

**MINUTES OF THE REGULAR MEETING  
OF THE OXFORD PLANNING & ZONING BOARD**

The Oxford City Planning and Zoning Board met in a regular meeting at the Oxford Public Works Building  
Tuesday, January 4, 2022 at 5:30 pm

**Members Present:**

- Bill Newman, Chairman
- Lance Turner, Vice Chairman
- Charlotte Hubbard, Council Member
- Melissa Craven
- Fred Denney
- Clyde Huckleba

**Members Absent**

- Mayor Alton Craft
- Danny Shears
- Jake Pollard

**Also, Present:**

Mike Roberts, Chief Building Official

**Visitors:** Stan Bush, Adam Maniscalco, Janet Brittain, Josh Miller, Kristi Durham and see sign in sheet

1. Noting that a quorum was present, the meeting was called to order by Chairman, Bill Newman. Following a review of the minutes of the regular meetings of December 7, 2021. Clyde Huckleba made a motion to approve the minutes. Charlotte Hubbard seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 5; Nays: 0; Abstained 1. Chairman, Bill Newman announced the motion passed.
2. Public Hearing –PAC Properties requesting to rezone the property at 1828 Division Drive from Residential 2 (R-2) to Light Manufacturing (M-1). Stan Bush representing PAC Properties and Oxford Storage in regards to the rezoning. This is a small house that was vacated about a year or so ago. Mr. Bush stated our plan is to straighten up the line and add another storage building. There is an area of Division Drive we would like to take in and clean up the lines. We still have four parcels that will not be used for storage. Mr. bush stated the building will be very similar to what we currently have. Mr. Newman asked if there would be a separate entrance. Mr. Bush stated they would use the same entrance and we will extend the fence. Lance Turner asked about Division Drive if it would be closed. Mr. Bush stated we had the road vacated almost two years ago. Mike Roberts stated we received one concern from a neighbor. Mr. Bush stated he is a nice guy and lives in the blue house next to the storage buildings. He hasn't said anything to me personally but he apparently has some concerns. Charlotte Hubbard asked what do you think his problem is. Mr. Bush stated there is a fence right next to his property and he wanted to have a blinder put there and we have agreed to do that. That is just on us that we haven't gotten around to doing that. Mr. Bush stated the blinder is more of a fabric that goes through there. If these are his concerns that is not a problem that we don't mind doing. After discussion, Fred Denney made a motion to recommend to Council to rezone the property. Lance Turner seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 6; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.
3. Public Hearing –PAC Properties requesting to rezone the property at 1951 Barry Street from General Business (GB) to Light Manufacturing (M-1). Stan Bush representing PAC Properties. Mr. Bush stated this property is currently housing a strip center and we currently have tenants there. We have four spaces available and have not had a lot of luck renting those spaces for retail. As the remaining tenants depart, we plan to take it all in, fence it in and reface the whole building. Mr. Turner asked for storage? Mr. Bush stated yes, we have an architect kind of holding on a design. We may replace the tenants to one of our other properties if they want to

do that. In the meantime, we are not doing anymore leases. Lance Turner asked how many units are there right now. Mr. Bush stated that right now we have four tenants and Mr. Turner stated with four vacancies. Mr. Bush stated it is fair rent but it just does not do well on the retail side. The tenants that are currently there have been there for a while. Mr. Bush stated that we will not be enlarging the building. Mr. Turner asked if the people will come in off of Barry Street. Mr. Bush stated the way that we have it designed is when you come in the original gate, there is about 100-foot opening in the back that borders the water runoff between our property and Skinners. You will just loop around and there will not be an additional opening. Mrs. Hubbard asked if the entrances on Barry Street will be closed. Mr. Bush stated we will close them but will also probably do a gate in case we have an 18-wheeler come in that needs to unload. We will leave it as a manual style gate. No traffic will be entering there. Fred Denney asked if he was taking the existing building and modifying it. Mr. Bush stated we will take the inside and go with a column wall system. We will remove all the sheet rock and studs and go with a standard roll up doors. Mr. Turner asked if the rollup doors will face Barry Street. Mr. Bush stated they are all interior climate controlled. After discussion, Fred Denney made a motion to recommend to Council to rezone the property. Lance Turner seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 6; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

4. Public Hearing –High Falls Holdings LLC requesting to zone for annexation the property at 1163 McIntosh Road to Townhouse (TH). Adam Maniscalco is representing High Falls Holdings LLC and stated we are talking about roughly a four-acre tract that is next to the entrance to McIntosh Trails subdivision. I have owned it for about a year and the intention and what we would like to do with this property is we would like to put some townhomes on it. How many townhomes will depend on what the building department recommends. We would like for them to be upscale townhomes and we would like to hold ownership of the townhomes and rent them out. Mr. Newman asked what you are requesting tonight is to be brought into the city. Mr. Maniscalco stated correct. A resident asked who is your builder. Mr. Maniscalco stated I do not have one yet. Another resident asked if prior to approval will you present the builder. Mr. Maniscalco stated certainly. It will not be Smith Douglas and I have learned some of the history so I can tell you that this will not be that. A resident asked where the entrance would be. Mr. Maniscalco stated the entrance would be off McIntosh Road. Given the lay of the land it will all depend on what the Building Department recommends. It will depend on where they tell us is the best place to build on the property, so if that is the back then it will probably be one entrance going to the back. Mr. Roberts asked if Mr. Maniscalco has looked at the Townhouse zoning. Mr. Maniscalco stated yes. Mr. Roberts asked if all that was going there was townhomes? Mr. Maniscalco stated yes. Mr. Roberts stated there are other zonings that will allow you to do townhomes and patio homes. Once we zone it townhouse, there are a set of rules it has to go by. Mr. Maniscalco asked what the other zonings would be. Mr. Roberts stated PR-2 or Cluster Development. Mr. Maniscalco stated I think I looked at that and doesn't that need to be a minimum of five acres. Mr. Roberts stated yes and that could be adjusted. Mrs. Hubbard stated you could go before the Board of Adjustments if you think that would be a better fit. Mr. Roberts stated your density is a lot smaller. You will only get 8 per acre where you will get 12 out of this. Mr. Maniscalco stated the lay of this land, there are some drainage ditches that run across it, so there are going to be some spots that aren't buildable. That was the thinking on the townhomes. Mr. Roberts stated just wanted you to be aware. Mitzi Morrison stated this might be the time to address the drainage issue. We happen to live downstream from the property, so at what point in time will the drainage or the layout be addressed because we have pictures of the rain from New Year's of how the water comes to our property currently. If this is blocked or is not handled properly, we could be flooded out. Mr. Newman stated let me address how this all works. What he is requesting tonight is to be brought into the City under a townhouse zoning. Before he could do anything else we would send this to Council and the City Council would have the final say to whether that happens or not. We recommend the zoning of townhomes and they would have the final say. What would happen next if he wants to develop that property, he would have to bring a full set of engineered plans before the Planning Board that will show all the drainage, all the engineered water runoff, it would show what he was going to build and this board would have to approve that set of plans. The plans do have to be engineered to show the water would runoff correctly and not affect anyone else's property and wouldn't make it worse downstream. Most of these developments require a retention pond, where the water goes in and doesn't go on anyone else. That is the procedure. All this is tonight is he wants to come into the City and he wants to come in as Townhomes. Mrs. Morrison asked when you start a development like this what sewage system would you use for townhomes. Mr. Maniscalco stated that townhomes are required to be on City sewage and my understanding is that McIntosh Trails has City

sewage. The plan would be to connect to that. Mr. Roberts stated that townhouse zoning is required to be on City sewer. A resident asked if Mr. Maniscalco was aware that there is a Confederate graveyard on that property? Mr. Morrison stated I do know that there was a section designated for slaves and that there are slaves buried there. The same resident asked how Mr. Maniscalco would go about trying to contact the descendants to disinter those buried there. Mr. Maniscalco stated I think it would be pretty difficult to identify the descendants just from the grave itself. I would think one would contact the Alabama Historical Commission to see what the recommendation would be. Another resident stated that we understand we can't stop you from building but our concern is that the way you are going to build these townhomes anyone can walk right into our private property and use the amenities that we pay for. Are you willing to put up a large privacy fence to stop them from walking in and using our amenities? Mr. Maniscalco states we like the style of homes in McIntosh Trails and would like to keep it with the style of the homes in McIntosh Trails. Seventy percent of the façade has to be masonry or stone. A resident asked if they would be detached or attached. Mr. Maniscalco stated that townhomes are attached. Mrs. Morrison asked how Mr. Maniscalco visualized how he would place the townhomes with the length of that property, are you going to do a long drive? Mr. Maniscalco stated he would like to keep the drive where it is now. Another resident addressed her concerns about the renting of the townhomes. Mr. Maniscalco stated I do have a slight advantage there in that I'm a lawyer and I have done a lot of evictions in the past. So, it wouldn't be an obstruction for me to have to go to court to evict someone who was breaking the rules or keeping the property in order. Another resident addressed concerns about renters. Mr. Maniscalco stated it is definitely a challenge for every development that has existed but the alternative I think is worse especially coming from your perspective. The alternative is someone will come in develop these properties and sell them for a quick profit and then they are gone. You can do a Homeowner's Association (HOA) but an HOA is pretty much harder to have an effect on someone and require them to shape up than to just evict them. It is easier to keep people in line as a tenant. Dan Robertson stated if what you are requesting tonight is approved then it would be part of the City of Oxford and zoned for townhomes. Mr. Maniscalco stated yes. Mr. Roberts stated it wouldn't be approved. Mrs. Hubbard stated it is really two steps. Mr. Robertson stated it would be approved at this point. Mr. Roberts stated it would be presented to the Council. Mr. Robertson asked there isn't going to be any entrance or exit attached to Coweta Trail. Mr. Maniscalco stated no and I can't do that without the permission of the HOA. Mr. Robertson stated this will definitely be rental property. Mr. Maniscalco stated yes, that is the plan. Mr. Robertson stated I live at 255 Coweta Trail, an appraisal of my property done six months prior to Smith Douglas and an appraisal of my property done after Smith Douglas is a difference of \$25,000.00. That may be pocket change to some people in here but it is a big deal to me. The biggest monetary investment that I make in my life is my home. When people make decisions and do things, the City failed us in allowing Smith Douglas to come in and do what they did. Now we are suffering for. Please don't make us suffer again by putting townhouses right next to our entrance. Even though they may not be comps to our values it will affect our marketability and the ability to sell our homes. Mr. Maniscalco asked what did Smith Douglas do wrong? Mr. Robertson stated they built homes of lesser value, built to a lesser standard and the reason they are comps to us is because they are similar square footage. So, they sold a similar square footage for far less than our values. A resident stated they did all of that without the approval of our HOA. They did not follow our building plan in terms of façade, they did not put the 75 percent stone out front. There were people drinking across the street from me, my children could not go outside and at 5 am one morning my daughter said it sounded like a fiesta outside her window. Mr. Robertson stated I understand that a townhome is not going to be a comp as far as value but it is more than just that. There are people who would be glad to buy our home but when they see they are going to be living behind townhomes that are rental property they are not going to be interested. Mr. Maniscalco asked if it would be better if they were developed to be sold? Mr. Robertson stated if they were comparable to my home. Yes, if they were built to the same standard and value as my home. Mrs. Morrison asked if the property is wide enough to be able to build townhomes. Mr. Maniscalco stated that is a question that I would have to put toward the Building Department. I don't know how many units I could put on that land. Mrs. Morrison stated then what is the purpose, I know you want to get it into the City of Oxford but how can you ask them to approve something when you don't know really what you want to do with it. If they don't approve the townhouses then what is your course of action. Mr. Maniscalco stated that is why I was going to speak to Mr. Roberts and I guess we could do PR-3. Mr. Roberts stated PR-2. Mrs. Morrison stated he just said 8 per acre or 12 per acre. Mr. Roberts stated you have 12 per acre on townhomes. PR-2 would be 8 dwelling units per acre. Mrs. Hubbard asked what is the square footage. Mr. Roberts stated a minimum of 1200 on townhomes. It will take an

engineer. He will have to find spots, if he was going to have to do a retention pond because of the runoff, he will have to have the retention pond that will take up at least ½ an acre. You really don't know until an engineer goes through there and does the streets. Mrs. Morrison stated he should have some kind of plan visible in his mind. You aren't just going to draw something on a napkin and take it to the Planning Board. Mr. Maniscalco stated I can't afford to pay for an architect before I even know that I am going to be able to do it. A resident stated you purchased it with intent. Mr. Maniscalco stated I know there are some buildable places on the property and I know there are some places that aren't buildable. I don't know what the extent of those are. Mr. Robertson stated I think we all would find comfort with the property being in the City of Oxford but where we find great discomfort is it being zoned for townhomes. That is going to negatively affect us. Fred Denney stated it is going to end up being a problem for you if he builds all these houses, has all these driveways and streets he is going to have a lot more runoff than what is on that property now. He will have to have a retention pond. A resident stated she just purchased her home and everything she has is in her home. I understand you bought the property and you want to build. I basically put everything into this house I purchased and make sure that this isn't something that will negatively affect me and my neighbors. Outside of my children this is my most prized possession. Please respect that a lot of us weren't given anything that we worked hard to get to where we are. Even if they approve this today make sure that what you do is beneficial to everyone. Mr. Maniscalco stated I respect everything you said as I am in the same boat. This is where I am from. I was born here, raised here, my parents live here as do my brothers. I have no intention of being a slumlord. What I envisioned was a really nice property that would attract nice people, people with good jobs that could afford the rent and would pay their rent. I intended for this to be something that was not cheap. I don't want to be constantly responding to people who have maintenance issues. I want to use good materials that are going to be sturdy. That is why I wanted to keep it as a rental honestly was to have something that will hold its value. If you all are saying that is the problem, is it being a rental than just being sold. I will take that into consideration. Mr. Robertson stated if it is comparable to ours. We are either going to have rental property that will hurt our ability to sell or we are going to have similar square footage site built separate homes that are not built to the same standard and will hurt our value. So, we are facing two negatives. Mr. Denney stated let him bring it into the City then we have some control over him. If he doesn't bring it into the City he can do whatever he wants to with it. Clyde Huckeba stated right now he could put trailers on the property. Mrs. Hubbard stated if he gets a negative feel here, decides to sell it to someone else who doesn't care like Smith Douglas didn't care. In our defense we put stop work orders out several times and went out behind them. We are not the police. We have struggled with the streets there when I first got on the Council and we went through that. Mr. Robertson stated we appreciate that but the roads are still terrible. Mrs. Hubbard stated that is due to them not having the correct base under them. Mrs. Morrison asked what the possibility of building a new home on the property. Mr. Maniscalco stated I do not know what the difference between a patio home. Mr. Roberts stated they are individual homes where townhomes are wall to wall. Patio homes is similar to what goes through that complete subdivision. Mr. Maniscalco stated what his idea was from the start is the townhomes at the entrance to Cider Ridge. A resident stated she has a friend who lives there and those start at \$250,000.00. We are not talking the same thing. You walk into those townhomes and they are similar to mine. They have custom cabinetry. I know what your thinking is but if you keep going \$100,000.00 down on the scale and we are not talking the same thing anymore. Mr. Maniscalco asked what the square footage was on those at Cider Ridge. The resident stated 2100 square feet. Mr. Maniscalco stated that is bigger than we had anticipated. Mrs. Morrison stated you do have an idea, so what size were you thinking. Mr. Maniscalco stated 1200 square feet. Mr. Newman asked what kind of time frame Mr. Maniscalco is looking at on this. Mr. Maniscalco stated he would like to break ground this year if possible. Mrs. Morrison stated 12 townhomes per acres with 4 acres is 48 townhomes and if you back off 4 townhomes for a retention pond then you back off another 4 unbuildable land you still have 40 townhomes. Mr. Roberts stated you have to put streets, you have to have a barbeque area, and playground area. Mr. Maniscalco stated I would like to do ten. Mr. Newman stated I think we have some confusion about the zoning so I would recommend that we table this to clarify the vision. This will give Mr. Maniscalco a chance to decide what he wants, what zoning he wants and have a better idea to present about what he wants to do, if it is going to be rentals or not. It will also give you all a month to think about it and do additional research. A resident asked if Mr. Maniscalco would be willing to put up a privacy fence along the road and back of the property to distinguish his property from McIntosh Trails. Mr. Maniscalco stated if it would settle your concerns, yes. Mrs. Morrison stated she didn't see that there was any more research that needed to be done by the group other than to give Mr. Maniscalco an opportunity. Mr. Newman stated we don't know for sure what zoning he is

asking for at this time. Mrs. Hubbard stated maybe he should talk with Mr. Roberts about patio homes. Mr. Denney stated I assume you plan to tear the existing house down. Mr. Maniscalco stated yes sir. Mr. Denney stated do you know for a fact that they will let you tie into the sewage. Mr. Maniscalco stated no, I don't. After discussion, Lance Turner made a motion to table this request to the next meeting. Melissa Craven seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 6; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

5. Public Hearing – Janet Brittain/William Wakefield requesting to rezone the property at 410 Dodson Street from Planned Development (PD) to Residential (R-1). Janet Brittain stated the property at one time was residential and was converted to commercial use. The client I manage it for has not been able to rent it commercially. We know we could rent it if it was R-1 so that is what we are requesting to rezone it to. Mr. Denney stated that there are somethings that need to be worked on the home. Mrs. Brittain stated that is why we need approval so we can put some money into to fix it up. After discussion, Fred Denney made a motion to recommend to Council to rezone the property. Melissa Craven seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 6; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

Mr. Newman called for any old business. Mrs. Hubbard stated I brought this up at the Council meeting but at our next meeting can we discuss abandoned properties around the City. Mrs. Hubbard stated I was talking with Mr. Roberts about the rules we already have in place regarding abandoned buildings like the train station. I think we need to have some plan. There are house throughout the City that people have just gone off and left them. We are constantly cutting their grass. If the Building Department can give us a reference to where we can look in our ordinance. I think this is something we should be charged with to make our City look better. Mr. Roberts stated we have a property maintenance code that we adopted. Mrs. Hubbard asked where we would find that. Mr. Roberts stated it is an International Code Book that we adopted and we also have the condemnation process, which stands for any of those types of properties. Mrs. Hubbard stated some of them don't need condemning, they just need some attention from the owners. Mr. Roberts stated a lot of the properties that are sitting there the owners live in Pennsylvania and mom or grandma lived on the property, they just pay the taxes on the property every year because it is \$100.00, they don't care if it falls to the ground and they are not going to come cut the grass. We have found that some will agree and will hire someone local to cut the grass. They may cut it and they may not but they send them the bill. Mrs. Hubbard stated something to look so we can try. Mr. Roberts stated I will try to bring a copy of that next month. Melissa Craven asked if they could get a list of the properties that the City is currently cutting the grass, so that we could identify those. Mr. Denney stated they have cleaned up a lot of properties. Mr. Roberts stated we have some that are on rotation and we have some that we send over to the Street Department to cut when they can. The City Council was nice enough to let us buy a lawn mower so I have a couple of my guys and especially if we hire summer help, we will go cut them from my department. Kristi sends them a bill. That is when you guys see us is when they don't pay the bill. We have some that will pay the bill and if the bill is extreme, which is not grass cutting but condemnations, we allow them to pay a certain amount down then \$100.00 a month thereafter or whatever they can afford to do. Hopefully, some of these older houses that the people don't have the money to pay to get something like that tore down that we can take \$50 a month and take it for years until they sell the property. Mrs. Hubbard stated they need to be encouraged to sell the property because if they are not going to do anything with it the neighborhood is getting trashed by all of these homes that are just sitting there. Mr. Roberts stated we ask if they want to sell the property and we tell them if they do to let us know so we can help them in any way we can. Mr. Denney stated sometimes it is grandkids who don't live here. Grandparents lived here but the grandkids own it and have never visited the property. They are not going to invest any money into it. Mr. Roberts stated sometimes it is in neighborhoods where no one wants to build a new home. Mr. Denney stated the City owns a good bit of property that has been taken like that. Mr. Roberts stated we try to sell those as they are not drawing any tax money. If we can get someone living in those properties. Mrs. Hubbard stated that some of those properties the City purchased have been sold and people are building small homes on them now. This is something I feel our group should be charged with when we look at the long-range plan for our City. Mr. Roberts stated we had one come in today. There are two strips side by side that we own that they want to buy back because it was his mom's property. Maybe he wants to come back and build because there is nothing there.

Mr. Newman called for any new business. There was none.

There being no further business, Melissa Craven made a motion to adjourn the meeting. Bill Newman seconded the motion.

Respectfully,

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Secretary