present on behalf of the applicant and added the property owner adjacent is zoned Neighborhood Residential. Ms. Diane Vincent asked about the natural spring and flooding zone and if it was able to be built on. Chairman Rigby responded that if it is a protected wetland than there are certain requirements. Commissioner Spragins asked if there is a spring could we add that proper permits would be obtained. Chairman Rigby added the land would be surveyed to determine if it's a wetland or a spring which will determine with permits are necessary. Ms. Denise Hammer added her concerns for the trees being cut. Chairman Rigby replied that oxford is growing very quickly and adding larger developments. He added there is a tree board and ordinances in place to ensure trees are not cut that do not need to be. With no further questions or comments a motion based on change in need to recommend approval was made**.**

Moved: Chris Latimer. Seconded: Craig Brassfield. Status: Passed. All in favor.

9. Public Hearing for Case #3254 – Elizabeth Fitts has filed a request for Zoning Map Amendment to remove property from the Blackberry Hills Planned Unit Development (PUD) for property located at Christman Drive (PPIN #30663)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 41:06-42:39)

Planning Comments: The Blackberry Hills Planned Unit Development (PUD) received its initial approval in October 2005, was annexed into the City of Oxford in 2006, and underwent an amendment in April 2012. Development to date has focused primarily on residential uses, though the plan also designates certain areas for mixed-use purposes. Substantial progress has been made along Molly Barr Road and adjacent northern sections, featuring a combination of attached and detached homes in both cottage and townhouse designs. In contrast, the southwestern sections of the property remain largely undeveloped. The zoning established for this PUD aligns with the approved plat, supporting a blend of residential options and commercial mixed-use spaces.

In 2012, only approximately 39 residential structures were constructed in the Grove Hill Condominium development on property then owned by Alumni Properties, and a new developer, Chance Properties, approached the City to not only amend the Alumni Properties portion of the Blackberry Hills PUD, but to also add an additional 20 acres on the north side of the original PUD. The proposed modification introduced changes to the PUD plan that enabled the Highland Square Development, encompassing all existing development in the area. This includes additional detached homes, duplexes, townhomes, and multi-family residences, some of which incorporate commercial mixed-use spaces. In 2022, the Rowandale Residential Common Interest Development (RCID) was established. Many of the homes, previously leased by a single entity, were sold individually.

At the July 2025 Planning Commission meeting, the Planning Commission recommended approval of a similar rezoning for 10 acres surround this property (Case #3244), and a rezoning (Case #3245) to remove the same 10 acres, plus all of the Rowandale property from the Blackberry Hills PUD.

In this request, the applicant is seeking a Zoning Map Amendment to change remove this property, measuring approximately .44 acres from the Blackberry Hills PUD. The applicant is also seeking another Zoning Map Amendment, the subject of Case #3253, to change the underlying zoning for this property from (SR) Suburban Residential to (NR) Neighborhood Residential.

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.

The neighborhood surrounding the subject property has experienced significant changes due to various developments and infrastructure improvements. The proposed dissolution of the Blackberry Hills PUD is a critical change that allows the property to be aligned with its intended future land use under the Traditional Neighborhood Development (TND) plan. Additionally, nearby NEW neighborhood developments, such as Colonnade, the Lamar Sullivan's Marketplace, a 25,000-square-foot grocery store within 1 mile, and the pending Chickasaw Creek Condominium Development at 3115 Chickasaw Road, approximately 0.1 miles away, reflect the increasing demand for residential and commercial development.

The Blackberry Hills "PUD" was never properly created, as has been documented multiple times to staff and attorneys, under MS Law. It has been problematic and ambiguous and there have been multiple attempts to understand it by staff, owners and developers since inception. Even the prior owners did not know what they had or what could be done. Removing all 220 Rowandale parcels and the 10 Acres from the "PUD" allows the City and new owner to work together without complication or ambiguity on who can do what. Upon successful rezoning and removal or the Rowandale and its adjacent subject property from the existing "PUD" the Callicutt parcel will be the only owner left in Blackberry Hills and unencumbered to work with the City Planning Department and Aldermen to develop a new PUD Document and Plat, without interference from other potential PUD Owners.

These changes justify the need to rezone the property to better align with the area's evolving character and growth in population, density, in fill development and infrastructure improvements.

In addition to the physical changes in the surrounding area, the proposed rezoning aligns with the Traditional Neighborhood Development (TND) principles outlined in Oxford's Vision 2037 Comprehensive Plan. The plan encourages higher-density, walkable, and connected neighborhoods that blend housing types and are located near commercial services and schools. The proximity of the subject property to infrastructure improvements, such as the roundabout at Molly Bar Road, new OUT Bus stops, the new commercial services at Sullivan's Marketplace, and the nearby Chickasaw Creek attached condominium development, make this rezoning particularly suitable.

The Comprehensive Plan emphasizes connectivity and proximity to commercial amenities, as well as the public need for housing to accommodate Oxford's growing population, particularly from the University of Mississippi. The rezoning to Neighborhood Residential (NR) helps fulfill these objectives by enabling higher-density residential development that supports Oxford's sustainable and compact growth goals.

Mistake: There is not a mistake in this instance.

Additional Staff Comments:

The applicant points out that there have been changes in the character of the neighborhood partly attributed to development nearby or in close proximity to this site, and with infrastructure changes, particularly to Molly Barr Road with the installation of a new roundabout at Chickasaw, in addition to the multiple roundabouts constructed on Highway 30 in front of the Colonnade Crossing development. It is also important to note that the City of Oxford plans to commence construction of a new roundabout, replacing the traffic signal, at the intersection of Molly Barr Road and North Lamar this fall. This area continues to develop with housing and a mixed-use commercial center has been approved near this site.

During the Comprehensive rezoning in 2017, Staff met with one of the owners of the Blackberry Hills PUD about removing the PUD designation due to inactivity of the development and due to the lack of detailed information to facilitate the development of the PUD. While the owner was receptive to the conversation, ultimately it was determined by the owners of the property to keep the PUD in place. Staff evaluated the proposed uses in the PUD plan and assigned land uses it felt most appropriate and consistent with the proposed Land Development Code.

Blackberry Hills is one of Oxford's earliest PUDs. Since the initial approval of this PUD in 2005, Oxford's Land Development Code has become more sophisticated, especially with respect to PUDs. Staff believes that the information provided with the Blackberry Hills PUD, as approved and amended, lacks critical information necessary for it to develop. Staff has met with many developers interested in Blackberry Hills but the lack of information has proven to be a continued barrier with its development. Ultimately, this is a primary reason Staff proposed removing the PUD designation to one of the owners in 2017.

The proposed change will facilitate the development of the property consistent with the underlying zoning of (SR) Suburban Residential, unless a zoning map amendment (Case #3244) is

approved by the Mayor and Board of Aldermen. All portions of property west of Rowandale will continue to remain in the Blackberry Hills PUD.

Recommendation: The Commission will have to determine if the proposal is a desirable change. 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 further questions or comments a motion to recommend approval was made.
Moved: David Spragins. Seconded: Yolanda Logan Status: Passed. All in favor.

10. Public Hearing for Case #3255 - Andy Callicutt has filed a request for Zoning Map Amendment for Blackberry Hills Planned Unit Development (PUD) property located at Molly Barr Road and Blackberry Hills Parkway (PPINs #4975, 5004, 5047, 26268, 30362)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 43:41-50:40)

Planning Comments: The Blackberry Hills Planned Unit Development (PUD) received its initial approval in October 2005, was annexed into the City of Oxford in 2006, and underwent an amendment in April 2012. Development to date has focused primarily on residential uses, though the plan also designates certain areas for mixed-use purposes. Substantial progress has been made along Molly Barr Road and adjacent northern sections, featuring a combination of attached and detached homes in both cottage and townhouse designs. In contrast, the southwestern sections of the property remain largely undeveloped. The zoning established for this PUD aligns with the approved plat, supporting a blend of residential options and commercial mixed-use spaces.

In 2012, only approximately 39 residential structures were constructed in the Grove Hill Condominium development on property then owned by Alumni Properties, and a new developer, Chance Properties, approached the City to not only amend the Alumni Properties portion of the Blackberry Hills PUD, but to also add an additional 20 acres on the north side of the original PUD. The proposed modification introduced changes to the PUD plan that enabled the Highland Square Development, encompassing all existing development in the area. This includes additional detached homes, duplexes, townhomes, and multi-family residences, some of which incorporate commercial mixed-use spaces. In 2022, the Rowandale Residential Common Interest Development (RCID) was established. Many of the homes, previously leased by a single entity, were sold individually.

At the July 2025 Planning Commission meeting, the Planning Commission recommended approval of a rezoning for 10 acres east of this property (Case #3244), and a rezoning (Case #3245) to remove the same 10 acres, plus all of the Rowandale property from the Blackberry Hills PUD.

In this request, the applicant is seeking a Zoning Map Amendment to establish a new vision for the remaining +/- 193 acres of the Blackberry Hills PUD. While the underlying zoning remains

unchanged, this proposal provides the elements of a PUD that are required in the Land Development Code.

The PUD plan indicates five areas.

- **Area 1** (indicated in light pink on the plan.) measures approximately 1.60 acres with all development being consistent with the Traditional Neighborhood Business standards. This area is located at the entry into the development on Blackberry Hills Parkway, with frontage on Molly Barr Road.

- **Area 2** (indicated in yellow on the plan.) consists of two tracts that are split by a primary road through the development. This area measures approximately 26 acres with all development being consistent with the Suburban Multi-Family standards. This area is located at the entry to the development in the southeast quadrant of the property.

- **Area 3** (indicated in fuchsia on the plan.) consists of four tracts that are split by a primary road and open space in the development. This area measures approximately 141 acres with all development being consistent with the Neighborhood Residential standards. This area encompasses the majority of the development and is located in the center and northern parts of the property.

- **Area 4** (indicated in green on the plan.) consists of three tracts measuring approximately 17.5 acres intended to be used for open space, recreational, pedestrian and cycling facilities and stormwater detention.

- **Area 5** (indicated in gray on the plan.) consists of the public road infrastructure intended for the site. Roads are planned to connect to Blackberry Hills Parkway, Ironwood Lane, and to Dooley Road on the northern portion of the site.

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.

Lack of Clarity in the Original PUD

A key driver behind this modification is the lack of specificity and clarity in the original 2005 PUD documents. The initial approval included only limited information regarding architectural standards, site layout, land use relationships, and pedestrian circulation. As a result, subsequent development within the PUD area occurred without a consistent or enforceable framework, leading to fragmented design outcomes and confusion regarding long-term planning intent. The absence of defined development guidelines has made it challenging for the City to apply uniform standards and for stakeholders to understand what future phases of the project should look like.

This proposed PUD modification addresses those deficiencies by establishing clear and enforceable development standards. These include detailed guidance on permitted uses, building placement, architectural elements, open space integration, and connectivity requirements. The intent is to create a transparent and predictable development process that provides both flexibility and structure as the project continues to build out.

Contextual Changes in the Neighborhood

Since the original approval of the Blackberry Hills PUD in 2005, the surrounding area has undergone significant transformation. The Rowandale development, initially envisioned as part of the PUD, has evolved into a separate condominium association with its own identity, governance, and design guidelines. South of the site, the construction of The Lamar, a mixed-use residential and commercial development, has added density and urban character to the Molly Barr corridor. Infrastructure improvements by the City—including the construction of two modern roundabouts along Molly Barr Road—will significantly enhance traffic flow and safety while supporting the corridor's transition into a key connector within the City's transportation network.

Purpose of the PUD Modification

The proposed PUD modification is intended to bring the revised development into full compliance with the current Land Development Code and to clearly establish updated

development parameters for future phases. It introduces modern planning standards for site design, building orientation, open space, multimodal transportation, and architectural character, ensuring clarity and consistency for city officials, developers, and community members.

Vision for the Updated PUD

The revised Blackberry Hills PUD envisions a thoughtfully planned, walkable, and connected community that blends residential, commercial, and mixed-use development. Land uses are intentionally arranged to foster internal connectivity, minimize vehicle dependence, and promote neighborhood-scale amenities. Enhanced pedestrian infrastructure—including widened sidewalks, greenways, and bicycle routes—will support active transportation and increase accessibility.

These improvements align directly with the City of Oxford's Comprehensive Plan and reflect the City's long-term goals of sustainable growth, connectivity, and quality placemaking. The updated PUD provides a clear, adaptable framework that supports the evolving needs of the Oxford community while enhancing the character and cohesion of the surrounding neighborhood.

Mistake: There is no mistake indicated in this application.

Additional Staff Comments:

During the Comprehensive rezoning in 2017, Staff met with one of the owners of the Blackberry Hills PUD about removing the PUD designation due to inactivity of the development and due to the lack of detailed information to facilitate the development of the PUD. While the owner was receptive to the conversation, ultimately it was determined by the owners of the property to keep the PUD in place. Staff evaluated the proposed uses in the PUD plan and assigned land uses it felt most appropriate and consistent with the proposed Land Development Code.

Blackberry Hills is one of Oxford's earliest PUDs. Since the initial approval of this PUD in 2005, Oxford's Land Development Code has become more sophisticated, especially with respect to PUDs. Staff believes that the information provided with the Blackberry Hills PUD, as approved and amended, lacks critical information necessary for it to develop. Staff has met with many developers interested in Blackberry Hills but the lack of information has proven to be a continued barrier with its development. Ultimately, this is a primary reason Staff proposed removing the PUD designation to one of the owners in 2017.

The proposed changes will facilitate the development of this property more consistent with the current Land Development Code. The proposal establishes the uses, bulk requirements, lot coverage, design standards, access and circulation, landscaping and screening, signage, utilities (electric, sanitary sewer and water), and stormwater management for development in the proposed five areas are to be consistent with the Land Development Code. The application also provides a *Project Schedule* for the PUD. Construction of Areas 2, 3 & 5 are to commence in 2025 (pending site plan and subdivision approvals), while Area 1 will commence in 2026. The anticipated date of completion for the full build-out of the PUD is 2035.

Recommendation: The Commission will have to determine if the proposal is a desirable change. Staff believes that there is sufficient evidence of change and need to support the rezoning of this property as requested.

Summary of Discussion: Mr. Joey Moore was present on behalf of the applicant and added that they are trying to bring the PUD up to current standards. With no further questions or comments from the audience or commission a motion to recommend approval was made.

Moved: Chris Latimer. Seconded: Joseph Murphy. Status: Passed. All in favor.

11. Public Hearing for Case #3256 – Blackburn Holdings, LLC (David Blackburn) has filed a request for Zoning Map Amendment for property located at Charger Lane (PPINs #3520, 3531, 4425, 4506, 4635)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 50:40 – 1:10:39)

Planning Comments: The subject property is located in the northeastern most portion of the City limits. The property was annexed into the City of Oxford in 2018, and it was initially zoned in 2019. The property measures approximately +/- 324 acres, it has frontage along Highway 7, Highway 30, and Charger Lane. This property is comprised of three zoning districts. Approximately +/- 53 acres are zoned (SCO) Suburban Corridor, +/- 99 acres are zoned (NR) Neighborhood Residential, and +/- 176 acres are zoned (SR) Suburban Residential.

In this request, the applicant is seeking a Zoning Map Amendment to change the zoning for the property; Exhibit C clarifies the request. The proposal indicates a reduction in the area zoned Suburban Corridor to approximately +/- 37.84 acres, with the majority being located along the Highway 7 frontage in the northwest portion of the site, but with an expanded area along Highway 30. Two areas totaling approximately +/- 111 acres of Suburban Multi-Family are introduced as transition areas adjacent to the areas zoned Suburban Corridor. The Neighborhood Residential area is proposed to be expanded to approximately +/- 122.88 acres while also being located more in the central and northeastern part of the site that backs into existing properties along Charger Lane. Finally, the area designated as Suburban Residential is being reduced to approximately +/- 52.29 acres along Charger Lane in the eastern part of the site.

Exhibit D indicates two conservation areas that are proposed; both Conservation Zones are 150' in depth. Conservation Zone One measuring approximately +/- 15 acres is located along the eastern and northern property line. Conservation Zone Two is located in the southwest portion of the property. Both Conservation Zones appear to be providing a 150' undisturbed buffer between existing residences.

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.

The City of Oxford has experienced exponential population growth since the time the subject property was annexed into the city's certificated area and, specifically, since the adoption of the Vision 2037 plan. Oxford's growth over the past 8-10 years justifies a reevaluation of the zoning for the subject property.

The University of Mississippi has also experienced exponential growth over the same timeframe which is a driver of the increase in population of the city overall.
All indicators point to continued growth in Ole Miss student enrollment which will continue to create a public need for smartly planned mixed-use developments as proposed by this zoning map amendment for the subject property.

The booming overall city population increase, in addition to record student enrollment, has driven significant infrastructure improvements throughout the city with a major focus on connectivity to the eastern side of Oxford where the subject property is located.
Please Reference Exhibit A of this zoning application.

The city and county's long term transportation plan has led to significant changes in vehicular connectivity to the subject property including the imminent completion of the last section of George G "Pat" Patterson Parkway between M Trade Park and the Lafayette County industrial park. This recently completed roadway will be open to the public in the very near future.

The completion of this section of major roadway infrastructure will immediately change and improve the connectivity between the subject property, and the city as a whole, by creating a complete loop around the perimeter of the city limits consisting of:

1. MS Hwy 278 (Hwy 6) to the south.
2. George G "Pat" Patterson Pkwy to the west and north.
3. MS Hwy 7 to the east.
   These changes in city/county infrastructure significantly improve access to the subject property.

In addition to the changes created by the completion of the transportation loop described above, other significant changes in vehicular connectivity have recently been completed or are underway that directly change connectivity to the east side of Oxford and, specifically the subject property, including:

1. **New Roundabout** at University Ave. and Buddy East Parkway
2. **New Roundabouts** at University Ave. and MS Hwy 7 (nearing completion)
3. **New roundabouts** at MS Hwy 7 and Sisk Avenue
4. **New signalized intersection** at MS Hwy 30 and Ed Perry Blvd
5. **New Roundabouts** at Molly Barr Rd (MS Hwy 30) and MS Hwy 7
6. **Proposed Roundabout** at Molly Barr Rd and North Lamar Blvd
7. **New Roundabout** at Molly Barr Rd and Chickasaw Rd
8. **New Roundabout** at the soon to be completed connection between George G "Pat" Patterson Pkwy and Industrial Park Drive

Also, the construction for improvements to MS Hwy 7 South are imminent with a projected start date of late 2025. These improvements will include making the section of Hwy 7 between Oxford and MS Hwy 9 a 4-lane highway which is another significant change and improvement for the access to the subject property.
The new roadway infrastructure improvements described above are, by definition, a change in the area directly adjacent to, and directly affecting, the subject property.

The Oxford Commons Planned Unit Development (PUD) bounded by MS Hwy 30 to the north (directly adjacent to the subject property), MS Hwy 7 to the west and both sides of Sisk Avenue to the south has exploded with a mixture of single family homes, townhomes, apartments, and a wide ranging mixture of commercial, retail and entertainment uses over the **master-planned** 700 acre (+) mixed use development.

The growth at Oxford Commons PUD has been a trigger for many of the transportation connectivity changes described above. And as the availability of undeveloped land within Oxford Commons PUD decreases by the day, there is a public need at the subject property for more opportunity to provide mixed use development like the Oxford Commons PUD.

The zoning map amendment as proposed, see Exhibits A, B and C of this application, will provide a healthy mix of commercial multi-family, townhomes and single-family uses which will help satisfy the public need for well-planned, mixed-use communities that are integrated into the surrounding neighborhoods.

Please note that this zoning map amendment proposes low density single family residential (SR) zoning adjacent to the existing single-family homes along Charger Lane to the east.

The proposed zoning changes will also create two undisturbed conservation zones with a total width of 150 feet, intended to provide a permanent buffer between the subject property and existing properties zoned for residential use.

Mistake: There is no mistake in this instance.

Additional Staff Comments:

The applicant points out that there have been changes in the character of the neighborhood partly attributed to infrastructure improvements with new roundabouts, signalized intersections, newly constructed roadways and the expansion of Highway 7 being imminent. Staff does understand the applicant's logic in having the uses transition in intensity from SCO to SMF to NR to SR. The change will result in an increased density of this site with the introduction of the two SMF areas, and the expansion of the Neighborhood Residential. However, some of the SMF areas were areas designated as SCO, which allow for residential uses on upper floors. Staff believes that the designated Conservation Areas will provide some protections for the adjacent property owners.

Recommendation: The Commission will have to determine if the proposal is a desirable change. Staff believes that there is sufficient evidence of change and need to support the rezoning of this property as requested.

Summary of Discussion: Commissioner Latimer asked about the property to the south and the industrial zoning adjacent. Mr. Requet responded the zoning would be consistent with the commercial to the south. Mr. Paul Koshenina was present on behalf of the applicant and added the change in access and use to the property. Commissioner Murphy asked about the access point? Mr. Koshenina replied there will be on south of highway 30 and one at charger lane. Commissioner Latimer asked about the need for this rezoning. Mr. Koshenina replied there is a lack of land for multifamily development. There was discussion about residential versus the commercial development and the buffer zones. Mr. Koshenina agreed to come back with some data to support the request. With no further questions or comments from the commission or audience a motion to table was made.
Moved: David Spragins. Seconded: Chris Latimer. Status: Tabled. All in favor

Motion to adjourn
Moved: David Spragins Seconded: Chris Latimer 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. September Legal Advertisements

1. Call to Order

2. Approval of the Agenda

- All in favor. Move: Chris Latimer Second: Yolanda Logan Status: Passed

3. Approval of minutes from the August 2025 Meeting

- All in favor. Move: Yolanda Logan Second: David Spragins Status: Passed

4. Staff Report

a. Planning Staff Report

b. Building Official's Report

5. Map of Cases this Month

Administrative Approvals

1. Case #3257-A – Jared Foster has requested a Site Plan Amendment for 'Velvet Ditch Seafood' property located at 430 South Lamar Boulevard (PPIN #8287)

2. Case #3258-A – Grant Boucek 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 for property located at 1318 Pleasant Drive (PPIN #40006) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception.**

Consent Agenda

1. Public Hearing for Case #3259 – Collegiate Properties, LLC (Jordan Bankhead) has filed a request for a Special Exception from section 3.5.1.2.c. Districts Permitted, Detached Dwellings for property located at Ivy Road (PPIN #4829)

2. Public Hearing for Case #3260 – MFM Developments (JW McCurdy) has filed a request for Final Plat Approval for 'Colonnade Crossing, Phase 5' property located at Claremont Avenue (PPIN #4563)

3. Public Hearing for Case #3261 – Landmark Properties, LLC (Bryan Boyle) has filed a request for Preliminary and Final Plat Approval for 'Oxford Farms, Phase 13, The Station' property located at 2665 Oxford Way (PPIN #7984)

Approval of the consent agenda
Moved: Chris Latimer Seconded: Yolanda Logan Status: Passed

Public Hearings

1. Public Hearing for Case #3250 – Oxford Row, LLC (JW McCurdy) has filed a request for Site Plan Approval for 'Oxford Row' property located at 31 Hwy 328 (PPIN #6478) **(POSTPONED)**

2. Public Hearing for Case #3256 – Blackburn Holdings, LLC (David Blackburn) has filed a request for Zoning Map Amendment for property located at Charger Lane (PPINs #3520, 3531, 4425, 4506, 4635) (Tabled from August)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 12:15 – 52:42)

Planning Comments: Since the August Planning Commission meeting, the applicant has revised the zoning map amendment request. The subject property is located in the northeastern most portion of the City limits. The property was annexed into the City of Oxford in 2018, and it was initially zoned in 2019. The property measures approximately +/- 324 acres, it has frontage along Highway 7, Highway 30, and Charger Lane. This property is comprised of three zoning districts. Approximately +/- 53 acres are zoned (SCO) Suburban Corridor, +/- 99 acres are zoned (NR) Neighborhood Residential, and +/- 176 acres are currently zoned (SR) Suburban Residential.

In this revised request, the applicant is seeking a Zoning Map Amendment to change the zoning for the property; Exhibit C clarifies the request. This proposal indicates approximately +/- 64 acres zoned Suburban Corridor, with the majority being located along the Highway 7 frontage in the northwest portion of the site. This is an expansion of approximately 13 acres. Two areas totaling approximately +/- 85.5 acres of Suburban Multi-Family are introduced as transition areas adjacent to the areas zoned Suburban Corridor; a reduction of approximately 25.5 acres from what was previously proposed. The Neighborhood Residential area is proposed to be expanded to approximately +/- 122.88 acres while also being located more in the central and northeastern part of the site that backs into existing properties along Charger Lane. Finally, the area designated as Suburban Residential is being reduced to approximately +/- 52.29 acres along Charger Lane in the eastern part of the site. Both the NR and SR proposals remain unchanged from what was proposed at last month's meeting.

Exhibit D indicates two conservation areas that are proposed; both Conservation Zones are 150' in depth. Conservation Zone One measuring approximately +/- 15 acres is located along the eastern and northern property line. Conservation Zone Two measuring approximately +/- 3.97 acres is located in the southwest portion of the property. Both Conservation Zones appear to be providing a 150' undisturbed buffer between existing residences.

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.

As a supplement to our original application, we have outlined the following additional justifications to show there is a public need for the mix of zoning requested.

1. Public Need - Reference Exhibit A. This information strongly supports the public need for additional SMF zoned property:
    a. Identified on this exhibit, is the only undeveloped SMF-zoned property PEC could identify within the boundaries of the exhibit.
    b. This tract of land is part of the Oxford Commons PUD overlay, and the PUD has a development restriction that limits density to that of just over a typical NR zoning and a restriction that does not allow more than 3 unrelated persons to live in one dwelling unit.
        i. Regardless of the underlying SMF zoning, the PUD restrictions will not allow true Multi-Family development.
    c. This essentially leaves no undeveloped SMF-zoned property within the boundaries of Exhibit A which definitively shows there is a public need for additional SMF zoning in Oxford.

2. Public Need - Reference Exhibit A. This information also strongly supports the public need for additional SMF zoned property:
    a. Identified on this exhibit, is the only undeveloped SMF-zoned property PEC could identify within the City Limits.
    b. The bulk of the undeveloped SMF zoned property is the underlying zoning within the Grand Oaks PUD overlay and falls under the restrictions of the PUD. The majority of the development in this area of the PUD has been single family residences and the property is limited by access only going through neighborhoods with single family homes. This property does not lend itself to development per the underlying SMF zoning.
    c. As can clearly be seen, the remaining, undeveloped SMF property within the City Limits of Oxford is a small fraction of the overall SMF zoned property
        i. Undeveloped SMF properties on Old Taylor Road and Thacker Road are located in areas of severe vehicular traffic congestion as opposed to the property that is zoned SMF in this application which has full, direct, frontage on two primary corridors into Oxford; Hwy 7 and Hwy 30.
3. Public Need - Reference Exhibits B&C: These exhibits have been modified to increase the land area dedicated to commercial/mixed use development (SCO)
    a. This adjustment to the original application leaves the existing SCO zoning along Hwy 7 unchanged from the current zoning maps (45 acres). We listened to the Commissioners' input and agreed there is a public need for the uses allowed by SCO zoning.
    b. These exhibits also reflect an increase to the land area dedicated to SCO zoning for property accessed from Molly Barr:
        i. Existing SCO-zoned property accessed from Hwy 30 is 6 +/- acres (current zoning map)
        ii. The original application requested an increase in SCO zoning to 13 +/- acres
        iii. This modified zoning application proposes to further increase SCO to 19 +/- acres

Another driver for the well planned, healthy mix of zoning districts proposed by the applicant is the desire to avoid repeating the problems created by ongoing development along the S. Lamar Corridor which has primarily been focused on dense residential and professional office space with very little general retail, restaurants or shopping opportunities.

Ongoing residential development along the S. Lamar corridor has limited connectivity to Hwy 6 and Hwy 7 making it inconvenient for residents to get to the commercial areas along W. Jackson Ave and generally north of Hwy 6 which exacerbates traffic congestion and associated public safety concerns throughout Oxford.

The applicant's property being considered for rezoning has direct connectivity to Hwy 7 and Hwy 30 which gives direct access to Ole Miss campus via Molly Barr Rd and direct access to Pat

Patterson Parkway that circles the entire north and west city limits with direct access to the heart of Oxford via Hwy 314 (Old Sardis Rd), College Hill road and Jackson Ave.

The significance of the subject property having direct access to Hwy 7 and Hwy 30 cannot be understated as this reduces traffic related congestion and minimizes the impact on Oxford's local streets inherently minimizing the associated public safety concerns.

The City of Oxford has experienced exponential population growth since the time the subject property was annexed into the city's certificated area and, specifically, since the adoption of the Vision 2037 plan. Oxford's growth over the past 8-10 years justifies a reevaluation of the zoning for the subject property.

The University of Mississippi has also experienced exponential growth over the same timeframe which is a driver of the increase in population of the city overall.
All indicators point to continued growth in Ole Miss student enrollment which will continue to create a public need for smartly planned mixed-use developments as proposed by this zoning map amendment for the subject property.

The booming overall city population increase, in addition to record student enrollment, has driven significant infrastructure improvements throughout the city with a major focus on connectivity to the eastern side of Oxford where the subject property is located.
Please Reference Exhibit A of this zoning application.

The city and county's long term transportation plan has led to significant changes in vehicular connectivity to the subject property including the imminent completion of the last section of George G "Pat" Patterson Parkway between M Trade Park and the Lafayette County industrial park. This recently completed roadway will be open to the public in the very near future.

The completion of this section of major roadway infrastructure will immediately change and improve the connectivity between the subject property, and the city as a whole, by creating a complete loop around the perimeter of the city limits consisting of:

1. MS Hwy 278 (Hwy 6) to the south.
2. George G "Pat" Patterson Pkwy to the west and north.
3. MS Hwy 7 to the east.
   These changes in city/county infrastructure significantly improve access to the subject property.

In addition to the changes created by the completion of the transportation loop described above, other significant changes in vehicular connectivity have recently been completed or are underway that directly change connectivity to the east side of Oxford and, specifically the subject property, including:

1. **New Roundabout** at University Ave. and Buddy East Parkway
2. **New Roundabouts** at University Ave. and MS Hwy 7 (nearing completion)

3. **New roundabouts** at MS Hwy 7 and Sisk Avenue
4. **New signalized intersection** at MS Hwy 30 and Ed Perry Blvd
5. **New Roundabouts** at Molly Barr Rd (MS Hwy 30) and MS Hwy 7
6. **Proposed Roundabout** at Molly Barr Rd and North Lamar Blvd
7. **New Roundabout** at Molly Barr Rd and Chickasaw Rd
8. **New Roundabout** at the soon to be completed connection between George G "Pat" Patterson Pkwy and Industrial Park Drive

Also, the construction for improvements to MS Hwy 7 South are imminent with a projected start date of late 2025. These improvements will include making the section of Hwy 7 between Oxford and MS Hwy 9 a 4-lane highway which is another significant change and improvement for the access to the subject property.
The new roadway infrastructure improvements described above are, by definition, a change in the area directly adjacent to, and directly affecting, the subject property.

The Oxford Commons Planned Unit Development (PUD) bounded by MS Hwy 30 to the north (directly adjacent to the subject property), MS Hwy 7 to the west and both sides of Sisk Avenue to the south has exploded with a mixture of single family homes, townhomes, apartments, and a wide ranging mixture of commercial, retail and entertainment uses over the **master-planned** 700 acre (+) mixed use development.

The growth at Oxford Commons PUD has been a trigger for many of the transportation connectivity changes described above. And as the availability of undeveloped land within Oxford Commons PUD decreases by the day, there is a public need at the subject property for more opportunity to provide mixed use development like the Oxford Commons PUD.

The zoning map amendment as proposed, see Exhibits A, B and C of this application, will provide a healthy mix of commercial multi-family, townhomes and single-family uses which will help satisfy the public need for well-planned, mixed-use communities that are integrated into the surrounding neighborhoods.

Please note that this zoning map amendment proposes low density single family residential (SR) zoning adjacent to the existing single-family homes along Charger Lane to the east.

The proposed zoning changes will also create two undisturbed conservation zones with a total width of 150 feet, intended to provide a permanent buffer between the subject property and existing properties zoned for residential use.

Mistake:

There is no mistake in this instance.

Additional Staff Comments:

The applicant points out that there have been changes in the character of the neighborhood partly attributed to infrastructure improvements with new roundabouts, signalized intersections, newly constructed roadways and the expansion of Highway 7 being imminent. Staff does

understand the applicant's logic in having the uses transition in intensity from SCO to SMF to NR to SR. The change will result in an increased density of this site with the introduction of the two SMF areas, and the expansion of the Neighborhood Residential. However, some of the SMF areas were areas designated as SCO, which allow for residential uses on upper floors. Staff believes that the designated Conservation Areas will provide some protections for the adjacent property owners.

Recommendation: The Commission will have to determine if the proposal is a desirable change. Staff believes that there is sufficient evidence of change and need to support the rezoning of this property as requested.

Summary of Discussion: Mr. Paul Koshenina was present on behalf of the applicant and presented information about the change in character of the neighborhood and public need for the request. Mr. Koshenina referenced the map presented including the addition of roundabouts in the area. He spoke about the lack of Suburban Multi Family zoning for development.

Neighboring resident Ms. Heather Toney spoke about concerns for the lack of conservation coverage behind the current homes, and that change in roadwork is not indicative of sufficient change in the character neighborhood. The commission asked Ms. Tony if adding a buffer behind her home would be a good compromise, which she replied to speak with her neighbors before committing to an answer. Mr. Koshenina added the applicant would be willing to extend the conservation area. Mr. Ben Requet clarified that current zoning requires a 50-foot buffer, the map indicates a 150 foot and that the zoning where Ms. Tony home is does not require a buffer. Mr. Koshenina spoke more about the reasons for higher density.

Chairman Rigby spoke about the concerns for access and density and also the prematurity of the plan when all the uses are present. After further discussion about a buffer versus a conservation area and master planning of the area the commission made a motion to table and moved on to a recommendation to deny after a tie vote.

The commission was reminded this is a recommendation to the Mayor and Board of Aldermen.

Motion to table - Moved: Chris Latimer. Seconded: Yolanda Logan. Status: Failed.

Commissioner Logan, Latimer and Spragins for. Commissioner Murphy, Rigby and Brasfield against.

Motion to recommend denial – Moved: Chairman Rigby Seconded: Joseph Murphy. Status: Passed. All in favor.

1. Public Hearing for Case #3262 – Steven Krauskoppf has filed a request for Special Exception as provided in Section 2.6.5 Structure Height for property located at 703 Pearlines Way (PPIN #5635)

Mr. Robert Baxter Presented on behalf of the city. (YouTube video begins at 52:47- 56:32)

Planning Comments: The subject property is the second unit in the Astoria RCID. This unit was approved as three-bedroom, two-story detached residential (the other units in the Astoria are 2, 3-BR detached and 2, 3-BR attached). The applicant is requesting the ability to finish out the unfinished attic space into office and game room space with an associated bathroom. This would make the unit into a three-story structure, which requires a Special Exception in the NR district.

Staff has concerns about a potential build-out of the third floor. This development does not have an excess of parking and the addition of any bedrooms in this unit would require more parking than is able to be provided. Additionally, the plan set as proposed would not have egress points (windows) large enough, or close enough to the ground for fire access if the space was to be used as a bedroom.

The provided plan set does not indicate closets with either the Game Room or Office spaces, so neither space would meet the technical definition of a bedroom. As long as this space continues to be programmed this way, Staff has no major concerns. Should the applicant wish in the future to program any of the area as a bedroom, a new Special Exception shall be required.

Per LDC 9.3.2.4 'The Planning Commission may make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.' Additionally, per LDC 9.3.2.5 'When considering any special exception, the Planning Commission must determine whether a to approve a requested special exception, with any conditions and safe guards determined to be appropriate under this ordinance; or to deny the special exception when determined to be not in the public interest.'

Recommendation: If the Planning Commission makes the finding that the proposed Special Exception request will not harm the public interest, Staff requests the following conditions:

1. Approval is for the plan as submitted.

2. Conversion of any part of the third-floor area into a bedroom will require a new Special Exception.

Summary of Discussion: Mr. Bruce Massey was present on behalf of the applicant and informed the commission this is the primary residence for the home owner and have no intention to convert into a bedroom. With no further discussion a motion to approve was made.

Motion to approved. Moved: Chris Latimer. Seconded: Joseph Murphy. Status: Passed. All in favor.

2. Public Hearing for Case #3263 – Gina Brown has filed a request for a Special Exception as provided in section 3.11.3 Gated Entries for property located at 408 Country Club Road (PPIN #43875)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 56:35 – 1:00:15)

Planning Comments: The subject property is +/- 1.2 acres recorded as Lot 70 of Country Club Subdivision on County Club Rd just east of the intersection with St Andrews Rd. The applicant is requesting to connect a fence that runs roughly in parallel with the front building line across the driveway with a gate. The applicant states this is for the purpose of securing the rear yard and newly constructed pool per homeowners insurance requirements.

According to Section 3.11.3.2, a gate across a driveway to an individual residence requires a Special Exception. As part of the Special Exception, additional design standards exist for all gated entries. They are as follows:

a. Gates should be constructed of decorative, ornamental metal. – The proposed gate will be made of black iron.

b. Style and color of gates and other enclosures should be coordinated with nearby structures. – The proposed gate will match the existing fence.

c. Gates should operate so that they do not obstruct sidewalks, streets, bike paths, parking spaces, and similar facilities. – This proposal complies with this provision.

d. Swing gates are encouraged. Gate hinges may be located on one or both sides of the driveway. – Swing gates are proposed.

e. Sliding gates are discouraged. – This is not a sliding gate.

f. Unobstructed vertical clearance should be at least 13 feet six inches. – This proposal complies with this provision.

g. Gates shall be designed to allow vehicles to turn around in the driveway, without backing into the street (except on local streets). – The applicant has proposed a 10’ x 18’ turn-around space in front of the proposed gate. The construction material of this turn-around is not indicated on the plans, but due to the proximity to the right-of-way and the slope of drive, gravel may not be used as a surface material. A paving material such as concrete, asphalt, or pavers shall be used.

h. Adequate stacking room should be provided between the gated entrance and the gate controller to avoid vehicular stacking across sidewalks, streets, bike paths, and similar facilities. – The proposed gate is +/- 110’ from the city street which would comply with this provision.

i. Gates shall be designed to provide 24-hour access by authorized maintenance and service providers (such as public works, utilities, mail and postal delivery). – The front of the house is accessible before the gate, and a pedestrian access is included with the existing fence.

j. Gate designs shall include emergency hardware to ensure proper emergency access to the satisfaction of the city fire, police, public works and utility departments. – The applicant has indicated that an SOS box will be placed on the gate.

k. One pedestrian access gate shall be provided at each gated driveway entrance. – A pedestrian access is included with the existing fence.

l. "Anti-directional" devices (i.e., metal spikes that can cause tire damage) at entrances and exits are prohibited. – This proposal complies with this provision.

m. Protective covenants shall be established and recorded for the gated development. The protective covenants shall identify, and always keep in effect, a legal entity responsible for maintaining the gates and associated features. – Since this gate will be for an individual residence, the homeowner is responsible for maintaining the gate.

n. The gate shall be activated by an emergency siren. – The applicant has indicated this is part of SOS device on gate.

o. Gates and the emergency operation of the gates shall be maintained at all times. Two instances reported to the planning office within a 12-month period of inaccessible gates by the city police, fire or public works shall result in the revocation of the permit. – The applicant has acknowledged this provision.

p. Entrances must meet the following width requirements unless otherwise approved by the fire department. Dual gates should have an unobstructed clearance of least ten feet wide on each side; single gates should have an unobstructed clearance of least 20 feet wide. – This proposal complies with this provision. The proposed gate should not restrict the current width of the driveway.

q. Gated development should not be approved for developments that provide necessary connectivity for access and safety reasons. No gated development with private roads can be considered for acceptance as public streets until and unless the roads are brought to current city standards by the pertinent property owners association. – This provision is not applicable to this request.

Per LDC 9.3.2.4 'The Planning Commission may make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.' Additionally, per LDC 9.3.2.5 'When considering any special exception, the Planning Commission must determine whether a to approve a requested special exception, with any conditions and safe guards determined to be appropriate under this ordinance; or to deny the special exception when determined to be not in the public interest.'

Recommendation: Staff finds that the proposal meets the design standards as indicated in LDC 3.11.3.2. If the Planning Commission makes the finding that the proposed Special Exception request will not harm the public interest, Staff requests the following conditions:

1. Approval is for the plan as submitted, subject to necessary technical revisions per review by Fire, Utilities, and Planning Staff.

2. An appropriate surface material will be specified for the turn-around.

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

Summary of Discussion: Ms. Gina Brown was present. With no questions or comments a motion to approve was made.

Motion to approve. Moved: Chris Latimer. Seconded: Yolanda Logan. Status: Passed. All in favor.

4. Public Hearing for Case #3264 – Stoa Group, LLC (Toby Easterly) has filed a request for a Special Exception from section 2.6.10 for First Floor Residential for property located at Highway 7 (PPIN #16774)

Mr. Ben Requet presented on behalf of the city. (YouTube video begins at 1:00:25 – 1:51:25)

Planning Comments: The subject property is located west of Highway 7 and south of Belk Boulevard, near the Rascals Service Station. It encompasses approximately 20 acres, remains undeveloped, and is zoned Urban Corridor District.

The applicant is requesting a Special Exception to permit first-floor residential units within the vertical mixed-use buildings of the development. As outlined in the application materials, this development proposes to deliver nearly 470,000 sq/ft of new inventory to Oxford, consisting of both horizontal and vertical mixed-use components. Horizontal mixed-use structures along Highway 7 would provide 78,400 sq/ft of stand-alone commercial space over 7.5 acres, supporting a range of potential retail, office, medical and hospitality tenants. The vertical mixed-use segment combines 17,100 sq/ft of ground-floor commercial space with 316 luxury apartments, the majority of which will be located on upper floors to maintain an active street-level retail presence. Amenities will be provided in the development including courtyards, a resort-style pool, grilling stations, firepits and a putting green.

Staff has met with the development team on several occasions throughout the planning process, and this proposal represents the most complete and well-considered iteration to date. In addition to the mixed-use multi-family components of the development, the applicant has committed to installing all roadways and utility infrastructure within the development and will construct one stand-alone 6,000 sq/ft commercial building as part of the initial phase.

As previously stated, the proposal includes a combination of residential and commercial uses planned for both horizontal and vertical mixed-use buildings. In the multi-family vertical mixed-use component, the site plan identifies commercial uses / amenities such as a leasing office, a

café and market, a fitness center, a gaming center, study suites, co-working facilities, and two areas of storage.

While approximately 78,000 sq/ft of the commercial space is indicated in the horizontal mixed-use component, Staff notes that much of this projected space depends on the inclusion of a multi-story hotel (approximately 40,000 sq/ft) and medical office building (approximately 24,000 sq/ft). At present, the developer has not provided letters of intent or other commitments for these anchor tenants. The hotel and the medical office building account for approximately 82% of the proposed commercial in this component.

Staff views this site as especially significant, as it is one of the limited areas within Oxford that carries the Urban Corridor zoning designation. Staff believes this zoning affords a prime opportunity to deliver a dense, walkable mix of office, restaurant, and retail uses, complemented by upper-floor residential components. However, without secured commitments for major commercial tenants, there remains a risk that the resulting development may be limited to commercial spaces ancillary to the apartments and the single stand-alone building proposed in Phase One, rather than realizing the broader vision for the Urban Corridor.

Per LDC 9.3.2.4 'The Planning Commission may make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.' Additionally, per LDC 9.3.2.5 'When considering any special exception, the Planning Commission must determine whether a to approve a requested special exception, with any conditions and safe guards determined to be appropriate under this ordinance; or to deny the special exception when determined to be not in the public interest.'

Recommendation: While the applicant has presented attractive renderings and a compelling vision for the development, Staff retains concerns regarding the ultimate delivery of key commercial elements. The lack of secured tenants or concrete user commitments for major commercial spaces such as the hotel and medical office building, highlight uncertainties that the Commission should weigh in considering granting the Special Exception. Due to these factors, Staff recommends denial of the requested Special Exception.

Should the Commission make a finding to grant the Special Exception, Staff requests the following conditions of approval:

1. The Special Exception is for the plan as submitted.

2. The granting of the Special Exception shall not adversely affect the public interest.

3. The Special Exception shall expire within 18 months if a building permit is not issued.

Summary of Discussion: Mr. Blake Brenton was present on behalf of the developer to show the commission a presentation. He spoke about the first phase and plan for connectivity to Belk Boulevard. Commissioner Latimer asked about the lack of anchor tenants. Mr. Brenton spoke about the difficulty of obtaining a commitment from potential tenants and the letter of intent

received from a medical office. Commissioner Murphy expressed concern about allowing residential without commercial. Mr. Requet told the commission that the city has seen applicants that were granted this exception fail to develop commercial space. Mr. Brenton plans to market the site to commercial developers after an approval is granted and it would not be feasible to have ground floor commercial and that only 20% of the residential units are on the ground floor. Mr. Requet spoke about how this plan has evolved and that what is shown as a hotel may be something else in the future and could be ground floor commercial with residential above, which would be considerably less than proposed. Chairman Rigby added the value of this lot and concerns about allowing ground floor residential and what that would look like in the future. There was further discussion about the procedural steps and what conditions could be applied to an approval, and what this zoning allows for with commercial ground floor and upper floor residential.
Sage Nichols, the owner of the property, spoke in favor of the development. She added that there has been difficulty selling the property in the past and how positive this applicant has been to work with. With no further questions or comments a motion was made.

Motion to deny. Moved: David Spragins. Seconded: Chris Latimer. Status: Failed. Commissioner Spragins, Latimer, Logan, Brasfield and Rigby for denial. Commissioner Murphy apposed.

5. Public Hearing for Case #3265 – MFM Developments (JW McCurdy) has filed a request for Site Plan Approval for 'Trinitas' property located at Claremont Avenue (PPIN #4563)

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 1:51:29 – 1:57:20)

Planning Comments: The subject property measures +/- 21.12 acres located to the north of Highway 30 in Colonnade Crossing, between Claremont Ave, Ferndale Blvd, and Hurricane Lane. The applicant is proposing a multi-family residential development consisting of nine (9) residential buildings containing a mix of 274 1, 2, 3, and 4-bedroom units totaling 752 bedrooms, with associated residential accessory buildings and amenities, including a championship wiffleball field.

Use & Density: The proposed site plan calls for five multi-family buildings and four buildings of attached townhouse-style dwellings, permitted by the Special Exception granted in Case #3221. This 21.12-acre site would facilitate density up to 1,098 bedrooms; the applicant proposes 752.

Parking: Parking requirements for residential uses are calculated based on number of bedrooms and units. For this proposal, which calls out 28 1-bedrooms (up to 137 permitted), 82 2-bedrooms, 96 3-bedrooms, and 68 4-bedrooms (up to 69 permitted), 857 parking spaces are required. The applicant proposes 857 parking spaces, sixteen (16) of which are ADA-compliant and includes twelve (12) spaces marked as electric vehicle charging spaces. One required parking median island is not shown, and is a condition of approval below.

Dimensional Standards: This site would be allowed up to 80% lot coverage; 40.4% is proposed. The proposed development meets the front build-to lines along Ferndale Blvd and Claremont Ave

(a build-to line variance along Hurricane Lane was granted in Case #3221), and meets all other relevant setback requirements. Building height is limited to 50', the highest proposed is 40' from grade.

Other Elements:

- **Architecture and Building Materials** – The proposed buildings are to be constructed of traditional residential materials, including asphalt shingles, standing seam metal roofing (on accessory buildings), brick, Hardie lap siding, and board-and-batten siding. One building (Building 9) will require additional front-facing architectural elements facing Ferndale Blvd; a condition of approval is added to this effect.
- **Landscapin**g – The provision of an updated landscaping plan showing all required parking lot trees, foundation plantings, screenings, and other LDC requirements is included as a condition of approval.
- **Tree Mitigation** – Tree mitigation calculations are being finalized in concert with staff. A condition of approval is added to this effect. Applicant has supplied a tree protection plan which meets LDC requirements.

Engineering Comments:

Access: The proposed project intends to construct a residential development consisting of 752 total bedrooms. The project will access Ferndale Drive at two locations and Claremont Drive at one location.

Water and Sewer: The proposed development will tie into existing public infrastructure already in place in Ferndale Drive. All water and sewer facilities within the development 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, pipes, and ditches to the existing regional stormwater management facility, which was constructed as part of the Colonnade Crossing Subdivision. Case #2860 – Final Plat Approval for Colonnade Crossing – Phase 2 approved the regional stormwater management facility.

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

The Engineering Department has not yet completed its review of the site plan construction drawings, but does not anticipate any issues that would prevent its approval.

Recommendation: Staff recommends approval of 'Trinitas' at Colonnade Crossing, with the following conditions:

1. Approval is for the plan as submitted subject to necessary technical revisions per the Site Plan Review Committee (Planning).

3. Prior to the issuance of any permits, the applicant shall provide an updated tree mitigation plan for Staff approval (Planning).

4. An updated parking plan showing all required parking spaces and islands shall be provided prior to the issuance of any permits (Planning).

5. Prior to the issuance of any building permits, updated architecture shall be provided to Staff for approval which includes required elements facing public streets (Planning).

6. An updated landscaping plan showing all required plantings shall be provided for Staff approval prior to the issuance of building permits (Planning).

7. If units in this development should ever be individually sold, an application for a Residential Common Interest Development (RCID) shall be applied for and approved prior to the sale of any units (Planning).

8. Approval of the Final Plat for 'Colonnade Crossing Subdivision, Phase 5' by the Mayor and Board of Aldermen (General).

9. All comments related to the site plan review must be met prior to issuance of a land disturbance permit (Engineering).

10. All water and sewer fees must be paid prior to the issuance of building permits (Engineering).

Summary of Discussion: Mr. John Granberry on behalf of the applicant spoke about the number of conditions, and that most have all been met and documents have been updated with staff. With no further questions or comments from the commission or audience a motion to approved was made.

Motion to approve subject to staff conditions. Moved: Chris Latimer. Seconded: Jospeh Murphy. Status: Passed. All in favor.

2. Public Hearing for Case #3266 – Andy Callicutt has filed a request for Site Plan Approval for 'Reserve at Oxford Farms Phase 3' property located at 2007 Rosemary Street (PPIN #7948) **(POSTPONED)**

3. Motion to Adjourn

Motion to adjourn
Moved: David Spragins Seconded: Chris Latimer Status: Passed. All in favor.

THE CITY OF
OXFORD

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. October Legal Advertisements
1. Call to Order
2. Approval of the Agenda
   - All in favor. Move: Chris Latimer Second: Yolanda Logan Status: Passed

3. Approval of minutes from the September 2025 Meeting
   - All in favor. Move: Yolanda Logan Second: David Spragins Status: Passed

4. Staff Report
a. Planning Staff Report
b. Building Official's Report
5. Map of Cases this Month

Administrative Approvals

1. Case #3276-A – Joel Lyons 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 for property located at 1701 Jackson Avenue (PPIN #6221) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception.**

2. Case #3277-A – Jack Pitts 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 for property located at 106 Country Club Road (PPIN #5688) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception.**

Consent Agenda

3. Public Hearing for Case #3278 - JWM Development, LLC (JW McCurdy) has filed a request for Special Exception as provided in Section 3.5.1.2.c Detached Dwellings - Districts Permitted (four bedrooms) for 'Oxford Row' property located at 1200 York Avenue (PPIN #6478)

4. Public Hearing for Case #3267 – Andy Fitch has filed a request for a Variance from Section 2.6.5 Neighborhood Residential – Build-to Line, maximum for property located at 1589 College Hill

Road (PPIN# 6486)

5. Public Hearing for Case #3268 – Walker & Walker Enterprises (Ryan Walker) has filed a request for Variance from Section 2.6.5 Neighborhood Residential – Build to Line, maximum for 'Patterson Place' property located at 3518 Fenwick Way (PPIN #15716).

Motion to approve consent agenda. Moved: Chris Latimer Seconded: Joseph Murphy Status: Passed. All in favor.

Public Hearings

6. Public Hearing for Case #3250 – Oxford Row, LLC (JW McCurdy) has filed a request for Site Plan Approval for 'Oxford Row' property located at 1200 York Avenue (PPIN #6478) **(POSTPONED from September)**

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 13:01 – 26:22)
Planning Comments: The subject property is +/- 30.99 acres at the north intersection of College Hill Rd and Golf Club Rd. The applicant proposes to construct a Residential Common Interest Development of 121 units, 32-detached and 89-attached.

Use and Parking – 4-BR, detached residential units are a Special Exception in NR districts and 3-BR, attached units are a Special Use. Additionally, a Special Use is required for a RCID. Staff has received the 3-BR & RCID applications and will approve those requests upon approval of the site plan. The Special Exception is the subject of a separate case (Case #3278).

Parking for 4-BR, detached units is calculated at 1 space per bedroom plus 1 space per unit for guest parking and 3-BR attached is calculated at 2 per unit plus one per unit for guest parking. In this instance 427 spaces are required with up to 533 allowed. The applicant is showing 479 spaces.

Coverage – 60% coverage is allowed in the SR district and the applicant proposes 29.8%.

Other Elements

- **Landscaping** – The applicant has provided a landscaping plan that indicates frontage trees, foundation plantings, parking lot trees and required screenings that all meet LDC standards.
- **Tree Mitigation** – The applicant has provided a tree survey and protection plan that indicates that enough mitigation size trees are being retained on site such that no tree mitigation will be required.
- **Architecture and Building Materials** – Both the detached and attached products are proposed with traditional architecture and materials. Primary materials are horizontal siding, vertical board and batten siding and brick veneer with shingle roofs.

Engineering Comments: This project is located on College Hill Road in the NE quadrant of its intersection with Golf Club Road. The site proposes 40 multi family dwelling units on property containing 30.99 acres.

Access – The site proposes two access points, one on College Hill Road and another on Golf Club Road. A traffic impact study has been requested for this development given its proximity to the intersection and potential for generating a large amount of peak traffic.

Water and Sewer – Water and sewer to site is to be publicly owned and maintained with easements granted in favor of the city for ownership and maintenance. The water and sewer plans are under review at this time; however, engineering does not anticipate any issues preventing its approval.

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 on the north side of the site. The detention basin will discharge to the west within the property boundary.

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

Recommendation: Staff recommends approval of the requested Site Plan for 'Oxford Row' with the following conditions:

1. Approval is for the plan as submitted (Planning).

2. All site plan review comments must be addressed satisfactorily prior to permits being issued (Engineering).

3. A traffic impact study shall be provided to Engineering staff and a proper course of action based on study recommendations shall be coordinated with staff prior to the issuance of any permits (Engineering).

4. Water and sewer fees shall be paid before building permits are issued (Engineering).

5. Approval of the stormwater management plan (Engineering).

6. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

Summary of Discussion: Dr. Linda Spargo, a near by resident spoke about concerns for the number of bedrooms allowed, traffic and increased population on College Hill Road. Mr. John Granberry, on behalf of the applicant spoke about the plan for water detention. Commissioner Rigby responded that the traffic study will address all the concerns and that the bedroom count is allowed by right for this zoning. Mr. Steven Murphy, a neighboring property manager asked if the entrance on country club road could be moved. Commissioner Rigby added that there is an entrance on College Hill and that the proximity to the stop sign would make it difficult to move closer to the intersection. Mr. Murphy also asked for a speed bump or speed control for people exiting the golf course. With no further questions or comments a motion was made.

Motion to approve subject to staff conditions. Moved: Chris Latimer. Seconded: Craig Brasfield. Status: Passed. All in favor.

7. Public Hearing for Case #3269 – JWM Development, LLC (JW McCurdy) has filed a request for a Variance from Section 3.2.18.1 Retaining Wall Height for 'Villa South' property located at Thacker Loop (PPIN #17055)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 26:30 – 30:12)
Update 10/13/25: The applicant has worked with the property owner to the west and south to obtain a grading easement. This will remove the necessity for retaining wall over 6' on the western side of the property. The request still remains for retaining walls in excess of 6' on the north side of the property.

Planning Comments: The subject property is +/- 4.97 acres south of the Seminole Bluff (Villa West) Subdivision. The applicant seeks to construct a similarly styled (to Villa West) Residential Common Interest Development of 29, 3-BR, detached dwellings to be called Villa South, the Site Plan for which is the subject of a separate case (Case #3270). This request is for a variance to exceed 6' retaining walls in a development of detached dwellings.

The applicant seeks to construct retaining walls that would generally circle the perimeter of the site to manage the grade changes of the property. This request would facilitate ADA compliant sidewalk slopes in the development and maximize the site's development capacity. Multiple retaining walls on the west and north sides of the development will be in excess of 6' with the tallest being 12'.

The applicant contends "the combination of development density (to meet housing needs), steep and uneven topography, and the obligation to integrate ADA-compliant sidewalks into the residential street network represents a unique circumstance specific to this property. These conditions are not generally present in other SR-zoned neighborhoods, where lower densities and flatter terrain typically allow compliance with the 6-foot retaining wall height limit without requiring a variance."

Staff acknowledges the elevation challenges with this site. Per the grading plan, there appears to be approximately 40-50 feet of fall across the site east to west as well as what appear to be multiple gullies that extend across the western property line. These grading challenges are large enough that the applicant is forced to make a choice between reduction of density, removal of pedestrian connectivity, non-compliance of the retaining walls, or non-compliance of other aspects of the site. Staff finds sufficient hardship to merit a variance in this instance.

The applicant has provided a landscaping plan with the site plan that indicates evergreen landscape screening on all section of retaining walls in excess of 6'.

Per LDC 9.4.2.3 "The Planning Commission shall … make a finding that the reasons stated in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure." Additionally, per LDC 9.4.2.4 "The Planning Commission shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious or otherwise detrimental to the public welfare."

Recommendation: Staff recommends approval of the requested variance with the following conditions, if the Planning Commission makes the required findings per LDC Section 9.4.2.3 & 9.4.2.4.

1. Approval is for the plan as submitted.

Summary of Discussion: With no questions or comments from the audience or commission a motion to approve subject to staff condition was made.
Moved: Chris Latimer. Seconded: Joseph Murphy. Status: Passed. All in favor.

8. Public Hearing for Case #3270 – JWM Development, LLC (JW McCurdy) has filed a request for Site Plan Approval for 'Villa South' property located at Thacker Loop (PPIN #17055)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 30:15 – 32:23)
Planning Comments: The subject property is +/- 4.97 acres south of the Seminole Bluff (Villa West) Subdivision. The applicant seeks to construct a similarly styled (to Villa West) Residential Common Interest Development (RCID) of 29, 3-BR, detached dwellings to be called Villa South.

Use and Parking – Detached dwellings are a permitted use in SR districts and a RCID is a Special Use. Staff has received the RCID application and will approve that request upon approval of the site plan.

Each 3-BR, detached unit requires 2 parking spaces and 1 space for every three units for guest parking. Required parking is achieved with the use of 2-car garages and any guest parking can be satisfied with driveways.

Coverage – 60% coverage is allowed in the SR districts and the applicant proposes 59.6%.

Other Elements

- **Retaining Walls** – The applicant currently shows retaining walls on the west side of the property that exceed 6'. Because this is a development of detached units, this requires a variance, which is the subject of Case #3269. The applicant has talked to the property owner to the south and west and has indicated that a grading easement may be a possibility to eliminate the need for retaining walls, however, as of the writing of this report, Staff has not seen these plans. A condition of approval will be that the applicant receive a variance for the retaining wall height or to provide Staff with plans for off-site grading for review and technical amendment.

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

- **Tree Mitigation** – Much of this site was previously cleared with the Villa West development. Only one significant tree was found during survey and that tree is exempted from mitigation due to its location in a drive. As such, no mitigation is required for this site.

- **Architecture and Building Materials** – House plans for this development are the same as those found on James E Davis Parkway. Primary materials are horizontal siding and vertical board and batten siding with shingle roofs.

Engineering Comments: This project is located on Thacker Heights Road. The site proposes 29 detached single dwelling units as part of a common interest development along with a clubhouse on property containing 4.97 acres.

Access – The site proposes one point of access onto Thacker Heights Road, and one point of access onto existing Seminole Lane. Streets within the development are designated as privately owned and maintained.

Water and Sewer – Water to site is proposed to be publicly owned and maintained with easements granted in favor of the city for ownership and maintenance. Sewer is proposed as a private collection system that will convey to an existing city manhole in Seminole Lane. The water and sewer plans are under review at this time; however, engineering does not anticipate any issues preventing its approval.

Stormwater Management – A proposed stormwater management facility featuring inlets, pipes, and an above-ground regional detention basin will meet this site's stormwater management requirements. The regional detention basin was approved as part of Case #2502 – Seminole Bluff Final Plat in June of 2019.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is reviewing the plan with special attention to ensuring the fulfillment of the requirements for using the existing regional detention basin. The engineer does not anticipate any issues related to regional detention that cannot be resolved, and the stormwater management plan is expected to be approved.

Recommendation: Staff recommends approval of the requested Site Plan for 'Villa South'

2. Approval is for the plan as submitted.

3. All site plan review comments must be addressed satisfactorily prior to permits being issued.

4. Water and sewer fees shall be paid before building permits are issued.

5. Approval of the stormwater management plan.

6. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued.

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

Motion to approve subject to staff conditions. Moved: David Spragins Seconded: Yolanda Logan Status: Passed. All in Favor.

9. Public Hearing for Case #3266 – Andy Callicutt has filed a request for Site Plan Approval for 'Reserve at Oxford Farms Phase 3' property located at 2007 Rosemary Street (PPIN #7948) **(POSTPONED from September)**

Ms. Kate Kenwright presented on behalf of the City. (YouTube video begins at 32:28- 44:09)
Planning Comments: The subject property is located northeast of the roundabout on Oxford Way and the existing Reserve, Phases 1 and 2, and just west of Stillwater. The Reserve is a +/- 52.27-acre site, and is zoned (NR) Neighborhood Residential.

Phase 3 is located in the northeastern portion of the development (next to Harlan Creek) and proposes 60 units with 180 bedrooms.

Use and Parking – The entire development is proposed as a Residential Common Interest Development (RCID) which is a Special Use in the NR district. The applicant has already applied for that approval as well as the necessary Special Use for townhomes in this zoning district.

For 3-BR attached, 2 spaces are required for each unit and 1 guest space is required for every 3 total units. With 201 spaces proposed, the site is adequately parked according to these requirements.

Other Review Elements:

- Landscaping—A landscaping plan is included that includes foundation plantings, parking lot trees, and perimeter landscaping that meets LDC requirements.
- Tree Mitigation—For Phases 1 and 2 tree mitigation was not required as enough mature trees were to remain on-site. With this phase, the trees to be removed will require mitigation for the site. Tree mitigation calculations provided indicate a total of 623 2" caliper trees are required for mitigation. As presented, the applicant does not indicate any mitigation trees planted on site. Therefore, payment to the Tree Escrow Account in the amount of $249,200 is required prior to the issuance of any permits. Should the applicant desire to provide a modified landscaping plan, then it shall require a site plan amendment.
- Architecture—Architecture is similar to both the rest of The Reserve and the other phases of Oxford Farms. Exterior materials include Hardie siding, painted brick veneer, and asphalt shingle roofing.

Engineering Comments:

General

The Reserve, Phase 3 is a residential development within the Oxford Farms PUD. The site will have access to Oxford Way through The Reserve Phase 2, and to Harlan Drive through the Harlan Creek Development. It includes the construction of 60 townhome style residential units.

Utilities

The development will be served water by a private 8-inch water main.
Sewer from the development will be collected in a privately owned and maintained gravity system.

Storm water

A proposed stormwater management facility featuring inlets, pipes, and two above-ground detention basins will meet this site's stormwater management requirements. The detention basins will be located in the northwest and southeast corners of the project site. The detention basins will discharge to the south and southwest, respectively, towards an unnamed tributary of 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 that would prevent approval of the stormwater management plan.

Recommendation: Staff recommends approval of the site plan for "The Reserve, Phase 3" with the following conditions of approval:

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 any permits, the applicant shall provide payment to the Tree Escrow account in the amount of $249,200. Should the applicant desire to provide a modified landscaping plan, then it shall require a site plan amendment.

3. All site plan review comments must be addressed satisfactorily prior to permits being issued (Engineering).

4. Water and sewer fees shall be paid before building permits are issued (Engineering).

5. Approval of the stormwater management plan (Engineering).

6. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

Summary of Discussion: Commissioner Murphy asked about the discharged of the water from the property. Mr. Joey Moore on behalf of the applicant said they would be releasing less than what is currently being released and it will improve the situation and the flow rate will be less post construction than preconstruction. There was some discussion about the infill and that it has helped with the drainage.
Mr. Andy Reynolds spoke to the commission about the connector road on the west side of the property and concerns of increased traffic and the placement of the road could prohibit the hospital from future expansion. Chairman Rigby asked if the end point of the road in this development change as part of that road. Mr. Reynolds replied no it would not. Mr. Pope Mallett, on behalf of the city stated the road as proposed would carry less traffic than when it was granted under the easement granted back in 2013 and that the proposed road is a straighter diagonal and it has no less capacity or ability to carry traffic than the one is phase 1 and 2. Chairman Rigby stated there will be further discussion between the city and the hospital but the road does not necessarily pertain to this development. To clarify Mr. Reynolds said the hospital is apposed to this phase of development because the road cuts into future plans for expansion. Mr. Mallett responded that would all be discussed with the city and hospital at another time as it does not change this phase of development being approved. With no further questions or comments a motion was made.

Motion to approve subject to staff conditions. Moved: Joseph Murphy. Seconded: Chris Latimer. Status: Passed. All in favor.

7. Public Hearing for Case #3271 – Landmark Properties Inc (Brian Boyles) has filed a request for Site Plan Approval for 'The Station' property located at 2665 Oxford Way (PPIN #7984)

Mr. Ben Requet presented on behalf of the City. (YouTube video begins at 42:10 – 53:10)
Planning Comments: The subject property is located south of Oxford Way, near the Archive development. The property measures approximately +/- 27 acres and it is zoned Suburban Multi-Family. This proposal consists of a residential development containing 269 units totaling 817 bedrooms.

<u>Use and Parking</u> — The proposal indicates a combination of attached unit types in the development. A total of 269 units is proposed, mainly 2- & 3-bedroom units. The Station will provide 4-bedroom units in the development, but it complies with the 25% maximum requirement in the LDC.

A total of 902 parking spaces are required in the development. The proposal indicates compliance with this requirement by providing 904 spaces.

Other Review Elements:

- Landscaping—A landscaping plan is included that includes foundation plantings, parking lot trees, and perimeter landscaping that meets LDC requirements.
- Tree Mitigation—Tree mitigation calculations provided indicate a total of 1,156 2" caliper trees are required for mitigation. As presented, the applicant does not indicate any mitigation trees planted on the site. Therefore, payment to the Tree Escrow Account in the amount of $462,400 is required prior to the issuance of any permits. Should the applicant desire to provide a modified landscaping plan, then it shall require a site plan amendment.
- Architecture—The proposed architecture is compliant with the requirements in the land development code. Exterior materials include fiber cement siding, and fiber cement batten board, fiber cement panels and asphalt shingle roofing.

Engineering Comments:

Access

This development will have access to Oxford Way via a 23 ft asphalt with curb and gutter full access drive with an emergency vehicle access approx. 300 ft east of the full access drive. A traffic study indicated no additional turn lanes are required at the access drive with Oxford Way; with the location already having 100 ft left turn lanes in both the EB and WB directions.

Water and Sewer

Water to the site will be granted by connection to an existing 8" City water main. The development system water main will be private and master metered. Fire hydrants are placed throughout the development with the 500 ft limitation along street frontage.

Sanitary sewer from the facility will be routed to a private sewer lift station located at the south center of the property. The private force main will drop into the City sewer system via a new manhole at the northwest corner of the property which then connects to an ex. manhole in Oxford Way.

Stormwater Management

A proposed stormwater management facility, featuring inlets, pipes, and an above-ground detention basin, will meet this site's stormwater management requirements. The detention basin is located in the northwest corner of the project site. The detention basin will discharge to the west towards an unnamed tributary of Burney 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 that would prevent approval of the stormwater management plan.

Recommendation: Staff recommends approval of the Site Plan for "The Station" with the following conditions of approval:

1. The approval is for the Site Plan as submitted.

2. Prior to the issuance of any permits, the applicant shall provide payment to the Tree Escrow account in the amount of $462,400. Should the applicant desire to provide a modified landscaping plan, then it shall require a site plan amendment.

3. All engineering comments related to preliminary site plan drawings are to be addressed before a land disturbance or building permit is issued.

4. Approval of the stormwater management plan.

5. Water and sewer fees per unit shall be paid before building permits are issued.

6. Before issuance of a land disturbance permit, a copy of the Storm Water Pollution Prevention Plan approved by MDEQ as part of the Large Construction Storm Water General Permit must be submitted to Development Services.

7. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued.

Summary of Discussion: Mr. Requet mentioned there was a letter of concern included in the packet from a citizen, Katherine Thornton. Chairman Rigby asked about an item mentioned in the letter about street conditions during construction. Mr. Norman Nichols, Assistant City Engineer replied that road has been monitored by the city and patched as needed and once some construction is complete an a rebuild will need to be done. There was some discussion about the tree escrow account and different ways it is disbursed for tree projects and the reconstruction of the road. With no further questions or comments a motion was made.

Motion to approve subject to staff conditions: Moved: Chris Latimer. Seconded: Joseph Murphy. Status: Passed. All in favor.

8. Public Hearing for Case #3272 – Andy Callicutt has filed a request for Special Exception as provided in Section 2.6.9 for Ground Floor Residential for 'Oxford Farms Town Center' property located at 317 Stillwater Lane (PPIN #8903) **(POSTPONED)**

9. Public Hearing for Case #3273 – Ran Management (Aman Devji) has filed a Site Plan Approval for property located at 2546 University Avenue (PPIN #9145)

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 53:35- 1:00:07)
Planning Comments: The subject property measures +/- 3.79 acres as part of a larger parcel bifurcated by MS Highway 6 just to the west of the roundabout at University Avenue and F.D. "Buddy" East Parkway. Though described in the applicant's submission as 'Lot 1', this property is not a part of an approved subdivision, and the approval of a legal subdivision of land is a condition of approval below. At this site, the applicant proposes a service station with five (5) pumps along with a two-story convenience store and three (3) additional bays of retail space.

Use and Parking: The proposal calls for a two-story service station with additional retail tenant space and pumps to the rear of the building. A service station in TNB is permitted by Special Exception, approved

in Case #3157. For this mix of uses, 40 parking spaces are required. The applicant proposes 47, within the 125% maximum.

Dimensional Standards: The TNB zoning district facilitates impervious coverage up to 80%; the applicant proposes 61%. The proposed store meets the build-to line along University Avenue; a variance from the build-to line maximum along Highway 6 was approved in Case #3170.

Other Elements:

- **Landscaping**: A landscaping package has been provided that indicates required screenings and foundation plantings that all comply with LDC standards.

- **Tree Mitigation**: A tree survey has been provided by the applicant. Tree mitigation for this site is required, and calculations are being finalized in concert with Staff. A condition of approval is added to this effect.

- **Site Lighting**: A photometric survey and lighting plan is required, and is included as a condition of approval.

- **Site Connectivity**: A finalized complete streets plan including marked pedestrian crossings are required and included as a condition of approval.

- **Building Materials and Architecture**: Elevations and floor plans have been provided for the proposed convenience store, and a detail page for the pump canopy which matches the architecture of the main building has been included. The primary materials, masonry and stone, are in line with LDC standards. The floor plans show programmable space on the second floor substantially less than the 51% required, which is included as a condition of approval. Additional architectural considerations are likewise included as conditions.

Engineering Comments: Access
The site proposes two points of access onto University Avenue.

Water and Sewer
Water to site will be provided by connection to an existing water main along University Avenue.

Sewer will be conveyed east to an existing city manhole. The proposed sewer connection will require MDOT approval as it will traverse under the existing roundabout on MDOT No Access ROW. The sewer as it leaves the site will publicly owned and maintained. Water and sewer plans are under review at this time. Engineering does not anticipate any issues preventing its approval.

Stormwater Management
A proposed stormwater management facility, featuring inlets, pipes, and an above-ground detention basin, will meet this site's stormwater management requirements. The detention basin is located in the southeast corner of the project site. The detention basin will discharge to the south into an existing ditch within MDOT's right-of-way for Highway 6.

The Engineering Department has not approved the Stormwater Management Plan for this project. 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 'Highway 6 Express – C-Store' with the following conditions:

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

2. A subdivision establishing legal and conforming lots inclusive of this property shall be applied for and approved by the Mayor and Board of Aldermen prior to the issuance of any permits (Planning).

3. A photometric survey and lighting plan including fully shielded lighting under the canopy shall be submitted for Staff review prior to the issuance of building permits (Planning).

4. A complete streets plan showing marked pedestrian crossing shall be submitted for Staff review prior to the issuance of building permits (Planning).

5. Finalized architectural elevations demonstrating: (1) parapets extending higher than the tallest roof mounted building equipment, (2) front-facing architecture on the east elevation, and (3) that included Exterior Installation and Finish System (EIFS) material consists of no more than 2% of the building's exterior surface, shall be submitted for Staff review prior to the issuance of building permits (Planning).

6. Updated floor plans showing second story programmable space of no less than 51% of the first-floor square footage shall be provided to Staff for review prior to the issuance of building permits (Planning).

7. Final tree mitigation calculations shall be submitted for Staff review and approval prior to the issuance of land disturbance (Planning).

8. Signage for all businesses on this site, including pump canopy signage, shall be approved through a separate process. No more than three (3) signs per business shall be approved.

9. All site plan review comments must be addressed satisfactorily prior to permits being issued (Engineering).

10. Water and sewer fees shall be paid before building permits are issued (Engineering).

11. Approval of the stormwater management plan (Engineering).

12. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).
13. MDOT approval of proposed sewer connection must be provided before a land disturbance permit is issued (Engineering).

Summary of discussion: Chairman Rigby asked about the staff conditions and if they were covered during site plan review. Mr. Hirsch replied the subdivision is something that will need to be submitted and that the applicant could respond to the various documents still needed for conditions or be satisfied. Mr. Requet added this is a site that ties into another development that was subdivided after the fact and it was discovered during staff's research of this site. The commission expressed concerns over the number of conditions and lack of required documents from the applicant. With no further questions or comments a motion was made.
Motion to table pending staff conditions. Moved: Chris Latimer. Seconded. Yolanda Logan. Status: Passed. All in favor.

10. Public Hearing for Case #3274 – York Development (Bennett York) has filed a request for extension of City Utilities that includes a.) a Special Exception as provided in Section 5.6 Building Façade and b.) Site Plan Approval for 'Space Box Flex Space' property located at County Road 101 (PPIN #3457)

Mr. James Hirsch presented on behalf of the City. (YouTube video begins at 1:0014-1:14:20)
Planning Comments: This case concerns +/- 5.1 acres located on County Road 101 (Old Hwy 7), north of Oxford City limits. The applicant proposes a 36,000 square foot 'flex space' development intended for area small businesses, consisting of five (5) buildings totaling 22 commercial tenant spaces. To facilitate this development, the applicant has requested City utilities.

City policy has been to review development in Lafayette County requesting City utilities to evaluate conformity with the recommendations on the Future Land Use Map in the Vision 2037 Master Plan.

Requests for the use of City utilities are also reviewed to ensure that they meet all other relevant standards for developments in the City.

a. Special Exception as provided in Section 5.6 Building Façade:

Site plan review for this project included elevations which noted metal paneling on the façades facing away from CR 101, which are allowed by Special Exception. Upon further discussion with the applicant, the paneling was revealed to be corrugated metal, which Staff has historically been unsupportive of.

The City's Land Development Code lays out that the Planning Commission is empowered to grant Special Exceptions based on a finding that doing so will not adversely affect the public interest, or to deny such a request when determined not to be in the public interest (LDC 9.3.2).

In their narrative, the applicant states, "*The proposed design will be in harmony with the industrial neighborhood character because the entire street facing façade will be brick, with a secondary material of stucco panels, which complies with code requirements. The use of metal siding will be limited to the sides and rear, offering a more refined appearance than many of the nearby properties"*.

Staff Recommendation: Staff recommends denial of the requested Special Exception. Should the Planning Commission make a finding that granting of the Special Exception will not adversely affect the public interest and choose to grant the request, Staff requests the following conditions:

1. Approval is for the plan as submitted.

b. Site Plan Approval for 'Space Box Flex Space':

Parking: The applicant has provided 40 parking spaces in order to serve the offices in each commercial space.

Dimensional Requirements: The site plan indicates side setbacks of 25' on the sides and rear, and 40' on the front. The applicant proposes 31% pervious coverage.

Other Elements:

- **Landscaping** – A landscaping package has been provided that indicates the required screenings and foundation plantings in compliance with LDC standards.

- **Site Lighting** – A lighting and photometrics plan is required and is a condition of approval.

- **Building Materials and Architecture** – The applicant proposes masonry and stucco fronting CR 101, and metal paneling on the sides. Metal paneling as a primary façade material is allowed by Special Exception, which is before the Commission as a part of this request. A condition of approval is added which addresses LDC requirements.

Engineering Comments: Access
The site proposes two points of access onto CR 101 as approved by Lafayette County.

Water and Sewer
Water to site will be provided by connection to an existing City of Oxford water main along CR 101.

Sewer will be handled by an individual on-site wastewater treatment facility.

Stormwater Management
A proposed stormwater management facility, featuring inlets, pipes, and an above-ground detention basin, will meet this site's stormwater management requirements. The detention basin is located in the southeast corner of the project site.

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

Staff Recommendation: Staff recommends approval of this request for extension of city utilities with the following conditions:

1. The applicant shall provide the City of Oxford with an executed Petition for Annexation prior to this request being heard by the Mayor and Board of Aldermen (Planning).

2. Approval is contingent on the Board of Aldermen agreeing to grant City Utilities outside of the City limits (Planning).

3. The applicant shall provide a lighting and photometrics plan to Staff for review (Planning).

4. The applicant shall either be approved for the Special Exception for metal as primary façade, or shall provide updated architectural showing materials which comply with LDC standards (Planning).

5. All site plan review comments must be addressed satisfactorily prior to permits being issued (Engineering).

6. Water connection fees shall be paid before building permits are issued (Engineering).

7. Approval of the stormwater management plan (Engineering).

8. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

Summary of Discussion: Chairman Rigby asked about the interpretation of the code for building façade materials not including corrugated metal. Mr. Chance Walker was present on behalf of the applicant and ask about the consideration of the special exception. He addressed some of the conditions. Chairman Rigby mentioned that a request for city utilities in the county must meet city code requirements and that the surrounding buildings did not go through the same approval process and are treated differently. Commissioner Murphy asked if they could use a different material. Ms. Katie on behalf of the developer spoke about how using the corrugated metal would significantly reduce costs as they are creating affordable space for local tradespersons. They would be willing to go with metal panels if the commission did not approve the special exception request.
Mr. Requet spoke about the building material options for affordability and that this request will go to the Mayor and Board of Aldermen with the request for city utilities. A condition could be added that updated architectural drawings be submitted prior to that hearing for staff to review.
With no further questions or comments a motion was made.

Motion to recommend denial of Special Exception. Moved: Joseph Murphy. Seconded: Chris Latimer. Commissioner Murphy, Latimer, Brasfield, logan and Rigby for denial. Commission Spragins against denial.
Motion to recommend approval of Site Plan. Moved: Chris Latimer. Seconded: Yolanda Logan. All in favor.

11. Public Hearing for Case #3275 – York Development (Bennett York) has filed a request for Site Plan Approval for 'York Flatts' property located at Anchorage Road (PPIN #36686)

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 1:14:25 -
Planning Comments: The subject property is a +/- 10.4-acre lot on the north side of Anchorage Road. The applicant proposes a residential development of 62 detached and attached units in a Residential Common Interest Development (RCID).

Use & Density: The City's Land Development Code sets the maximum density in Neighborhood Residential (NR) at nine (9) dwelling units per acre. On this site, 94 units are allowable, and 62 are proposed. The proposal complies with unit mix requirements; 55% of proposed units are detached.

Townhouses are a Special Use in Neighborhood Residential when fewer than 25% of proposed units contain four (4) bedrooms: that application has not been received. As such, a condition of approval is added.

RCID is a Special Use in Neighborhood Residential: that application has not been received. Staff will need a copy of the proposed covenants to review before the RCID is able to be approved. A condition of approval is included for this element of the proposal.

Parking: Parking for the 19 detached units is calculated at two (2) spaces per unit plus one guest space for every three (3) detached units. Parking for the 43 townhomes is calculated at two (2) spaces per three (3) bedroom unit, four (4) spaces per four (4) bedroom unit, plus one guest space per unit. For this development, a minimum of 210 spaces would be required. Provided on site are 260 spaces, within the allowable 125% maximum.

Dimensional Requirements: The proposal meets all relevant setbacks and build-to lines for the zoning. NR allows for up to 60% impervious coverage; the applicant proposes 56.1%.

Other Elements:

- **Landscaping** – A landscaping package has been provided that indicates many of the required screenings and foundation plantings to comply with LDC standards. Some additional plantings, including complete screening of the stormwater detention facility, are not shown and are a condition of approval.

- **Tree Mitigation** – A tree survey and mitigation plan have been provided by the applicant. The applicant has a significant number of trees marked for credit through preservation on the northwest side of the property, but has not provided a tree protection plan, which is a condition of approval. Final mitigation calculations are being finalized in concert with staff.

- **Site Lighting** – A lighting and photometrics plan is required and is a condition of approval.

- **Building Materials** – The building materials include callouts for either a standing seam metal or fiberglass shingle roof. Material callouts are not provided for the siding, and are included as a condition of approval below.

- **Architecture** – Architecture for the units fronting Anderson must show front facing elements towards the public street. A condition of approval is added to this effect.

Engineering Comments:

Access

The site proposes two points of access onto Anchorage Road.

Water and Sewer

Water to site is proposed to be privately owned and maintained with a connection in Anchorage Road to an existing 12" city water main.

Sewer within the site is proposed as a private collection system that will convey offsite to an existing city manhole in Anchorage Road near Davidson Creek. The off-site sewer will be within the ROW of Anchorage Road and will therefore be publicly owned and maintained.

Stormwater Management

A proposed stormwater management facility featuring inlets, pipes, and an above-ground detention basin will meet this site's stormwater management requirements. The detention basin is located along the east side of the property. The detention basin will discharge to the north.

The Engineering Department has not approved the Stormwater Management Plan for this project. Engineering staff is reviewing a resubmittal of the plan and does not anticipate any issues that would prevent approval of the stormwater management plan.

Recommendation: Staff recommends approval of the requested Site Plan for 'York Flatts' 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 any permits, the applicant shall seek and be approved for special use for a RCID. The applicant shall provide a copy of the covenants for review and approval of the RCID (Planning).

3. Prior to the issuance of any permits, the applicant shall seek and be approved for a special use for townhomes in NR. No more than 25% of proposed units shall include four bedrooms without approval for a Special Exception (Planning).

4. An updated grading plan showing tree protection measures shall be submitted to Staff for review prior to the issuance of land disturbance (Planning).

5. A finalized tree mitigation sheet shall be submitted to Staff for review prior to the issuance of any permits (Planning).

6. A finalized landscaping plan showing all required foundation plantings shall be submitted to Staff for approval prior to the issuance of building permits (Planning).

7. A lighting survey and photometrics plan shall be submitted to Staff for approval prior to the issuance of building permits (Planning).

8. Updated architectural drawing showing siding materials compliant with LDC standards shall be provided to Staff for review prior to the issuance of building permits (Planning).

9. The architectural front for all units facing Anderson Road shall face towards the public street (Planning).

10. All site plan review comments must be addressed satisfactorily prior to permits being issued (Engineering).

11. Water and sewer fees shall be paid before building permits are issued (Engineering).

12. Approval of the stormwater management plan (Engineering).

13. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

Summary of Discussion: Mr. Chance walker, on behalf of the applicant stated some of the conditions have been addressed and will comply with the remaining ones. With no questions or comments a motion was made.

Motion to approve subject to staff conditions. Moved: Yolanda Logan Seconded: Craig Brasfield. Status: Passed. All in favor

1. Motion to Adjourn

Moved: David Spragins. Seconded: Chris Latimer. Status: Passed. All in favor.

Auxiliary aids and services may be available to individuals with disabilities upon twenty-four (24) hours request by contacting Braxton Tullos, City of Oxford ADA Coordinator at 662-232-2454.

THE CITY OF
OXFORD

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. November 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. October Legal Advertisements
1. Call to Order
2. Approval of the Agenda
- All in favor. Move: Chris Latimer Second: Yolanda Logan Status: Passed

3. Approval of minutes from the October 2025 Meeting
- All in favor. Move: David Spragins Second: Joseph Murphy Status: Passed

Approval of Amended Minutes from September 2025 Meeting
- All in favor. Move: Chris Latimer Seconded: Joseph Murphy Status: Passed

4. Staff Report

a. Planning Staff Report
b. Building Official's Report

5. Map of Cases this Month https://city-of-oxford-gis-hub-coogis.hub.arcgis.com/apps/ff8873ac54dc47a481c5f2c8a64d4be1/explore

Administrative Approvals

1. Case #3279-A – CB Holdings, LLC (Larry Britt) has filed a request for a Site Plan Approval for 'Grove Lake at the Country Club of Oxford' property located at 300 Fazio Drive (PPIN #26136)

2. Case #3280 -A – Bessie Clayton has filed a request for a Special Use for Accessory Dwelling Unit as authorized in Section 3.5.6 Dwellings - Accessory of the Land Development Code for property located at 1009 Suncrest Drive (PPIN #9114) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception.**

3. Case #3281-A – Sarah Murphy 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 for property located at 502 Maple Cove (PPIN #6434) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception.**

4. Case #3282-A – Tom Benton has filed a request for a Special Use for Accessory Dwelling Unit as authorized in Section 3.5.6 Dwellings - Accessory of the Land Development Code for property located at 621 North 6th Street (PPIN #5413) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception.**

Consent Agenda

1. Public Hearing for Case #3283 – Oxford Commons Lots, LLC (David Blackburn) has filed a request for Preliminary Plat Approval for 'The Heights at Oxford Commons, Phase 6' property located at Devonshire Drive (PPIN #37696)

2. Public Hearing for Case #3284 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Site Plan Amendment for 'Patterson Place' property located at 3851 Fenwick Road (PPIN #15716)

3. Public Hearing for Case #3285 – Walker & Walker Enterprises, LLC (Ryan Walker) has filed a request for Preliminary and Final Plat Approval for 'Patterson Place' property located at 3851 Fenwick Road (PPIN #15716)

4. Public Hearing for Case #3286 – Will Galtney has filed a request for Special Exception as provided in Section 3.11.3.2 Gated Entries for property located at 107 Douglas Drive (PPIN #5215)

Motion to approve consent agenda. Moved: Chris Latimer Seconded: Craig Brasfield Status: Passed. All in favor.

Public Hearings

1. Public Hearing for Case #3272 – Andy Callicutt has filed a request for Special Exception as provided in Section 2.6.9 for First Floor Residential for 'Oxford Farms Town Center' property located at 317 Stillwater Lane (PPIN #8903) **(POSTPONED from October)**

Mr. Benjamin Requet presented on behalf of the city. (YouTube video begins at 1:40-6:20)

November Planning Commission Update: After tabling this Special Exception request from the October meeting, the applicant returns with a revised Special Exception request to permit ground floor residential to facilitate the Oxford Farms Town Center. This revised concept reflects increased residential beds and an expansion in non-residential space. The revised proposal encompasses 16 acres and includes approximately 285 residential units with 735 bedrooms, alongside 58,822 square feet of ground-floor commercial and service space.

This proposal increases residential capacity from 712 bedrooms in the previous version to 735 bedrooms in the revised plan and expands the non-residential ground floor space from 55,337 to 58,822 square feet. The ground floor of buildings, 1-4 and 9 will consist 100% of retail, commercial or food and beverage, totaling 49,984 square feet, while the remaining square footage will be amenity space for the residential component. It is also worth noting that a new liner building on the south side of the pool, near the parking slip deck, was added in this concept.

The application states that the development intends to provide a balanced mix of one-, two-, three-, and four-bedroom residential options, complemented by commercial and townhome elements. The applicant believes that the ground floor residential use supports a vibrant streetscape and meets demand for close-proximity housing, aligning with the character of Oxford Farms as a multi-use, walkable district.

The applicant notes that allowing ground floor residential reduces projected traffic volumes compared with an all-commercial ground floor scenario. Data is provided to substantiate the belief that the request will directly address community concerns regarding congestion on South Lamar and the surrounding transportation network.

As previously stated, the applicant has stated that it is his intent to construct all commercial and residential components concurrently, rather than phasing construction. This suggests that all commercial areas will be available to be leased/owned but may not be occupied at the time that certificates of occupancy are issued.

Per LDC 9.3.2.4 "The Planning Commission may make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest." Additionally, per LDC 9.3.2.5 "When considering any special exception, the Planning Commission must determine whether a to approve a requested special exception, with any conditions and safe guards determined to be appropriate under this ordinance; or to deny the special exception when determined to be not in the public interest."

This proposal aims to create a town center similar in style to the commercial areas of Oxford's Courthouse Square. This walkable mixed-use center will provide three-story buildings that line Oxford Way and offer the potential for larger commercial spaces to be leased or sold to a commercial tenant, or they could be offered in smaller footprints similar to businesses like Hinton and Hinton, B-Unlimited, or Hemline.

There is certainly a need for commercial opportunities in this portion of town, particularly restaurants and retailers. Considering how much residential development has already been developed in Oxford Farms, Staff believes that the revised proposal better delivers the commercial needed in this area of Oxford. Staff is supportive of mixed-use town centers that offer a variety of retail, services and food options along with a mix of housing opportunities, and we do support this request.

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. The Special Exception is for the plan as submitted.

2. The granting of the Special Exception shall not adversely affect the public interest.

3. The Special Exception shall expire within 18 months if a building permit is not issued.

4. All commercial and residential components shall be constructed concurrently, and the commercial shell components of the development shall be constructed prior to the issuance of a Certificate of Occupancy for any residential components.

Summary of Discussion: Chairman Rigby appreciated the added commercial space on Oxford Way and with no questions or further comments from the commission or audience a motion to approve subject to staff conditions.
Moved: Joseph Murphy Seconded: Chris Latimer. Status: Passed. All in Favor.

2. Public Hearing for Case #3287 – Andy Callicutt has filed a request for Plat Amendment for 'Lot 13, Creekwood Subdivision' property located at 1013 Harlan Drive (PPIN #18837)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 6:25)

Planning Comments: The subject property is +/- 1.082 acres in the Creekwood Subdivision. The applicant proposes to split the existing lot into two smaller lots to be called 'Lot 13A' (+/- 0.442 acres) and 'Lot 13B' (+/- 0.640 acres). Lot 13B is also proposed to contain the regional stormwater detention for the 'Harlan Creek' and 'Bella Vita' developments, both of which have site plan amendments currently under review by Staff. The proposed lots meet the minimum lot size and lot width requirements of the underlying Suburban Residential zoning.

Planning and Engineering Staff do have concerns that the proposed regional stormwater detention is located on a "lot", particularly because stormwater isn't a designated use, rather a utility for a development. We believe that this area should be called out as "Common Open Space" and listed as stormwater detention on the plat. This is further complicated because ordinarily, a Homeowner's Association is responsible for the repair, maintenance and ownership of all "Common Open Spaces", but it appears that the Creekwood Subdivision does not have an active Homeowner's Association. The applicant will have to demonstrate the ownership and maintenance mechanism for this regional stormwater detention that services two developments not associated with Creekwood Subdivision.

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," PLAT-000962-2025 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 four parties they believe to be directly interested in this change and
have provided their signatures of approval.

Engineering Comments: From an Engineering review perspective, the plat amendment as presented by the applicant is strictly a residential lot split. The use of one of the created lots for a regional stormwater management facility will be reviewed as part of an amended site plan for Bella Vita and Harlan Creek. Amended site plans have been submitted, with their review pending approval of this plat amendment. The amended site plans shall address all the design and legal documentation requirements outlined in Section 98-119. Regional Stormwater Management of the City of Oxford's Code of Ordinance. The engineering staff supports a residential lot split of Lot 13, Creekwood Subdivision, but Staff would like all elements of the regional stormwater detention (design and legal) prior to this item being heard by the Mayor and Board of Aldermen.

Recommendation: If the Commission finds that there are no additional persons adversely affected or directly interested herein, Staff recommends approval of the requested Plat Amendment for 'Creekwood Subdivision, Lot 13' with the following conditions:

1. Approval of the Plat Amendment for 'Creekwood Subdivision, Lot 13' by the Mayor and Board of Aldermen.
2. Prior to the amendment being heard by the Mayor and Board of Aldermen, the applicant shall provide:
    a. All necessary legal documentation detailing the ownership and maintenance mechanisms for regional stormwater detention.
    b. A final design for the pond that is consistent with Site Plan Amendments for 'Bella Vita' and 'Harlan Creek'
    c. An updated plat indicating the area designated for stormwater detention as common open space.
3. Prior to the issuance of any additional building permits for 'Bella Vita' and 'Harlan Creek' the applicant must receive site plan amendments for those developments.

Summary of Discussion: Commissioner Latimer clarified the address of the home owners who are directly adjacent listed in the attached documents. Commissioner Murphy asked about the ownership of the common area. Mr. Joey Moore was present on behalf of the applicant and stated that the Bella Vita development directly south will have sole ownership with the HOA. Mr. Ben Requet added that Bella Vita will be a condo style ownership and will show on the plat. Chairman Rigby mentioned the connecting road. Mr. Moore added it is intended to be an access road and not used unless needed. With no further questions or comments a motion to approved subject to staff conditions was made.

Moved: Joseph Murphy. Seconded: David Spragins. Status: Passed, All in favor.

3. Public Hearing for Case #3273 – Ran Management (Aman Devji) has filed a request for Site Plan Approval for 'Highway 6 Express – C-Store' property located at 2546 University Avenue (PPIN #9145) **(TABLED from October)**

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 14:16)

Planning Comments: The subject property measures +/- 3.79 acres just to the west of the roundabout at University Avenue and F.D. "Buddy" East Parkway. At this site, the applicant proposes a service station with five (5) pumps along with a two-story convenience store and three (3) additional bays of retail space.

Use and Parking: The proposal calls for a two-story service station with additional retail tenant space and pumps to the rear of the building. A service station in TNB is permitted by Special Exception, approved in Case #3157. For this mix of uses, 43 parking spaces are required. The applicant proposes 47, within the 125% maximum.

Dimensional Standards: The TNB zoning district facilitates impervious coverage up to 80%; the applicant proposes 61%. The proposed store meets the build-to line along University Avenue; a variance from the build-to line maximum along Highway 6 was approved in Case #3170.

A request for a single-lot subdivision for this property is under review with Staff. The approval of this subdivision is listed as a condition of approval below.Other Elements:

- **Landscaping**: A landscaping package has been provided that indicates required screenings and foundation plantings that all comply with LDC standards.

- **Tree Mitigation**: A tree survey has been provided by the applicant. Tree mitigation for this site is required, and calculations are being finalized in concert with Staff.

- **Site Lighting**: A photometric survey has been provided which demonstrates compliance with LDC standards.

- **Site Connectivity**: A finalized complete streets plan including marked pedestrian crossings and bicycle facilities has been provided.

- **Building Materials and Architecture**: Elevations and floor plans have been provided for the proposed convenience store, and renderings show (and the applicant has confirmed) the fuel canopy's materials keep with the style of the main building. The primary materials, masonry and stone, are in line with LDC standards. The floor plans show programmable space on the second floor which complies with the requirements of the TNB zoning district.

- **Signage**: Sign permits for all businesses on site, including pump canopy signage, will require issuance through a separate process. No more than three (3) signs per business shall be permitted.

Engineering Comments:

Access

The site proposes two points of access onto University Avenue.

Water and Sewer

Water to site will be provided by connection to an existing water main along University Avenue.

Sewer will be conveyed east to an existing city manhole. The proposed sewer connection will require MDOT approval as it will traverse under the existing roundabout on MDOT No Access ROW. The sewer as it leaves the site will publicly owned and maintained. Water and sewer plans are under review at this time. Engineering does not anticipate any issues preventing its approval if the MDOT No Access ROW sewer work is allowed by MDOT.

Stormwater Management

A proposed stormwater management facility, featuring inlets, pipes, and an above-ground detention basin, will meet this site's stormwater management requirements. The detention basin is located in the southeast corner of the project site. The detention basin will discharge to the south into an existing ditch within MDOT's right-of-way for Highway 6.

The Engineering Department has not approved the Stormwater Management Plan for this project. 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 'Highway 6 Express – C-Store' with the following conditions:

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

2. Approval of the Preliminary and Final Plat for 'Hwy 6 Express, LLC. Commercial Subdivision' by the Mayor and Board of Aldermen (Planning).

3. Final tree mitigation calculations shall be submitted for Staff review and approval prior to the issuance of land disturbance (Planning).

4. Water and sewer fees shall be paid before building permits are issued (Engineering).

5. Approval of the stormwater management plan (Engineering).

6. The completed stormwater management facility must be certified by the civil engineer before certificates of occupancy are issued (Engineering).

7. MDOT approval of proposed sewer connection must be provided before a land disturbance permit is issued (Engineering).

Summary of Discussion: With no questions or comments from the commission or audience a motion to approve subject to staff conditions was made.
Moved: Chris Latimer Seconded: Yolanda Logan. Status: Passed. All in favor.

4. Public Hearing for Case #3288 – Sarah Murphy has filed request for Variance from Section 3.5.6.5 Accessory Dwelling Unit for property located at 502 Maple Cove (PPIN #6434)

Mr. James Hirsch presented on behalf of the city. (YouTube video begins at 18:02)

Planning Comments: The subject property measures +/- 0.8 acres and is located at the corner of Redbud Lane and Maple Cove, Lot 33 of the Lakeway Gardens subdivision. The applicant requested an Accessory Dwelling Unit (ADU) on the east side of the property in Case #3281-A, platted and defined by the Code as a front yard. As such, applicant seeks relief from the Code's prohibition of accessory structures in a front yard (LDC 3.11.1.5).

The applicant reasons that strict application of this Code provision would *"force construction in areas with poor access, unfavorable topography, or tree loss, creating unnecessary hardship and disrupting the site's established layout."*

The City's Land Development Code empowers the Planning Commission to grant variances based on findings that (a) the reasons stated in the application justifies the granting of the variance and that the variance is the minimum needed to make possible reasonable use of the land, and (b) that the granting of the variance will be in harmony with the general purpose and intent of the Code, and will not harm the public welfare (LDC 9.4.2.3 & 9.4.2.4).

While the ADU will likely be visible from the street at its proposed location, circumstances as outlined by the applicant necessitate the placement proposed, and Staff finds a sufficient hardship to justify variance in this case.

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

1. Approval is for the plan as submitted.

Summary of Discussion: Mr. Hirsch reminded the commission the administrative approval is contingent upon approval of this case. Chairman Rigby asked about the added garage. Mr. Johnathan Mattox was present on behalf of the applicant and stated that the current property does not have a garage and this would serve that purpose for the homeowner.

Moved: Craig Brasfield. Seconded: Chris Latimer. Status: Passed. All in favor.

5. Public Hearing for Case #3289 – BMC General Contractors, LLC (Bruce Massey) has filed a request for Special Exception as provided in Section 2.6.5 Structure Height for property located at 705 Pearlines Way (PPIN #5635)

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 21:39) This case and Case #3290 were heard together.

Planning Comments: The subject property is located in the Astoria RCID. This unit was approved as three-bedroom, two-story detached residential (the other units in the Astoria are 2, 3-BR detached and 2, 3-BR attached). The applicant is requesting the ability to finish out the unfinished attic space into office and game room space with an associated bathroom. This would make the unit into a three-story structure, which requires a Special Exception in the NR district.

Case #3290 is the same request. An identical request for 703 Pearlines Way was approved at the September, 2025 meeting of this Commission.

Staff has concerns about a potential build-out of the third floor. This development does not have an excess of parking and the addition of any bedrooms in this unit would require more parking than is able

to be provided. There are already concerns with parking at the Astoria—Staff has noted cars parked behind the buildings and in the fire lane on more than one occasion. Additionally, the plan set as proposed would not have egress points (windows) large enough, or close enough to the ground for fire access if the space was to be used as a bedroom.

The provided plan set does not indicate closets with either the Game Room or Office spaces, so neither space would meet the technical definition of a bedroom. As long as this space continues to be programmed this way, Staff has no major concerns. Should the applicant wish in the future to program any of the area as a bedroom, a new Special Exception shall be required.

Recommendation: If the Planning Commission makes the finding that the proposed Special Exception request will not harm the public interest, Staff requests the following conditions:

1. Approval is for the plan as submitted.

2. Conversion of any part of the third-floor area into a bedroom will require a new Special Exception.

Summary of Discussion: Commissioner Spragins asked about potential to convert the added space into a bedroom. Mr. Requet added it does not meet the standards for a bedroom since it lacks a closet. Chairman Rigby asked what would the parking requirement be if it was a bedroom, Kate replied the home owner would need to add a parking space. Mr. Requet added that in this case there is no room for parking and the fire department would have to issue a no service letter for the insurance company. Mr. Bruce Massey was present on behalf of the applicant and stated there is no intention to convert to a bedroom. Applicant Mr. Royce added that the parking has hindered his home so he does not intend to add a bedroom to further complicate the already tight parking. A motion to approve subject to staff conditions was made.

Case #3289 Moved: David Spragins. Seconded: Craig Brasfield. Status: Passed. Chairman Rigby against. All other commissioners in favor.

Case #3290 Moved: David Spragins. Seconded: Yolanda Logan. Status Passed. Chairman Rigby against. All other commissioner in favor.

6. Public Hearing for Case #3290 – BMC General Contractors, LLC (Bruce Massey) has filed a request for Special Exception as provided in Section 2.6.5 Structure Height for property located at 707 Pearlines Way (PPIN #5635)

Ms. Kate Kenwright presented on behalf of the applicant. (Youtube video begins at)

Planning Comments: The subject property is located in the Astoria RCID. This unit was approved as three-bedroom, two-story detached residential (the other units in the Astoria are 2, 3-BR detached and 2, 3-BR attached). The applicant is requesting the ability to finish out the unfinished attic space into office and game room space with an associated bathroom. This would make the unit into a three-story structure, which requires a Special Exception in the NR district.

Case #3289 is the same request. An identical request for 703 Pearlines Way was approved at the September, 2025 meeting of this Commission.

Staff has concerns about a potential build-out of the third floor. This development does not have an excess of parking and the addition of any bedrooms in this unit would require more parking than is able to be provided. There are already concerns with parking at the Astoria—Staff has noted cars parked behind the buildings and in the fire lane on more than one occasion. Additionally, the plan set as proposed would not have egress points (windows) large enough, or close enough to the ground for fire access if the space was to be used as a bedroom.

The provided plan set does not indicate closets with either the Game Room or Office spaces, so neither space would meet the technical definition of a bedroom. As long as this space continues to be programmed this way, Staff has no major concerns. Should the applicant wish in the future to program any of the area as a bedroom, a new Special Exception shall be required.

Recommendation: If the Planning Commission makes the finding that the proposed Special Exception request will not harm the public interest, Staff requests the following conditions:

1. Approval is for the plan as submitted.

2. Conversion of any part of the third-floor area into a bedroom will require a new Special Exception.

Summary of discussion: See case #3289 for comments.

7. Public Hearing for Case #3291 – The City of Oxford has filed a request for modifications to the Land Development Code

Mr. Ben Requet presented on behalf of the City. (Youtube video begins at 29:30)

Planners Comments: The changes proposed address concerns that have surfaced. The changes include:

- Modifying the Gated Entry provisions to allow gates for a residence to be considered as a Special Use when it is proposed in a side or a rear yard.
- Modification to the architectural standards to require architectural variety of buildings in a development
- Modifications to the applicability provisions for Site Plan Reviews.

Article 3

3.11.3 Gated Entries

3.11.3.1 This use includes gates, posts, and cable or other equipment across vehicular entrances.

3.11.3.2 Districts Permitted: Special Use in any district for gates to access nonresidential uses that only close when the use is closed. Special Use for a residence in ER, SR, and NR when the gate is located in the side or rear yard (behind the front building line) and provides adequate stacking space on the site to prevent any obstructions of the road from which the driveway takes access. The Design standards of Section 3.11.3.4 must be followed.

Special Exception use in any district for gates to access nonresidential uses during hours when the use is open, for a gate across a driveway to an individual residence, for any multi-family development, and for access to any type of residential development that is served by private roads (if roads are built to City standards). Gated entries are not allowed across public roads.

3.11.3.3 Additional Standards: The following regulations pertain to placing gates, posts and cable or other equipment across vehicular entrances to individual residences, nonresidential properties, and to access any type of residential development. Design standards include.

a. Nonresidential development. Nonresidential developments that will close during business hours shall obtain a special exception to establish gates at private vehicular entrances.
b. Multi-family development. Developments that wish to close in the overnight hours may request a special exception to establish gates at private vehicular entrances.

3.11.3.4 Design Standards for All Gated Entrances.

a. Gates should be constructed of decorative, ornamental metal.
b. Style and color of gates and other enclosures should be coordinated with nearby structures.
c. Gates should operate so that they do not obstruct sidewalks, streets, bike paths, parking spaces, and similar facilities.
d. Swing gates are encouraged. Gate hinges may be located on one or both sides of the driveway.
e. Sliding gates are discouraged.
f. Unobstructed vertical clearance should be at least 13 feet six inches.
g. Gates shall be designed to allow vehicles to turn around in the driveway, without backing into the street (except on local streets).
h. Adequate stacking room should be provided between the gated entrance and the gate controller to avoid vehicular stacking across sidewalks, streets, bike paths, and similar facilities.
i. Gates shall be designed to provide 24-hour access by authorized maintenance and service providers (such as public works, utilities, mail and postal delivery).
j. Gate designs shall include emergency hardware to ensure proper emergency access to the satisfaction of the city fire, police, public works and utility departments.
k. One pedestrian access gate shall be provided at each gated driveway entrance.
l. “Anti-directional” devices (i.e., metal spikes that can cause tire damage) at entrances and exits are prohibited.
m. Protective covenants shall be established and recorded for the gated development. The protective covenants shall identify, and always keep in effect, a legal entity responsible for maintaining the gates and associated features.
n. The gate shall be activated by an emergency siren.
o. Gates and the emergency operation of the gates shall be maintained at all times. Two instances reported to the planning office within a 12-month period of inaccessible gates by the city police, fire or public works shall result in the revocation of the permit.
p. Entrances must meet the following width requirements unless otherwise approved by the fire department. Dual gates should have an unobstructed clearance of least ten feet wide on each side; single gates should have an unobstructed clearance of least 20 feet wide.
q. Gated development should not be approved for developments that provide necessary connectivity for access and safety reasons. No gated development with private roads can be considered for acceptance as public streets until and unless the roads are brought to current city standards by the pertinent property owners association.

Article 5

5.6.1.11 Architecture of Buildings in Developments. Architecture for buildings in a development shall vary, and similar designs should not be adjacent to each other.

Article 9

9.2.2 Applicability. Unless determined otherwise by the Director of Planning, a site plan review shall be required for proposed development including, but not limited to, any subdivision of property, any residential development of five or more dwelling units except individual building lots already approved, any structures with more than two stories, any commercial development adjacent to property zoned for primarily residential use, any development requiring special use or special exception approval, any development located within a flood plain, any commercial development requiring the services of a licensed engineer or architect, ~~or~~ any commercial development within 200 feet of a street intersection, any open parking area to be constructed or enlarged, or modifications resulting in the removal and replacement of 50% or more of facades of an existing building intended for commercial or mixed-uses. A site plan review by the Planning Commission shall be required for all development except the following:

9.2.2.1 Any residential development of less than five dwelling units.

9.2.2.2 Any residential, business, or industrial development of one acre or less proposing structures with a cumulative size (within all structures and accessory buildings on the site) of less than 5,000 square feet. Site plans for structures of 5,000 to 10,000 square feet may require approval by the Planning Commission if determined by the Planning Director to be a site of interest to the public. Applications for site plans in this size range will be noticed and posted to allow public input which will inform the Planning Director as to the level of public interest in the site plan.

9.2.2.3 Any parking area of three or less spaces.

Recommendation: Staff recommends approval of the proposed modifications.

Summary of Discussion: There was brief discussion about what an architectural design would look like from a review stand point. With no further questions or comments from the commission or audience a motion to recommend approval to the Mayor and Board of Alderman.

Moved: Chris Latimer. Seconded: Joseph Murphy. Status: Passed. All in favor.

Motion to Adjourn.

Moved: David Spragins. Seconded: Jospeh Murphy. Status. Passed. All in favor.

Auxiliary aids and services may be available to individuals with disabilities upon twenty-four (24) hours request by contacting Braxton Tullos, City of Oxford ADA Coordinator at 662-232-2454.

THE CITY OF
OXFORD

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. December 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. December Legal Advertisements
1. Call to Order
2. Approval of the Agenda
   - All in favor. Move: Chris Latimer Second: Yolanda Logan Status: Passed

3. Approval of minutes from the November 2025 Meeting
   - All in favor. Move: David Spragins Second: Chris Latmier Status: Passed

4. Staff Report

a. Planning Staff Report
b. Building Official's Report

5. Map of Cases this Month https://city-of-oxford-gis-hub-coogis.hub.arcgis.com/apps/ff8873ac54dc47a481c5f2c8a64d4be1/explore

Administrative Approvals

1. Case #3292 -A – Glenda Sandroni has filed a request for a Special Use for Accessory Dwelling Unit as authorized in Section 3.5.6 Dwellings - Accessory of the Land Development Code for property located at 512 Wedgewood Ave (PPIN #15726) **Should an objection to the use be received by the Planning Department, the use shall be reviewed as a Special Exception.**

Consent Agenda

2. Public Hearing for Case #3293 – York Development (Bennett York) has filed a request for Final Plat Approval for 'York Flats' property located at Anchorage Road (PPIN #36686)

3. Public Hearing for Case #3294 – Ran Management (Aman Devji) has filed a request for Preliminary and Final Plat Approval for 'Hwy 6 Express Commercial Subdivision' for property located at 2546 University Avenue (PPIN #9145)

4. Public Hearing for Case #3295 - Arbor Group, LLC (Ross Barkley) has filed a request for Special Exception as provided in Section 2.6.8 Suburban Corridor: Front Yard Build-to line, maximum for property located at 71 Ed Perry Boulevard (PPIN #26605)

Approval of Consent Agenda: Moved: Chris Latimer Seconded: Craig Brasfield Status: Passed. All in favor.

Public Hearings

5. Public Hearing for Case #3296 – Scott & Kathy Knight have requested a Variance from Section 5.5.2.6 Design Standards - Fence Height for property located at 616 South 11th Street (PPIN #8395)

Ms. Kate Kenwright presented on behalf of the City. (YouTube video begins at 16:45)

Planning Comments:

The subject property is a corner lot located at the intersection of S 11th Street and Fillmore Avenue. The applicant seeks approval for a fence height variance to locate a 6' fence on the Fillmore Avenue side of the property. This fence would replace an existing 4' wood picket fence. The other fencing proposed (wood and brick 8' fencing) is located in between this home and the neighboring home and meets the requirements of the Code.

This project received a Certificate of Appropriateness at the November meeting of the Historic Preservation Commission.

According to the applicant, "*The Knights are seeking a variance to erect a fence in their front (south) yard to allow for privacy and protection of grandchildren and pets. The property is located on a corner lot. By definition a corner lot has two side yards and two front yards which eliminates the ability for the owner to enjoy the privacy of a back yard. Also, the property to the east is at a higher elevation which causes some drainage issues. The lower portion of the fence is spec's to be brick and would also act as a retaining wall to divert rain water from entering the Knight's property. Granting of this variance will help to contain large puppy that is almost able to jump over the current fence that may otherwise create a nuisance which may result in injury to the public. Its appearance will be attractive and constructed of approved materials.*"

The portion of the project which requires the variance is the 6' wood privacy fence that fronts Fillmore Avenue which is the side/rear of the house but defined by the Code as a front yard.

As stated in the Land Development Code's General District Regulations, Section 3.2.8 - Fences, Walls, and Hedges: "Fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge along the side or edge of any yard that fronts on a public street shall be over four feet in height."

The Land Development Code empowers the Planning Commission to grant variances based on findings that (a) the reasons stated in the application justifies the granting of the variance and that the variance is the minimum needed to make possible reasonable use of the land, and (b) that the granting of the variance will be in harmony with the general purpose and intent of the Code, and will not harm the public welfare (LDC 9.4.2.3 & 9.4.2.4).

As the property is a corner lot, the applicant is limited by the code when it comes to privacy. By nature, the corner lot deprives the applicant of the ability to enclose their rear yard privately, a condition which

is commonly enjoyed by owners of interior lots. Staff finds this a valid reason to approve the proposed variance.

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

1. The variance is for the plan as submitted.

Summary of Discussion: With no questions from the commission or audience a motion to approve subject to staff condition was made.
Moved: Yolanda Logan. Seconded: Chris Latimer. Status: Passed. All in favor.

6. Public Hearing for Case #3297 - Jack Pitts has filed a request for a Special Exception as provided in Section 3.5.6 Dwellings Accessory property located at 106 Country Club Drive (PPIN #5688)

Ms. Kate Kenwright presented on behalf of the city (Youtube videos begins at 20:05)
Update 12.8.25: *Following the October approval of the Special Use for this ADU, the applicant requested to return to the Commission for a Special Exception approval to allow for the ADU to be rented. According to the applicant, the ADU will primarily be used as office space for the family. However, they would like the option to occasionally rent out the ADU for gamedays, etc.*

Should the Special Exception be approved, the applicant will be required to file a restrictive covenant with the Chancery Clerk stating that the use will comply with all standards in section 3.5.6 in the code, and that the primary dwelling on the property will be owner occupied.

Updated Staff Recommendation: *Staff recommends approval of the requested Special Exception.*

Planning Comments (10.13.25):
The subject property is located on Country Club Road three lots in from the College Hill Road intersection.

The Accessory Dwelling Unit (ADU) measures 728 sq ft and 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 and far exceeds the 5' side and rear setbacks required for an accessory building. It is located behind the front building line. The property is accessed by the driveway from Country Club Road.

The building features kitchen and dining space, as well as a bedroom and bathroom above the proposed first floor garage. The applicant agrees that the structure is for personal family use and will not request a Special Exception to allow for rental of the unit.

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. Applicant has acknowledged this requirement.
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.

Summary of Discussion: Commissioner Latimer asked if the rental use was discussed prior. The applicant stated that he was unaware of the option until the time of filing the convenance and would like to potential rent on a short term basis if possible. With no further questions or comments from the commission or audience a motion was made.

Moved: JR Rigby. Seconded: Craig Brasfield. Status: Passed. Commissioner Latimer against. All other commissioners for.

7. Public Hearing for Case #3298 – Arthur & Annie Edwards have requested a Variance from Section 2.6.3 - Dimensional Standards for property located at 1062 August Drive (PPIN #31629)

Mr. James Hirsch presented on behalf of the city. (Youtube video begins at 24:30)

Planning Comments: The subject property is an undeveloped residential parcel consisting of +/- 0.47 acres in the Grand Oaks Planned Unit Development (PUD). This property is Lot 179 of 'The Gardens of Grand Oaks Ph II', platted in Case #3085 with a front yard setback of 50' and side/rear yard setbacks of 25'. The applicant seeks variance from the platted build-to minimum, proposing to instead build a structure which would comply with the Estate Residential (most restrictive underlying zoning) 40' build-to line minimum and 15' side yard setbacks.

Applicant details their request in a seven (7) page document included with this packet. The applicant describes several conditions which speak to potential hardship. Among these are the size and shape of the lot, which measures +/- 97' at the front and +/- 143' at the rear; the topography, which the applicant states includes a hill in the middle of the lot's buildable area; and the special needs of the Edwards' young child, which applicant states necessitates multiple ground-floor bedrooms. The applicant additionally argues the platted setbacks are inconsistent with other similarly sized lots in the subdivision and in Grand Oaks generally. As a result of these factors, the applicant states they cannot build a suitable home within the platted setbacks, which they characterize as at least 3,000 square feet, necessitating the variance.

In their application, the applicant provided a house plan on the lot, which exceeds the setbacks per the plat, and per the underlying zoning. That drawing indicates they have abandoned that plan. An example house plan was also provided, with a first floor heated-and-cooled area of 3,365 square feet, and a total square footage of 5,765 square feet. The Commission will need to determine whether this house plan is suitable, per the applicant's request.

The City's Land Development Code empowers the Planning Commission to grant variances based on findings that (a) the reasons stated in the application justifies the granting of the variance and that the variance is the minimum needed to make possible reasonable use of the land, and (b) that the granting of the variance will be in harmony with the general purpose and intent of the Code, and will not harm the public welfare (LDC 9.4.2.3 & 9.4.2.4).

Staff's policy in cases dealing with platted lots in Planned Unit Developments has been to respect the established setback and build-to lines per the subdivision plat. Given existing policy and in consideration of the application, Staff does not find sufficient hardship which is not self-created to grant variance in this case.

Staff Recommendation: Staff recommends denial of the requested Variance. Should Planning Commission make the necessary findings such to justify approval, Staff requests the following condition:

1. Approval is for the request as submitted.

Summary of discussion: Commissioner Murphy asked Mr. Edwards to clarify the hardship he is seeking variance from. Mr. Edwards replied that the setbacks are not consist with the lots in other phases of this development and that he has tried to find a home that will fit his family's needs on this lot and has not been able too. He would be able to make the underlying zoning work. Commissioner Murphy asked about the other lots with different setbacks. Mr. Edwards said that this plat was intended to be an extension of the previous plat with the smaller setbacks on the same size lot and would like to be able to use his lot in the same way with a similar size home. He added that the amended convenance reads

the lots are as stated in the original plat. There are no other homes build neighboring Mr. Edwards lots at the moment. Mr. Ben Requet responded that the 50/25 measurements are indicative of all of the lots, as stated on the plat, and that this is a separate subdivision plat from the previous phases of this development. The commission expressed concern that there are other lots that could fit the home Mr. Edwards would like and that his home being the first to be built it would be difficult to grant such a large various in setbacks. With no further questions or comments a motion to deny was made.

Moved: JR Rigby Seconded: Yolanda Logan. Status: Passed. All in favor of denial.

8. Public Hearing for Case #3299 - Apartment Construction Specialists, LLC (Corey Thames) has filed a request for Special Exception as provided in Section 3.5.1.2.c – Detached Dwellings, Districts Allowed for 'The Finn' property located at Old Taylor Road (PPIN #14967)

Mr. Robert Baxter presented on behald of the city. (YouTube video begins at 37:20)
Planning Comments: The subject property is +/- 33.53 acres located on Old Taylor just north of the Faulkner Flatts development. The applicant is proposing a student housing development of 396 multi-family units (2- & 3-BR) and 51, 4-BR detached units. The site is split between SR (+/- 7.47 acres) and SMF (+/- 26.06 acres). 7 of the detached units are located in the TNB zoning and require a Special Exception.

Staff supports this request as the ask is quite minimal in relation to the overall development and three of the seven units will abut the South Campus Rail Trail and present a smaller façade than would a multi-family building.

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

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

2. The Special Exception shall expire within 18 months if no building permits have been issued.

Summary of discussion: Commissioner Rigby asked about the rear of the building facing the trail. Mr. Baxter stated that yes, the rear of the building would be facing the trail but at a minimum amount of square footage compared to a multi-family building. With no further questions or comments from the commission or audience a motion to approved subject to staff conditions was made.

Moved: Chris Latimer. Seconded: David Spragins. Status: Passed. All in favor.

9. Public Hearing for Case #3300 - Apartment Construction Specialists, LLC (Corey Thames) has filed a request for Site Plan Approval for 'The Finn' property located at Old Taylor Road (PPIN #14967)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at40:20)
Planning Comments: The subject property is +/- 33.53 acres located on Old Taylor just north of the Faulkner Flatts development. The applicant is proposing a student housing development of 396 multi-family units (2- & 3-BR) and 51, 4-BR detached units. The site is split between SR (+/- 7.47 acres) and SMF (+/- 26.06 acres).

Use and Parking – The applicant proposes 44 detached, 4-BR units in the SR portion, which is a permitted use and within the allowable density (44 units allowed). For the SMF portion, the applicant proposes 7,

4-BR detached units along with 130, 2-BR and 266, 3-BR multi-family units. The multi-family units are allowable by Special Use (Staff has received an application) and the detached units are allowable by Special Exception (Case #3299).

Parking for 4BR, detached units is calculated at 1 space per bedroom (204) plus one guest space for every three units (17). 2-BR multi-family is calculated at two spaces per unit (260) plus one guest space per 3 units (43). 3-BR is calculated at 2 spaces per unit (532) plus one guest space per unit (266). Altogether, 1,322 spaces are required with up to 1,652. The applicant has indicated 1,395 spaces with this plan.

Other Review Elements

- **Architecture and Building Materials** – The applicant is proposing an architecture style that invokes Rosemary Beach. Mission style parapets are a repeated theme throughout the development and are prominent on the detached dwellings, while they are incorporated with more traditional architecture on the multi-family buildings. Fiber cement board and lap siding as well as brick are used as primary building materials.

- **Tree Mitigation** – This property is subject to a Variance granted in November 2023 (Case #3014) that reduces the mitigation burden of the developer. Per that variance, the applicant is required to plant at least 321 mitigation trees, and any needed contributions to the escrow account would be required on the following schedule: a 1:1 ratio for the first $150,000 and at a 1:2 ratio for everything thereafter. The applicant has worked closely with Staff to square the results of two separate tree surveys with one requiring 1,471 trees to be mitigated and one requiring 1361 trees (both accounting for the 321 trees planted on-site). The average between the two will require the applicant to pay $358,189 to the tree escrow account.

- **Landscaping** – The applicant has provided a landscaping plan that indicates required frontage, parking lot, and mitigation trees as well as foundation and required screening plantings, all in conformance with the LDC.

- **Multi-Use Path** – As a part of the surplus and sale of a portion of Landas Rd, the applicant will be providing a multi-use path along Landas from Old Taylor and through the property to connect to the Rail Trail. A pedestrian easement will be required for the portion of this path on private property.

Engineering Comments:

Access – The development proposes to access Old Taylor Road by way of Landas Road. An existing portion of Landas Road has been surplused by the City and sold to the developer. The remaining portion of Landas Road east to Old Taylor will be widened, repaved and supplemented with a multi-use path that will connect Old Taylor Road through the development to the existing Depot Trail. This development will also be responsible for upgrading the existing intersection of Old Taylor / Landas and Oxford Way to a signalized intersection. Roadway and intersection improvement plans have not been formally approved as of yet.

Water and Sewer – Water to the development will be supplied an existing water 8-inch water main along Landas Road. Because of existing capacity issues along the Old Taylor Road corridor, this project will be required to upgrade a portion of the water main along Old Taylor from Landas north to Chucky Mullins Drive. The size of the water main will be increased from 8 inches to 16 inches.

Sewer will be collected from the development into a privately owned and maintained gravity system to the existing city sewer lift station at Virginia Chrestman Drive. The lift station will require upgrading to accommodate the proposed flows from this development.

Stormwater Management – A proposed stormwater management facility featuring inlets, pipes, and an above-ground detention basins will meet this site's stormwater management requirements. The detention basins will be located midway along the project site's western property line. The detention basins will discharge to the northwest into an existing ditch at the toe of the old railroad (Campus Rail Trail) embankment.

The Engineering Department has not approved the Stormwater Management Plan for this project. The engineering staff is currently reviewing a resubmittal that addresses the first round of engineering 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 'The Finn' with the following conditions:

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

2. Approval is contingent upon receipt of a Special Exception as requested in Case #3299.

3. Payment shall be made to the Tree Escrow Account in the amount of $358,189, or less if additional mitigation trees are planned to be planted on site, prior to the issuance of a Land Disturbance permit.

4. The MDEQ LARGE CONSTRUCTION STORM WATER PERMIT for this site must be submitted prior to a land disturbance permit being issued.

5. All public infrastructure, including sewer, water and roadway will be inspected and tested in the presence of city personnel prior to final acceptance.

6. Final approval of the stormwater management plan. The stormwater management facility must be certified by the civil engineer prior to the city accepting sewer from the development.

7. Executed and recorded easements to the City of Oxford for the ownership and maintenance of water facilities are to be submitted to the office of the City Engineer prior to acceptance of all public utility infrastructure.

8. Water and sewer connection fees, in accordance with the most recently approved Schedule of Fees by the city Board of Aldermen, are to be paid prior to issuance of building permits.

9. Approvals from MDEQ and MSDOH for sewer and water are to be submitted to the office of the city engineer prior to final acceptance of public utility infrastructure.

10. As built drawings and CAD files are required for all public infrastructure prior to final acceptance and certificates of occupancy being issued.

Summary of discussion: Commissioner Murphy asked about the water and sewer connection. Mr. John Crawley, City Engineer replied it will help aid in future growth of this area. With no further questions or comments from the commission or audience a motion to approve subject to staff conditions was made.
Moved: David Spragins. Seconded: Yolanda Logan. Status Passed. All in favor.

10. Public Hearing for Case #3301 - McGrath Real Estate Partners (Alan Hyland) has filed a request for City Utilities that includes a Site Plan Approval for 'MREP Development' property located at CR 300 (PPIN # 27457)

Ms. Kate Kenwright presented on behalf of the city. (YouTube video begins at 45:30)
Planning Comments: This is a request for extension of City utilities to serve 'MREP Development', to be located off of County Road 300/Oxford Way. The property is located in Lafayette County west of Oxford City Limits. It is zoned R-3 according to the Lafayette County Zoning Map. The property is located nearby to several mixed-type housing developments including The Reserve and Archive Oxford.

The property measures +/- 50.70 acres in which the applicant proposes to construct 192 apartment units on the west side and 233 residential units on the east side (mix of townhomes and detached dwellings).

Requests for the use of City Utilities are reviewed to ensure that they meet the standards of the City's Land Development Code. For the purposes of this review, the applicant proposes the west side of the development to fit into the City's (SMF) Suburban Multi-Family zoning and the east with (NR) Neighborhood Residential.

Use and Parking— The uses and density—192 1, 2, 3, and 4 bedroom units in the western multifamily portion of the development and 233 attached and detached units in the eastern portion—are allowable according to the requirements of the code. The parking provided, 1,504 spaces total for the development, is adequate to park the proposed number of bedrooms.

Coverage— Coverage for SMF is capped at 65% and 51% is proposed. Coverage for NR is capped at 60% and 56.1% is proposed.

Other Elements

- **Landscaping**—The applicant has provided a landscaping plan that indicates frontage trees, foundation plantings, parking lot trees and required screenings that meet LDC standards.

- **Architecture and Building Materials—** The proposed multi-family buildings, the townhomes, and the single-family dwellings share an architectural language of gabled roofs and covered entries, front and side porches and galleries, and a consistent material palette of horizontal and vertical

siding, and asphalt shingle roofing. The proposed architecture is consistent with the requirements of the LDC.

The only outstanding item related to the multi-family architecture is the proposed 9 stall carports for the apartment buildings. The applicant has not provided information on materiality or design for these items, which must be resolved prior to the issuance of permits for the site.

- **Sidewalks and Pathways—** Sidewalks are indicated throughout the development and along CR 300/Oxford Way. A 10' multi-use path is indicated through the main road in the development which runs north/south between the two distinct areas of development.

Engineering Comments: This is a residential development along CR 300 which lies outside of the corporate limits of the city.

Access

The development proposes three points of access onto CR 300 with sidewalk along roadway frontage. A public roadway is also proposed to extend along the depth of the property from CR 300 to its southern line for future connections to the south as needed.

Water and Sewer

Water to the development will be supplied existing water mains in CR 300.
Sewer will be collected from the development into a publicly owned and maintained gravity system to a proposed sewer lift station that will pump wastewater to an existing manhole in Oxford Way.

Stormwater Management

A proposed stormwater management facility, featuring inlets, pipes, and four above-ground detention basin, will meet this site's stormwater management requirements. The detention basins are located along the south side of the project site. The detention basins will discharge to the south towards an unnamed tributary of Burney Branch.

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

Staff Recommendation: Staff recommends approval of this request for extension of city utilities with the following conditions:

1. The applicant shall provide the City of Oxford with an executed Petition for Annexation prior to this request being heard by the Mayor and Board of Aldermen (Planning).

2. Approval is contingent on the Lafayette County Planning Commission approving the development (Planning).

3. Approval is contingent on the Board of Aldermen agreeing to grant City Utilities outside of the City limits (Planning).

4. Approval is for the plan as submitted subject to necessary technical revisions (Planning).

5. Prior to activation of water and sewer meters, a copy of the RCID covenants and the RCID plat will be provided to the City (Planning).

6. All applicable approvals from Lafayette County must be obtained and submitted to the office of the city engineer (Engineering).

7. All public infrastructure, including sewer, water and roadway will be inspected and tested in the presence of city personnel prior to final acceptance (Engineering).

8. Final approval of the stormwater management plan. The stormwater management facility must be certified by the civil engineer prior to the city accepting sewer from the development (Engineering).

9. Executed and recorded easements to the City of Oxford for the ownership and maintenance of water and sewer facilities are to be submitted to the office of the City Engineer prior to acceptance of all public utility infrastructure (Engineering).

10. An executed and recorded deed for all public road right-of-way is to be submitted to the office of the City Engineer prior to final acceptance of all public roadway infrastructure (Engineering).

11. Water and sewer connection fees, in accordance with the most recently approved Schedule of Fees by the city Board of Aldermen, are to be paid prior to issuance of building permits (Engineering).

12. Approvals from MDEQ and MSDOH for sewer and water are to be submitted to the office of the city engineer prior to final acceptance of public utility infrastructure (Engineering).

13. As built drawings and CAD files are required for all public infrastructure prior to final acceptance and certificates of occupancy being issued (Engineering).

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

Moved: Chris Latimer. Seconded: Yolanda Logan. Status: Passed. All in favor.

11. Public Hearing for Case #3302 – Arbor Group, LLC (Ross Barkley) has filed a request for Site Plan Approval for 'Oxford Commons Commercial' property located at 71 Ed Perry Boulevard (PPIN #26605)

Mr. James Hirsch presented on behalf of the city. (Youtube video begins at 49:30)

Planning Comments: The subject property measures +/- 2.7 acres in the Oxford Commons Planned Unit Development (PUD), Lot 1 in 'The Spargo' subdivision. The applicant proposes development of two commercial buildings totaling +/- 22,490 square feet, connected by a +/- 2,266 square foot courtyard.

Use, Parking, and Density – This proposal indicates 3,920 square feet of interior space and 2,266 square feet of courtyard space intended for a bank with drive-thru facilities, a special use in the SCO district. This application has yet to be received by Staff, and its submittal and approval will be required before building permits are issued. The remaining square footage (21,157 sq ft) is indicated as shell commercial

space for tenant build out. For this mix of uses, 126 parking spaces are required; the proposal provides for 134 spaces, within the 125% allowable parking maximum.

This tract is referred to as A1.1 in the PUD Plan Data Table, with an allotted commercial square footage of 74,860 square feet. The proposed 25,134 square feet is within this allowance.

Dimensional Standards – This site would permit up to 80% impervious coverage; 77.04% is proposed. The proposed development exceeds the front yard build-to line maximum (58') along Ed Perry Blvd; a special exception to facilitate this building location is the subject of Case #3295. The proposal complies with all other relevant setbacks.

Other Elements –

- **Access**: The site plan does not presently indicate cross-access with Lot 2 of 'The Spargo'. A plan demonstrating a shared access point is required, and is included as a condition of approval below.

- **Architecture and Building Materials**: The materials of both proposed buildings are in harmony with the architecture of the Commons and with one another. Stucco, brick, wood accents, and metal shades are indicated.

- **Landscaping**: A landscaping plan which calls for street and parking lot trees, required plantings around dumpster enclosures and retaining walls, and required foundation plantings has been provided.

- **Tree Mitigation**: A tree survey and mitigation calculations have been provided. A total of 82 2" caliper trees are required for mitigation: 13 are to be planted on site, with the developer responsible for payment into the Tree Escrow Account for 69 2" caliper trees.

- **Site Lighting**: A photometric survey and lighting plan has been provided which indicates conformance with LDC standards.

Engineering Comments:

Access – The project will access Ed Perry Boulevard directly. Two points of access are shown.

Water and Sewer – Water and sewer to the development will be supplied an existing city infrastructure in Ed Perry Boulevard.

Stormwater Management – A proposed stormwater management facility, featuring inlets, pipes, and an under-ground detention basin, will meet this site's stormwater management requirements. The detention basin is located in the north side of the project site beneath the drive and parking lot. The detention basin will discharge to the northwest connect with an existing drain pipe in the right-of-way of Ed Perry Boulevard.

The Engineering Department has not approved the Stormwater Management Plan for this project. Engineering staff is currently reviewing a resubmittal to addresses Engineering 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 'Oxford Commons Commercial' 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. Approval of Case #3295, a Special Exception for Front Yard Build-to Line, Maximum (Planning).

3. Prior to the issuance of a land disturbance permit, the applicant shall provide payment to the Tree Escrow account in the amount of $27,600 (Planning).

4. A plan demonstrating a shared point of access between this property and Lot 2 of 'The Spargo' shall be provided prior to the issuance of land disturbance (Planning).

5. All remining site plan review comments shall be satisfied prior to the issuance of a land disturbance permit (Engineering).

6. Final approval of the stormwater management plan (Engineering).

7. The stormwater management facility shall be certified by the civil engineer prior to the City accepting water from the development (Engineering).

8. Water and sewer connections fees, in accordance with the Schedule of Fees most recently approved by the Mayor and Board of Aldermen, are to be paid prior to the issuance of building permits (Engineering).

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

Moved: David Spragins. Seconded: Craig Brasfield. Status: Passed. All in favor.

12. Public Hearing for Case #3303 – CB Holdings, LLC (Larry Britt) has filed a request for a Special Exception as provided in Section 3.5.8.2. Districts Permitted – Residential Common Interest Development and b). a Special Exception as provided in Section 2.6.7 - First Floor Residential for property located at 100 Clubhouse Road (PPIN #37366)

Mr. Robert Baxter presented on behalf of the city. (YouTube video begins at 54:13)

Planning Comments: The subject property measures approximately +/- 12 acres, is located at the southeast corner of the Clubhouse Drive and OUS Drive intersection, and it is zoned (TNB) Traditional Neighborhood Business. The property is not located in the Grand Oaks Planned Unit Development. In 2009, this property was rezoned from Industrial to Neighborhood Business. The application states that the current property owner acquired the property in 2016, and during that time, they have created several development proposals that were not marketable. In 2021, the Planning Commission granted a Special Exception to allow a single-family residential neighborhood to be constructed at this location with neighborhood support. After 18 months without the issuance of a permit, the Special Exception

expired. The applicant returned for re-approval of essentially the same Special Exception in April 2023 which the Planning Commission granted. After 18 months, that Special Exception expired.

The applicant is back before the Commission seeking a new approval for the previously requested Special Exception as well as a Special Exception for a Residential Common Interest Development.

a) Special Exception as provided in Section 3.5.8.2 RCID - Districts Permitted

Provided in the application packet is a plan for an 18-unit residential Common Interest Development, the site plan for which is currently under review with Staff. The plan does indicate the storm water detention, a park area and green space that will be located near the intersection of Clubhouse Drive and OUS Drive. Because this property is in an existing subdivision, an RCID is a Special Exception request. Staff has received a copy of the filed covenants that address all requirements of the use.

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

1. The Special Exception shall expire within 18 months if no building permits have been issued.

b) Special Exception as provided in Section 2.6.7 TNB - First Floor Residential

As the area is currently developed, the industrial and commercial businesses are limited to the west of the Clubhouse Drive and OUS Drive intersection and this property is the only commercially zoned property east of that intersection. While it would be ideal for a mixed-use development to be located at this site, Staff does appreciate the developers attempts to create that style of a development. Since the subject property is surrounded by already developed residential, Staff believes that it does make sense for this property to be developed as a residential neighborhood. Additionally, it does seem that this proposal will be compatible with the existing neighborhood and will not adversely affect the public interest.

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

1. The approval is for a single-family residential development as indicated in the submitted conceptual plan. That plan is subject to change based on the review from the Site Plan Review Committee in order to comply with the requirements of the Land Development Code.

2. The Special Exception shall expire within 18 months if no building permits have been issued.

3. The homes that are constructed at this location shall follow the setback and coverage standards for the Suburban Residential District.

Summary of Discussion: With no questions or comments from the audience or commission a motion to approve subject to staff conditions was made.
Special Exception a). Moved: Yolanda Logan. Seconded: Chris Latimer. Status: Passed. All in favor.
Special Exception b). Moved: Chris Latimer. Seconded: David Spragins. Status: Passed. All in favor.

13. Public Hearing for Case #3304 – RKFAM Holdings, LLC (Ryan Kizer) has filed a request for a Special Exception as provided in Section 2.6.11 First Floor Residential for 'Weldon' property located at Molly Barr and North Lamar Boulevard (PPINs #4533, #4534, #4535, #4536, #4537, #4540, #4541, #4542, #4543, #4544, #4545, #4546, #4571, #4632, #4980, #16006, #16060, #20787, #25059, #25061)

Mr. Benjamin Requet presented on behalf of the City. (YouTube video begins at 1:00:15)

Planning Comments: The subject property is located at the intersection of North Lamar Boulevard and Molly Barr Road and encompasses +/- 17.03 acres within the Urban Center zoning district. The applicant is seeking a Special Exception to permit first-floor residential units for a mixed-use development called 'Weldon North Lamar'.

The proposed development includes a mix of uses across the entire site including multi-family residential, commercial uses including restaurants and retail/office space with a pedestrian plaza, and surface and structure parking to support all of the proposed uses. The application notes that the intention is for the entirety of the development to be built concurrently, and not to be a phased "master-plan" with parcels sold to unrelated entities for future development. This proposal indicates a total of 335 residential units with a total of 797 bedrooms with approximately 16,334 square feet of common space (amenity area, leasing space lobby, etc.), and nearly 41,000 square feet of commercial space. The proposal does break the development into three areas of development including 1) a mixed-use zone, 2) a multi-family zone, and 3) a parking structure.

The mixed-use zone, located in the southeast quadrant of the site, includes Buildings A-E and a pedestrian plaza at Molly Barr and North Lamar. Buildings A, B, and E are four stories with first-floor commercial space and three floors of residential apartments above. Buildings C and D are single-story commercial structures designed primarily for restaurant uses, with 20' ceilings allowing optional mezzanine buildouts. Building E connects to the parking structure via its east façade, concealing the deck and providing a breezeway to pedestrian access. Its first-floor commercial space will focus on professional offices and house the development's leasing office.

The multi-family zone covers the remainder of the site outside of the parking structure and includes Buildings 1-6. Buildings 1 and 2 are fully residential, reading as three floors along Molly Barr and four floors on the north as grade drops, with stoops at the ground-floor activating the street towards Molly Barr Road. Buildings 3 is four floors with first-floor amenity space facing the outdoor amenity area. Building 4 is four floors of residential. Buildings 5 and 6 are primarily residential with small commercial spaces flanking the entrance drive, and stoops at the ground-floor along North Lamar to enhance pedestrian access and street activation.

The centrally located parking structure is designed to serve the entire development, functioning as primary parking for some buildings and overflow for others. From Molly Barr, only the four above-grade stories on the south, most visible side will be seen, while two lower levels step down with the site grade and are not visible from the street. The structure is partially wrapped on its east face by Building E and provides primary parking for residential units in Buildings A, B, and E in the mixed-use zone and Building 3 in the multi-family zone, while other multi-family buildings are primarily serviced by adjacent surface lots with the structure as overflow. The application indicates that the development will see an overall 5% reduction in required parking due to shared parking efficiencies in the mixed-use context.

Earlier conceptual discussion between the development team and the City contemplated a mixed-tenure program that combined for-sale condominium units with rental housing, supported by a broader range of community-oriented amenities. The current application, however, indicates that all residential units are proposed as rental apartments, with no for-sale condominium component retained in the plan. This shift has implications for long-term resident investment in the project for the diversity of housing types within this key Urban Center location.

Initial concepts for the site also included additional "third spaces" with amenities such as a small amphitheater, a pond with an internal walking trail, and a space for a farmer's market to appeal to both project residents and the broader community. Those elements have been removed in the current iteration in order to accommodate additional surface parking in support of the housing and commercial components of the development. While it is not uncommon for large mixed-use development proposals to evolve between early concept discussions and formal submittal, the previously discussed mix of for-sale product and the inclusion of third spaces such as the amphitheater and walking trails were attractive elements that supported Staff's initial consideration of the proposal.

The current program indicates that only about 1/3 of the first-floor frontage in the mixed-use buildings be devoted to true commercial space, with roughly two-thirds occupied by residential units and associated amenity areas. This may be a reasonable ratio in a more suburban corridor, but on this highly visible corner within the Urban Center district, it falls short of the intended pattern of continuous, street-activating uses. Staff is concerned that this limited amount of commercial square footage underbuilds the long-term economic and placemaking potential of the site. Over time, the constrained supply of leasable commercial space will limit opportunities for neighborhood services needed for this area. Increasing the proportion of first-floor commercial, particularly along North Lamar Boulevard, would better implement the district's vision and ensure that this site functions as a true mixed-use center rather than a predominantly residential project.

Recommendation: The Weldon proposal represents a significant investment at this location in Oxford, with a commitment to construct all components, including the commercial elements, concurrently. Staff believes that the proportion of commercial to residential proposed on the first floor of this site does not adequately provide the desired quantity of commercial for this important Urban Center Site. Therefore, Staff recommends denial of the requested Special Exception.

Should the Commission make a finding to grant the Special Exception, Staff requests the following conditions of approval:

1. The Special Exception is for the plan as submitted.

2. The granting of the Special Exception shall not adversely affect the public interest.

3. The Special Exception shall expire within 18 months if a building permit is not issued.

4. The granting of the Special Exception shall not grant any exceptions or variances from all other requirements of the Land Development Code.

Summary of Discussion: Mr. Stuart Povall on behalf of the applicant was present. He clarified that 1/3 of the total square footage is dedicated to commercial space, not just the commercial zone. The

buildings that front Molly Barr and North Lamar are 46% commercial. He added that the leasing office will be moved into building 3, adding 3,300 square feet of commercial space, which will be 35% across the entire site. Mr. Povall feels this is an opportunity to develop a comprehensive plan as apposed to piece by piece developments. He spoke about the difficulty with grading and topography challenges with commercial store fronts and parking on North Lamar. Mr. Povall added that the developer is committed to building the commercial space proposed.

There was some discussion about the extensive dirt work needed to stabilize the land up to street grade. Commissioner Rigby spoke about the North Lamar corridor and not putting additional residential pressure in that area. Mr. Povall mentioned there is challenges with parking for commercial uses on North Lamar, and a possibility to frame units for future commercial use. With the site plan review next month with more technical details to go over the commission discussed tabling the request to see if more commercial space could be arrange on the North Lamar portion.

Moved: Chris Latimer. Seconded: Craig Brasfield. Status: Tabled. All in favor.

14. Motion to Adjourn

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

Auxiliary aids and services may be available to individuals with disabilities upon twenty-four (24) hours request by contacting Braxton Tullos, City of Oxford ADA Coordinator at 662-232-2454.