

**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
Thursday, July 6, 2023, at 5:30 pm

Members Present:

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

Members Absent

- Jake Pollard
- Jane Cunningham

Also, Present:

Mike Roberts, Chief Building Official

Visitors: Nadir Lodhi, Nick Suvani, Bobby White, Stan Bush, Ben Watson, Chip Street, Kirstie Pritchett, Penny McCall, Brittany Pruitt, Casey Daffron, Justin Shinn, Gary Sparks with the Oxford Fire Department and Kristi Durham

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 June 6, 2023. Lance Turner made a motion to approve the minutes. Fred Denney seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 4; Nays: 0; Abstained: 3. Chairman, Bill Newman announced the motion passed.
2. Public Hearing – Oxford CC's requesting to open a food mart and package store at 1100 Highway Drive (zoned Planned Development). Nadir Lodhi stated we have been in business for 20 years. The building is owned by Bobby White and was previously a pawn shop. We would like to turn it into a convenience store/package store. Mr. Newman asked Mr. Lodhi to explain more about what they would be selling. Mr. Lodhi stated they would be selling food, drinks, chips, candy, milk and in a separate part of the building we will have liquor sales with a separate entrance. This will be for the neighbors so that they do not have to cross Highway 78. We have several locations. Charlotte Hubbard stated I don't think this is a good idea for where this is located. It will cause a lot of congestion at that intersection. I believe it would be dangerous for someone walking to that intersection. Bobby White stated my wife, and I purchased the property in 2004. We operated a pawn shop there for 12 years. The building operated as a pawn shop for a total of about 35 years. Rick Taylor ran it for another 5 years. We have tried to get another pawn shop operator in there but haven't been able to get anyone. I have had several people with different ideas call about renting the building. I was not aware that it was zoned Planned Development. Of the two dozen calls I received these guys seem to be the most stable. If they are not approved, I would like to have some informal discussions as to what could go in the building. Lance Turner stated there is a similar business across the road. Mr. Turner stated I wish there was some other type of business that could go in there. After discussion, the following votes were recorded: Yeas: 0; Nays: 7; Abstained: 0.
3. Public Hearing –Stan Bush requesting to rezone the property at 107 Mattison Road from Residential 2 (R-2) to General Business (GB). Stan Bush stated we purchased the property 4 or 5 months ago. We would like to request it to be changed to General Business. This is right beside the storage facility. We were thinking maybe pest control, contractor, or something with low traffic volume. Mayor Craft asked if a garage could go in General Business. Mike Roberts stated only if the repairs are done on the inside of a building. You can bring your car to

them and as long as they bring it inside to do the work and it leaves. It cannot be stored there. Mayor Craft asked Mr. Bush if that is what he was going to do, and Mr. Bush stated no that he was okay if there was a stipulation put on the request. Mr. Bush stated I was thinking a salon, an insurance office but no garages. After discussion, Mayor Craft made a motion to approve and send to Council with the stipulation that no garages are allowed at this address. Fred Denney seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

4. Public Hearing –GC Group requesting final plat approval for a subdivision off Carterton Heights (Parcel # 22-09-31-0-000-018.000). Ben Watson with Live Oak Engineering is here to represent the request for the GC Group. Mr. Watson stated we were here a couple of months ago for preliminary approval of the plat and were requested to make some changes. We have identified the common areas and moved the sewer lines out from under the road. I do know that dirt work has begun. I know one of the biggest issues is storm water runoff. The reason for the issues is they have not been able to build the retention ponds. The ability to contain the water yet is not there as we have not built the three ponds. The ponds will empty into the creek that runs near the property. Water flows east across the property and along the north side of the property is a hill. Mr. Newman asked about the retention ponds. Mr. Watson said there are three. One is 4 lots from Mahaffey Road, there is one dead center of the property and there is one at Carterton Heights. All the water flows south, then north and then east. The orifice is an 8-inch pipe. Mike Roberts stated there is a bunch of water there. I spoke with Rusty Gann, City Engineer today and he approved these plans, and he said the sooner we can allow them to get to moving the dirt, the pipes, the drainage ditches, and the ponds in the quicker the problem will be solved. Mrs. Hubbard asked if Mr. Gann has been a part of the conversation. Mr. Watson stated I have spoken to Mr. Gann the last two days. Mr. Roberts stated he approved it this afternoon. Kirstie Pritchett asked if this is approved, do we have a timeframe on when this could be done. Mr. Watson stated they want to get started and it is a matter of getting the pieces in place. Of course, the weather is an issue as well. We want to get it done so when it does rain it controls the water but when it does rain it hinders the process. I am not able to give you a timeframe, but it would depend on how things go, I would say at least 8 to 10 weeks out. Before the wet season hits it should be in place, but some things are out of my control. Brittany Pruitt stated she owns 5 acres near the subdivision. My property has flooded since this has started. My garage has flooded. Can we see how this is going to affect my yard. I have spoken to Rusty Gann, and I have spoken to a lawyer. No one seems to be able to give me a solid answer. The walls of dirt that they have built has stopped my water flow. Everyone I have spoken to says it is going to be okay, we are going to get it fixed. A year later I can't go in my yard. The road is messed up and flooded about a month ago. They have built walls of dirt up about 10 feet high. Penny McCall stated it is not a problem with the subdivision. Everyone wants to see that. The issue is the time frame and the huge walls of dirt. Will that structure hold that many houses if all of this is happening now. It seems that they have looked at it but that is her concern and ours. We have purchased 14 acres and I am concerned about the infrastructure as well as how many homes are going to be built there. We have to rely on you. Mr. Newman asked Mr. Watson what he can do for these ladies during construction to keep water off of their properties. Mr. Watson stated the simple answer is to build the ponds and that is overly simplifying it. I have to size these ponds to make sure they work, and the City Engineer verifies my calculations to make sure these ponds work. There are several engineers who are looking at this, but the problem is they haven't been constructed. The water runoff as it is now greater than it will be. When the subdivision gets built there are grass yards, there are storm pipes and stuff that will channelize the water in place which will help the situation. The worst storm water situation is during the first part of construction. There are things the contractor can do better. Clyde Huckleba asked if the water building up in her yard go to those ponds. Mr. Watson stated yes. Mr. Huckleba asked will there be pipes or inlets to allow the water to pass through to go to those ponds. Mrs. Pruitt stated I am in a hole. Mrs. McCall asked if the members have been out to the site to look. Mr. Huckleba stated there is still a lot of dirt that will have to be moved, I am sure. Mr. Watson stated that was a concern on this property. It was a large hill the further south you went. To move the dirt on site, we had to flatten it out. The top of the hill came down which meant the low area on the north side of the property had to come up. It had to come up so that we could build a hole for the pond to let the water out and not haul off a massive amount of dirt. Mayor Craft asked if he could get with the City Engineer to meet with your engineer, Mr. Roberts and these ladies either tomorrow or Monday to see if we can look at this to see if there is something we can do. We either pass this, say it is okay and the Council will have to approve it. If you are getting flooded now, they are not going to approve it. I know you are trying to work through it. Mrs. Pruitt stated I've emailed

and spoken to Mr. Gann. Mr. Gann makes it sound really good, but I am the one living in it. Mr. Roberts stated I have a 2 pm meeting tomorrow. We could do it earlier around 11 am or we could do it Monday morning. Mrs. Pruitt stated that is fine. Mr. Roberts stated Monday, after our Monday morning meeting. It is over about 10:30 am or 11 am. Mrs. McCall stated we bought the 14 acres at the hill. It is our concern as when we start building, we do not want to have the same issues. Mr. Watson stated Monday I have a 2 pm meeting so I would need to leave by 12 pm. Mrs. Pruitt stated the street since they started has almost been crushed, it is falling in and almost sinking away. Mayor Craft stated we will also look at that. Mrs. Pruitt asked will the roads be taken into consideration and improved. I don't think the road is big enough to have that much extra traffic. Mayor Craft stated we will ask that question also. Fred Denney asked if that was a city street. Mr. Roberts stated it was a county road and I do not know if we have accepted it. Mr. Gann would have to answer that. Mr. Watson stated through his discussions with Mr. Gann, I understood it was a road you inherited. Mr. Watson stated I will be there at 10:30 am Monday morning. Mr. Newman stated we will approve this, but it will still have to go to Council depending how this meeting comes out Monday. The Council will still have the authority to approve or deny. Mrs. McCall asked how many lots are there. Mr. Watson stated 107. After discussion, Mayor Craft made a motion to approve and contingent on the meeting Monday it will be sent to Council. Clyde Huckeba seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

5. Public Hearing –Street Family Properties requesting to rezone 4 parcels (parcel # 05-03-05-0-003-126.000, # 05-03-0-003-125.000, # 05-03-05-0-003-120.000 and # 05-03-05-0-003-119.00) from Residential (R-1) to Residential 2 (R-2). Chip Street stated that my father and Charles Williams developed the subdivision in 1977. There are 6 lots meet 30,000 square feet and due to the terrain were not built on. In the covenants of the subdivision, they reserved in there that those lots could have duplexes due to the access problems. Street Family Properties has acquired everything from John Street Development, including architectural control. This is 4 of those 6 lots and the other 2 were lost due to taxes because they couldn't do anything with them. My vision on it is a duplex where you have a mother-in-law who is in a nursing home in a separate section. It will be low maintenance because everything will be maintained from the top of the hill. There will be one driveway. There are pairs of lots. One driveway for each 2 lots. Mr. Street stated it should work pretty well. There are already duplexes in Green Acres subdivision. Mayor Craft stated aren't the duplexes on Patricia and not going into this portion of the subdivision. This is all neighborhood here. Mr. Street stated what is not raw land. Mrs. Hubbard stated I rode over there. There are some really nice houses on Patricia. They are zoned R-1 and people have put a lot of money into those. I am surprised that there are not people here tonight. Mrs. Hubbard stated you are right about the terrain, and I don't feel like the neighborhood needs duplexes in that area. I understand you have the property, and you want to do something with it. Have you looked into building houses on the property. Mr. Street stated you have 50 feet to climb with a 35-foot setback. If you do individual driveways, you will be walking into a wall. Mrs. Hubbard stated I would not be in favor of duplexes in that area. Mr. Street stated I am not opposed to you restricting them to whatever size you want. They will not degrade the other neighborhood houses. I just want the option to use the property for something. A resident asked if you are going to lease or rent the duplexes. Mr. Street stated I am not intending to. I would rather sell them to someone who has a parent or in-law who needs a separate unit. A resident asked how long has it been since you have been through Southmoor Circle and looked at the rental houses. Mr. Street stated that is not what I want to do. You can put whatever restrictions on it you would like. Another resident stated I have a concern as we have already had an accident not long ago. The streets are not really conducive for putting more traffic flow on them. Additionally, when you start tearing up the terrain that already diverts some of the stormwater off, is that going to start coming down and flooding the other properties. You can see the other duplexes when you come in, the occupancy turnover and they have not held up well. I would not want to see something like that in the neighborhood. Mrs. Hubbard asked how many acres is this? Mr. Street stated it is nearly 3 acres on the combine lots. Fred Denney asked if the duplexes would be one level. Mr. Street stated yes. Lance Turner stated I don't understand how you can do a duplex but not build a house. Mr. Street stated the common driveway is the basic reason. You will have one road to come up for 4 units on the duplexes. Mr. Street asked Mr. Roberts if he spoke with the Home Builders Board regarding a house that was attached to the same power unit but with two separate living units in R-1, right. Mr. Roberts stated we do have a section for mother-in-law houses. Say you are in the Plantations subdivision or a subdivision like that, it has to be in your backyard and the same design as the house itself. All the utilities have to be connected through the main utilities. Mr. Street stated the

difference would be there would a separate utility for the guest house or mother-in-law. Mr. Roberts stated the utilities would be paid for by the main house. Mr. Newman stated another thing that concerns us is parking. How many spaces would you have? Mr. Street stated two per unit. Mr. Newman stated 4 per duplex. Mr. Roberts asked 2 bedrooms. Mr. Street stated we can do better and have 3. I would like to have 3 in one unit and 1 in the other unit. A resident asked if you would be widening the road because you would be adding a lot of traffic. Mr. Street stated that would be up to the city. A resident asked who would be in control of maintaining the property. Mr. Street stated who ever the owner is. Right now, it would be me. The resident asked what about later. Mr. Street stated it would be who ever bought it. They would have to have a common area driveway agreement. The resident asked would this be 2 or 4 duplexes. Mr. Street stated 8. Four lots with two duplexes on each lot. The resident stated I can't imagine that many people wanting to live next to their mother-in-law. It just sounds like apartments. When you come in and see that first set that is how they will end up. I grew up in Anniston and I moved to Oxford for a reason. I would not want to see that. Mrs. Hubbard stated the way it is zoned now, when the neighbors bought their property, moved their family in, have taken really good care and some of those homes are really nice. They didn't expect to have duplexes across in front of them. I do not feel good about changing this. Mr. Street stated I just need to use the property. A resident asked if Mr. Street has any architectural renderings. Mr. Street stated I do not. Mayor Craft stated when you come into the subdivision there is at least one maybe two duplexes. Is that what they are going to look like. I know Mr. Street does good work. Mr. Street stated I will give the City the property and you can make a park out of it. Mayor Craft stated I would like to see what it would look like. There are about 5 on McPherson Street and only one keeps it up. After discussion, Lance Turner made a motion to table until the next meeting. Mayor Craft seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 7; Nays: 0; Abstained: 0. Chairman, Bill Newman announced the motion passed.

Mr. Newman asked for any other business. There was none.

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

Respectfully,

Kristi Durham, Secretary