

MINUTES OF MEETING

HOOVER PLANNING AND ZONING COMMISSION

Date: February 11, 2019
Time: 7:00 PM
Place: Hoover Municipal Center
Present: Mr. Carl West
Mr. Ben Wieseman
Mr. Allan Rice
Mr. Jason Lovoy
Mr. Sammy Harris
Mr. Mike Shaw

Absent: Mr. Mike Wood
Mr. Nathan Reed
Ms. Jennifer Peace

Also Present: Mr. Rod Long, City Engineer
Mr. Chris Reeves, Assistant City Engineer
Mr. Jim Wyatt, Director, Building Inspections
Mr. Duke Moore, Fire Marshal
Ms. Sharon Nelson – Landscape Architect
Ms. Vanessa Bradstreet, Secretary, P&Z Commission
Ms. Cynthia Harris, Assistant City Clerk

1. **CALL TO ORDER**

The meeting was called to order by Mr. Harris. Mr. Harris then asked the secretary to call the roll in which a quorum was present.

2. Mr. Harris asked Mr. Shaw to give the invocation.
3. Mr. Harris asked Mr. Lovoy to lead in the Pledge of Allegiance.
4. Mr. Harris stated every Planning Commission member should have received copies of the January 14, 2019, minutes and if no one had any changes to be made, he would ask for a motion to approve as written. Mr. Shaw made a motion to approve. Mr. Rice seconded the motion. On voice vote, the minutes were approved unanimously.

5. REQUESTS FOR PRELIMINARY AND/OR FINAL MAP APPROVAL:

Mr. Harris explained that the Planning Commission had the opportunity to review and discuss each of the following subdivision cases in the pre-meeting work session. He added that he would read each subdivision case and if anyone had a question to please raise their hand and it would be discussed at the end of the subdivision cases. He also explained these cases would be voted on as a block. Mr. Harris asked if there were any questions regarding this procedure and there were none.

- (a) S-0219-05 - Mr. Lawrence Kadish is requesting Final Plat approval for a Resurvey of Lot K, Stadium Trace Village, Plat No. 2, being a resurvey of Lot K, according to Stadium Trace Village, Plat No. 2, a proposed 2 lot subdivision located at Alabama Hwy 150 and Stadium Trace Parkway. The purpose of this plat is to create 2 lots from 1 existing lot for commercial development. Broad Metro, LLC, is the property owner and the property is zoned PC (Planned Commercial).

Staff Comments: (Engineering) Recommend approval.

City Planner: No issues

APPROVED

Mr. Derek Meadows with Gonzalez-Strength and Associates was present to represent this case. Mr. Harris asked if there were any questions regarding this case from the audience or Planning Commission members. There were none.

- (b) S-0219-02 - Mr. Andrew Phillips, Schoel Engineering Co., Inc., is requesting Preliminary Plat approval for Tattersall Boulevard Expansion to be located between the intersection of US Hwy 280 and AL Highway 119. The property is owned by EBSCO Realty and is zoned PUD (Planned Unit Development).

Staff Comments: (Engineering) - Applicant requests a design speed variance to 30 mph for Tattersall Blvd. Recommend approval contingent upon the applicant agreeing to bond any remaining improvements associated with this development that have not completed at the time the final plat is submitted for the acreage parcel located to the east of Tattersall Blvd.

Fire Marshal: Install 3 fire hydrants as shown on the plat.

City Planner: No issues

APPROVED

Mr. Andrew Phillips, Schoel Engineering, was present to represent this case. Mr. Harris asked Mr. Phillips if he was in agreement with staff comments just read. Mr. Phillips stated he was in agreement. Mr. Harris asked if he was in agreement with the three fire hydrants. Mr. Phillips stated he was in agreement with that as well. Mr. Harris

asked if there were any questions from the audience or Planning Commission members on this case. Mr. Rice asked what the previous design speed was and if we were going up or down. It was then stated the previous design speed was 35 mph and we were going down in speed.

- (c) **S-0219-03** - Mr. Jay Moore is requesting **Preliminary Plat** approval for ***Stadium Trace Village Lot K***, a proposed 3 lot subdivision, located on Lot K at Stadium Trace Village. Oppidan, Inc., is the property owner and the property is zoned PUD PC (Planned Commercial).

Staff Comments: (Engineering) – Applicant requests a design speed variance to 25 mph for Angry Beaver Drive and a variance to allow 15’ turn radii in the parking lot sections located along this street. Recommend approval contingent upon the applicant supporting drainage calculations to the City Engineer for review and approval.

Fire Marshal: Install 1 fire hydrant as shown on plat.

City Planner: No issues. Village Center designation for the property on the master plan permits zero-setback development. May want to consider naming westernmost street segment Emery Drive if it is to link with the existing Emery Drive in a future phase.

APPROVED

Mr. Mark Gonzalez, Gonzalez-Strength & Associates, was present to represent this case. Mr. Harris asked if Mr. Gonzalez was ok with the staff comments, to include Fire Marshal and City Planner comments, just read. Mr. Gonzalez stated he concurred with all recommendations of the staff. Mr. Harris asked if there were any questions or comments on this case. Mr. Rice added that there were some stipulations that they would have some conversations regarding street names. Mr. Harris explained there may be some changes on the street name “Angry Beaver Drive”.

Mr. Harris asked if there were any other questions or comments from the Planning Commission. There were none.

- (d) **S-0219-04** – Mr. Matt Akins, EDG, is requesting **Final Plat** approval for a ***Resurvey of Lots 4 & 5 Stone Briar***, a proposed 2 lot subdivision with purpose being to move a lot line. This property is located at 1016 & 1020 Stone Briar Lane. Jay and Tracey Carter are the property owners and the property is zoned PR-1 (Planned Single Family) District.

Staff Comments: (Engineering) – Recommend approval

APPROVED

Mr. Wade Lowery, Engineering Design Group, was present to represent this case. Mr. Harris asked if there were any questions concerning this case. There were none.

(e) S-0219-06 – SB Dev. Corp., d/b/a Signature Homes is requesting **Final Plat** approval for **Abingdon Phase 1B**, a proposed 32 residential lots and 4 common area lots subdivision located on Flemming Parkway. VH Investments, LLC, is the property owner and the property is zoned PUD PR-1 (Planned Single Family) District.

Staff Comments: Recommend approval contingent upon the applicant providing a guarantee in the amount of \$109,100.00.

City Planner: No issues
APPROVED

Mr. Richard Johnson, SB Dev. Corp. was present to represent this case. Mr. Harris asked Mr. Johnson if he was ok with the guarantee amount of \$109,100.00. Mr. Johnson answered he was ok with that amount. Mr. Harris asked if anyone in the audience or Planning Commission had any questions or comments on this case. There were no questions or comments.

(f) S-0219-07- Schoel Engineering Company, Inc., is requesting **Final Plat** approval for **Tattersall Park Resurvey No. 5**, a proposed 2 lot subdivision located in the Tattersall Park Planned Unit Development. The purpose of this survey is to resurvey one lot, common area, and part of Tattersall Lane into two lots and additional private roadway. EBSCO Industries, Inc. is the property owner and the property is zoned PUD (Planned Unit Development).

Staff Comments: Recommend approval contingent upon the applicant providing all required documentation for the vacation of ROW on Tattersall Lane to the City Clerk.

City Planner: No issues
APPROVED

Mr. Andrew Phillips, Schoel Engineering, was present to represent this case. Mr. Harris asked Mr. Phillips if he was ok with the staff comments regarding the documentation for the vacation of ROW on Tattersall Lane. Mr. Phillips answered he was ok with those comments. Mr. Harris asked if anyone in the audience or Planning Commission had any questions or comments on this case. There were none.

Mr. Harris stated they would then take a block vote and asked for a motion. Mr. Rice made a motion to approve all cases under agenda Item #5. Mr. Shaw seconded the motion. A voice vote was held and all cases were approved unanimously, with the exception of Mr. Sammy Harris who abstained from voting on case "e" S-0219-06.

6. **C-0219-03** – Mr. Keith Hamby, Kissel Entertainment, LLC, is requesting **Conditional Use** approval to hold an outdoor Spring Carnival at the Galleria on March 26 through March 30, 2019. Hoover Mall Limited/Galleria Venture is the property owner and the property is zoned PC (Planned Commercial).

Staff Comments: City Planner Notes: No issues
APPROVED

Mr. Keith Hamby, representing Kissel Entertainment, LLC, came to the podium to describe this case. He explained they were planning a five night carnival, opening at 5pm each night and running until around 10-10:30 pm, depending on the crowd. Mr. Kissel stated that on Friday and Saturday night, they may go as late as 11 pm. Mr. Kissel explained they would have no more than 20 rides, would have 6 food trucks and games as well. Mr. Kissel stated the carnival would begin on Tuesday, March 26th and run through Saturday, March 30, 2019. Mr. Harris asked if the carnival would run during the day and Mr. Kissel answered it would only run at night, with the exception of Saturday in which they might open at 2pm at the earliest.

Mr. Harris asked about tents. Mr. Kissel stated they would have a canopy over the games, but no wall tents. Mr. Kessel stated they would have no wall tents as those were always inspected by the Fire Marshal. Mr. Harris asked about alcohol and Mr. Kissel stated there would not be any alcohol served. Mr. Harris asked about the traffic issues. Mr. Kissel stated they would be far away from the mall area and would be fencing the area off just so they could control access. Mr. Kissel emphasized this would not impede traffic flow to the Galleria.

Mr. Harris asked if there were any questions from the audience or Planning Commission members. Mr. Shaw asked the Secretary if she had received any type of correspondence regarding this case. Ms. Bradstreet responded she had not received any calls, letters, or e-mails regarding this event.

Mr. Harris asked for a motion. Mr. Shaw made a motion to approve with Mr. Rice seconding the motion. A voice vote was taken and the motion was approved unanimously.

7. **Z-0219-02** – Mr. Don Bennett is requesting to rezone property at **593 Park Avenue, 606 Valley Street and 610 Valley Street** from R-1 (Single Family Residential) to C-2 (Community Business District) for a proposed set of shops or a restaurant with adjoining parking. The property is owned by Mr. Don Bennett and is currently zoned R-1 (Single Family Residential).

Staff Comments: City Planner Notes: No issues. In order for the two easternmost lots to be used to meet parking requirements of commercial business fronting Park Avenue, they must also be zoned commercial.

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Mr. Don Bennett, 1125 Shades Crest Road, Hoover, AL, 35226, stated he had been a long term resident of Bluff Park. He explained that 2 years ago, he and his wife had bought the property behind On-A-Shoestring, 597 Park Avenue, which was zoned commercial and in the process, it had become available for them to purchase, 593 Park Avenue, 606 and 610 Valley Street. Mr. Bennett explained this had been an ongoing process of working with the city for two years to get parking to work as needed for correct zoning for any kind of gift shop, mercantile, or coffee shop. Mr. Bennett stated the city had come up with a proposal with a donation of land whereby they might put up 15 community parking spaces in front of 597 and 593 Park Avenue and that would be for community use and handicapped parking spaces. Mr. Bennett stated in order to do that, it made the 593 Park Avenue property unusable for a residence, so they would like to request changing that zoning to C-2 (Community Business District) for part of the donation of the property to go to the parking. Mr. Bennett added they were going to go around the area of Valley Street with a sidewalk with enough parking, so this would really make this a very nice piece of commercial project for a restaurant, shops, green space, kind of in keeping with the quaint nature of the area such as in the old Bluff Park Hotel, and all the historical homes that used to be in that area. Mr. Bennett stated this was his vision of the project.

Mr. Harris asked if there were any questions from anyone in the audience. Mr. Nick Hollingsworth, 614 Valley Street, addressed the audience and stated he lived next door to the 610 lot that was currently zoned R-1. Mr. Hollingsworth asked if parking was an absolute necessity in the 610 lot and how much parking did he think would be needed total. Mr. Hollingsworth also asked about the 50 foot buffer regulation in place between the C-2 zoning and R-1 zoning. Mr. Hollingsworth stated he was concerned about the reality of changing the R-1 zoning to C-2.

Mr. Jack Marshal, 632 Valley Street, stated he was mostly concerned with the C-2 zoning and all the different businesses that could come with that which would be practically in his backyard. Mr. Marshal also proposed the question if Mr. Bennett sold the property, what would become of it then. Mr. Marshal stated he would like to see more restrictions on the development.

Mr. Carlos Skiano & Carol Skiano, 613 Shades Crest Road, came up to the podium to voice their concerns regarding traffic flow, lighting, noise, and garbage issues. Mr. & Mrs. Skiano expressed they felt the request was very vague as to what Mr. Bennett actually wanted to do with this property.

Mr. Brian Hillson, 617 Shades Crest Road, also addressed the ingress and egress issues of this proposal. He also expressed approval of the rezoning of this property if they could get the right zoning approved.

Mr. Bennett came back to the podium to address parking and other concerns. Mr. Bennett discussed having a red gravel parking lot and not making it a garish parking lot and community friendly. Mr. Bennett stated the parts by the water tower would be green space. Mr. Bennett stated there was an old barn platform up there that they could make into a tent area and make it into something quaint.

Mr. Bennett stated they may not even need parking on 610 which would be a good buffer to make the neighbor more comfortable. Mr. Bennett stated it was very important to he and his wife to keep the quaint nature going in this neighborhood.

Mr. Bennett also addressed the up front, slanted parking on Park Avenue and noted it would be similar to an Italian restaurant in Homewood. Mr. Bennett stated these would be pulling out to Park Avenue at peak times just like any other times.

Mr. Harris noted on the map drawn it appeared to be about 12 to 15 parking spaces off of Park Avenue. Mr. Bennett agreed. Mr. Harris asked about lighting issues. Mr. Bennett explained that they planned as minimal, low lighting as possible so as not to disturb any of the residents, however they did want it to be safe, comfortable, and inviting.

Mr. Jack Marshal, 632 Valley Street, came back up to the podium to address these issues and how to maintain what Mr. Bennett might do now, but what if he sold it later, and someone else came in. Mr. Marshal asked how they would maintain it.

Mr. Shaw stated he shared the same concerns with changing the zoning to C-2. Mr. Shaw described the plan was a cool idea, but with no restrictions on it, anybody could do almost anything with C-2 zoning that close to residential. Mr. Shaw stated he was not ready to vote on this for C-2 and suggested that Mr. Martin come up with a list of restrictions and agreements in which his plan was reflected and approved for a zoning with ingress/egress plans, etc., that he could live with.

Mr. Bennett added that the egresses were already slated by the city for the residential lots and were not his plans.

Mr. Harris explained that our City Planner, Mac Martin, was not present tonight, to give his input. Mr. Wieseman asked Mr. Bennett if he would be willing to continue this case until the next month's meeting so that he could provide more detail with the City Planner.

Mr. Rice asked the City Engineer if he had had a chance to weigh in on the parking issues. Mr. Long stated he had seen the drawing and it was a typical downtown angled parking set up. Mr. Long stated they had angled parking down in front of the old, original school house. Mr. Long explained people tended to drive a little slower in this area than they did other areas, and this would be something they would need to look at and evaluate. Mr. Long added that being a newer commercial area, it might fit into the character of this area. Mr. Long explained also that with the sidewalk project, he wanted to mention on Valley Street, they had the ROW from this property. Mr. Bennett had cooperated with them and provided the ROW for the sidewalk and the project should be moving forward because of the ROW acquisitions. Mr. Long stated there had been a request for driveways, because every lot that was there, had legal right for a driveway, so as a preventative measure, the plans would show driveways at every lot.

Mr. Rice asked Mr. Long if the angled parking would create a calming effect and would this be the “desired” way to have a calming effect. Mr. Long answered that angled would probably be preferable over 90 degree at this location. Mr. Long stated angled meant you would come in from a northbound direction. Mr. Long stated ideally the next step up from that would be parallel parking but better than any of these would be off-street parking where one would park behind the building.

Mr. Rice addressed Mr. Bennett and noted that he knew Mr. Bennett was working very hard on this project. Mr. Rice explained he felt the community would like to see some positive re-development in Bluff Park and that Bluff Park was one area that needed this type of energy. Mr. Rice stated that the City Planner fell ill and wasn't able to attend this meeting, but had intended to be here tonight. Mr. Rice added he did hear the concerns of adjacent neighbors and felt that if he came back with a more comprehensive plan, it would be a better plan at the next meeting.

Mr. Shaw added that he concurred with Mr. Rice and commended Mr. Bennett for bringing forth a plan with such opportunity, but did feel it needed a lot of clarification and restrictions on the zoning.

Mr. Rice suggested they might come up with some restrictive covenants that would run with the land if that was something Mr. Bennett would agree to.

Mr. Harris asked Mr. Bennett if would like to continue this case until the next month's meeting at which time Mr. Bennett answered he would. Mr. Harris asked for a motion. Mr. Shaw made a motion to continue with Mr. Rice seconding the motion. With a voice vote, the motion was approved and the case continued until the March 11, 2019, meeting.

8. Z-0219-03- Zoning Amendment for PUD Timeline.

Staff Comments: City Planner – The two comments made by the Commission at the previous meeting dealt with neighborhood meetings and advertising the informational presentation to the Planning Commission. Both can be addressed outside of the text of the amendment. We can certainly ask that the developer conduct community meetings at the pre-application meeting with staff if we sense that there could be a large amount of concern. It behooves the developer to address as many concerns as they can before we get into the public meeting. Regarding public notice, we would post the agenda online and at the physical locations as we already do.

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Mr. Harris announced this had been discussed in the pre-meeting work session. Mr. Rice suggested in the City Planner's unplanned absence, he suggested this item be continued until the next meeting. Mr. Harris asked for a motion. Mr. Rice made a motion to continue. Mr. Shaw seconded the motion. On a voice vote, the motion was approved and the case was continued.

9. S-0219-08 – Resolution No. 01-2019, Amend Appendix II – Subdivision Regulations, Article IV, Procedure for Plat Approval, Section 3.0 – Final Plat

Staff Comments: City Planner – No issues.

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Mr. Harris stated this case was the same circumstance as item above. Mr. Rice explained these two items were housekeeping items and administrative procedures. Mr. Rice made a motion to continue the case until the next month's meeting. Mr. Shaw seconded the motion. On a voice vote, the motion was approved to continue the case.

There being no further business, the meeting was adjourned.

Vanessa Bradstreet
Zoning Assistant