

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

The Oxford City Planning and Zoning Board met in a regular meeting at Oxford City Hall
Tuesday
December 1, 2015 at 5:30 pm

Members Present:

Council Member, Charlotte Hubbard
Chairperson, Bill Newman
Fred Denney
Vice Chairperson, Lance Turner
Marshall Shaddix
Secretary, Kaye Cash

Members Absent

Mayor Leon Smith
Clyde Huckeba
Melissa Craven

Also Present

Chief Building Official, Mike Roberts

Visitors: **See sign in sheet*

1. Noting that a quorum was present, the meeting was called to order by Chairperson, Bill Newman. Following a review of the minutes of the regular meeting of November 3, 2015, Charlotte Hubbard made a motion to approve the minutes as written. Marshall Shaddix seconded the motion. Yeas: 06, Nays: 0, Chairperson, Bill Newman announced the motion passed.
2. Old Business
 - a. Motion to remove from table Baker Donalson request for cell phone tower.

Baker Donalson Bearman, Caldwell & Berkowitz PC are requesting to build a cell phone tower on Mr. Herbert Cunningham's property located at 1901 US Hwy 78, Oxford, Alabama

Charlotte Hubbard – My only complaint is we don't know when AT&T will build their tower. Having 2 Towers is not aesthetically pleasing for our city. For the record, I will be talking with Senator Sessions and Shelby when we go there next month on how to handle this. We want our city to be aesthetically pleasing.

Mr. Denney – I will abstain from commenting or voting on this issue.

Bill Newman – We have a willing property owner. We want it as nice as we can get it with paved road, beautification fence, etc...

Mike Roberts – What type of fencing is on property now?

Attorney – Right now a chain link fence but if you want wood or another type, Verizon would be willing to look into it.

A discussion followed that the fence should be vinyl, since it will be long term and not white but neutral so it would blend and not be visible.

A motion was made by Bill Newman to approve the cell phone tower with the stipulation of a paved road access to the tower and a neutral privacy vinyl fence around the cell tower compound.

Marshall Shaddix seconded the motion. Upon vote on the motion, the following votes were recorded:

Yeas: 05, Nays 0 Abstain: 1 Mr. Denney abstained. Chairperson, Bill Newman announced the motion passed.

- b. Motion to remove from table Phil Colegrove's request to rent out parking space for trucks. Phil Colegrove is requesting to rent out parking space in the back of the building for storage and trucks. Property located at 1350 Highway Dr., Oxford, Alabama.

Mr. Colegrove handed out a diagram of the building and the outside back lot. The diagram is attached to these minutes. At the last meeting the board asked him to bring back a plan and that is why he is here tonight. This is not a zoning request but a usage request to rent space in back lot for Recreational Vehicles and boats (no cars or trailers). Mr. Colegrove has been cleaning up the property. The area is fenced in and closed at night. Only daytime access is allowed. Renters will not have keys to the gates. There are 20-25 spaces inside and 60 outside and a chain link fence all around the property.

A discussion followed about the type of privacy fencing that could be used so the residents travelling by on their way into Oxford Lake wouldn't see the stored vehicles.

Lance Turner brought up a discussion about the new medical center on the other side and maybe the need to have a privacy fence on that side too. Mr. Colegrove said there wouldn't be much space on that side because it is right on the property line.

Mike Roberts said you also have to be careful what type of material you use for the privacy fence. There will be \$200,000 motor homes parked inside and police need to be able to see through by shining their light at night. A fabric material may work best and you can't see through it during the day.

Mr. Denney made a motion to approve the request to rent out parking space with a privacy fence, so as people driving by can't see inside and it be maintained to the approval of the building inspector and gates to be locked at night.

Marshall Shaddix seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas: 05, Nays: 1 (Charlotte Hubbard). Chairperson, Bill Newman announced the motion passed.

3. Public Hearing – White Reach proposing a plat amendment for Oxford Commons. No one was in attendance to speak to this issue so it will need to be resubmitted.

4. Public Hearing – Don James is requesting to rezone 10 acres of Weatherly Ridge Subdivision from G.H. (Garden Homes) to T.H. (Town Homes).

Mr. Denny abstained from comments and voting on this issue.

Don James spoke:

This property is owned by me and my brother Barry. We own 32 acres and it is some of the most valuable land in Oxford because it is near the Commons and the new sports complex. We brought this into the city zoned for patio homes and town houses. We have someone who wants to buy 10 acres to build townhomes that would meet or exceed that zoning. Mr. Bradley Carroll is here with me to answer any questions you have. The three areas of concern:

Traffic – this will reduce traffic

Property Values – this will increase our property value and the people behind them.

Crime – Mr. Carroll will address that.

Bradley Carroll passed out examples of other townhomes they have built. Those examples are attached to these minutes.

Bradley Carroll spoke:

These will be rental townhomes. There will a rental manager and long term owner. We work with cities in 4 states. We don't fight with the city. We build what you want. We are good neighbors.

Questions were asked and answers are recorded:

Not sure what they will lease for yet, not sure what the market would bear. The 3 bedrooms could rent for \$700 per month and the 2 bedrooms for less.

There will be a playground.

Square footage could be 1200 to 1300, according to a market study.

Once the rezoning is successful then we'll bring plans to the city.

There will be approximately 50 minimum to 72 maximum units. The maximum buildings are 6. There is a separate community building with exercise equipment, etc...

Karen Busch, a concerned citizen had the following questions:

Are these government subsidized, low income, tax credit housing?

Mr. Carroll – Yes. These are mostly for families with children

Karen: Do you have strict rules so that home values won't drop?

Mr. Carroll: Yes and will evict. This is important to us because we are long term owners. We manage it too. These will not be flipped; they will be managed for 20-30 years. We do criminal and credit check and income verifications. We can build nice properties because of these procedures, so we can be picky.

Karen: Why was that particular area chosen? It seems more suited to commercial.

Mr. James: We would love for that property to be zoned commercial because it would be more valuable. That is not the zoning for this property.

Karen: What about crime? There are conflicting studies on crime and subsidized housing.

Mr. Carroll: The major difference whether a place has crime is determined by the management company. The same owner will be the manager. We do checks and felons are not allowed to live there.

Karen: Will there be video cameras.

Mr. Carroll: We do have properties like that. It is likely but I can't say right now. Cameras are a deterrent.

Karen: I mean no disrespect, but we know cities with high crime rate do not attract businesses.

Mr. Carroll: This is a public/private venture. This is not a housing authority. Investors have a profit incentive. Our economic interest is on the line. We're monitored on many levels.

Chairman Bill Newman asked if there were any more questions or discussion.

Lance Turner made a motion to approve. Bill Newman seconded. Upon vote on the motion, the following votes were recorded: Yeas: 05; Nays: 0; Abstained: 1 (Mr. Denney Abstained)

Mike Roberts- You will need to get on the city agenda. They need 15 days notice to advertise.

5. Public Hearing – Fred Denney request that the City consider amending Article II, Section 26 (Cluster Development) of the Zoning Ordinance for the City of Oxford to increase the number of units permitted in a condominium structure from four units to six units to allow townhouses.

Mr. Denney – The only Cluster Development we have is Mountain Point. It's not a good use of land by restricting 4 units. It's more economical to build six because of electrical panels. There is also a fine line

between the definition of a condominium and townhome. For that reason, I would like to add the verbiage, townhouses.

Bill Newman made a motion to pass using the verbiage stated in item #5 on the Agenda. Charlotte Hubbard seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas 06: Nays 0. Chairperson, Bill Newman announced the motion passed.

6. Public Hearing – Proposed Annexation Zoning of R-1 (Single Family Dwelling) for property located at 333 Jewell Rd. belonging to Mr. Maniscalco. After zoning, this must be sent to council for the annexation approval or denial.

Mr. Maniscalco stated that the property is close to Cider Ridge and backs up to one of the fairways. It is not in the city limits. We want to get annexed for city services and school zone.

Fred Denney made a motion to approve and Bill Newman seconded the motion. Upon vote on the motion, the following votes were recorded: Yeas 06: Nays: 0. Chairperson, Bill Newman announced the motion passed.

7. Public Hearing – Proposed Annexation Zoning of R-1 (Single Family Dwelling) for property located at 723 County Line Rd. belonging to Mr. & Mrs. Warford. The Warfords were not present. Their request for the change in zoning is for trash pickup.
Bill Newman asked – Are they contiguous?
Mike Roberts – Yes

Bill Newman made a motion to approve and Fred Denney seconded the motion. Upon Vote on the motion, the following votes were recorded: Yeas 06: Nays: 0. Chairperson, Bill Newman announced the motion passed and will be sent to council for the annexation approval or denial.

There being no further business after a discussion concerning new regulations for the City of Oxford, Bill Newman made a motion to adjourn the meeting.

Respectfully,

Secretary, Kaye Cash