

## MINUTES OF MEETING

### HOOVER PLANNING AND ZONING COMMISSION

**Date:** August 8, 2022  
**Time:** 5:30 pm  
**Place:** Hoover Municipal Center  
**Present:** Ms. Becky White  
Mr. Jason Lovoy  
Mr. Mike Shaw  
Ms. Lyndsy Yim  
Mr. Nathan Reed  
Mr. Allan Rice  
Mr. Ben Wieseman

**Absent:** Mr. Mike Wood - Chairman  
Ms. Jennifer Peace – Vice-Chairman

**Also Present:** Mr. Chris Reeves, City Engineer  
Mr. Blake Miller, Assistant City Engineer  
Mr. Mark Thornton, Fire Marshal  
Mr. Jehad Al-Dakka, Chief Operations Officer  
Ms. April Danielson, Assistant City Attorney  
Mr. Marty Gilbert- Director, Building Inspections  
Mr. Mac Martin – City Planner  
Ms. Vanessa Bradstreet – Zoning Assistant

#### 1. **CALL TO ORDER**

The meeting was called to order by Ms. Vanessa Bradstreet, Secretary, Planning Commission, who then took the roll. A quorum was present.

Ms. Bradstreet announced that due to the absence of the Chairman and Vice-Chairman, they would elect a Chairman for this meeting only. She then opened the floor for nominations. Mr. Rice nominated Mr. Mike Shaw. Mr. Jason Lovoy seconded the nomination. Ms. Bradstreet asked if there were any other nominations. There being none, Mr. Rice made a motion to close the nominations with Mr. Lovoy seconding the motion. A voice vote was taken with Mr. Shaw being elected as Chairman Pro-tem unanimously.

2. Mr. Shaw then asked Mr. Rice to give the invocation.

3. Mr. Shaw asked everyone to stand and for Ms. White to lead the Pledge of Allegiance.

4. **Approval of minutes from the June 13, 2022, and July 11, 2022, meeting:**

**Mr. Shaw asked for a motion to approve the minutes. Mr. Rice made a motion to approve the minutes without reading with Mr. Lovoy seconding the motion. On voice vote, the motion was approved unanimously.**

5. The following case has been **WITHDRAWN** by the applicant:

C-0722-08 - American Pet Resorts, LLC, is requesting Conditional Use approval for *Pet Paradise*, a pet grooming and boarding facility with outdoor exercise and play areas, to include on-site Veterinary care and residence quarters for a 24 hour on-site caretaker, and approval of the site plan to be located on Brocks Gap Parkway. U.S. Steel Corporation, A Delaware Corporation, is the property owner and the property is zoned P-I (Planned Light Industrial).

Mr. Shaw announced the above case had been withdrawn and asked for a motion. Mr. Rice made a motion to withdraw with Mr. Wieseman seconding. On voice vote, the motion was approved unanimously.

Mr. Shaw then explained that even though the Pet Paradise case had been withdrawn, it had come to his attention that a group of residents were present who wanted to comment on this case. Mr. Shaw announced that he would recognize someone for 5 minutes.

Mr. Greg Williams, 5719 Chestnut Ridge for 17 years, came forward to speak about several items they had been concerned about. Mr. Williams stated he was President of the Chestnut Ridge HOA, a member of the Trace Crossings Residential Association's Presidents' Council which represents all the neighborhoods in Trace Crossings and common areas, stated he had come on behalf of his neighborhood to ask for the City's help and understanding.

Mr. Williams brought up several issues brought about by developers that had arisen over the years. One was an open air sewage treatment that was proposed, but fortunately had not come about. Others were the development on Hwy 150 with the Shoppes of Hoover with the UAB Free Standing Emergency Room creating storm water run-off, erosion, silt being deposited in Scout Lake without sufficient protections. These developments continued with Trace Crossings Village after contributing to the same storm run-off issues in which they had to spend \$175,000 for lake dredging paid for by the TCRA (funded by many of the residents here tonight). Mr. Williams stated he and Dr. Peter DeFranco had been working on this issue for about 8 years, and now once again, they were going to have to spend another \$100,000 to have the lake dredged again because the problem was still there.

Mr. Williams stated they had fought off a hotel coming to be in the middle of their neighborhood, school districts, and ballfields. Mr. Williams mentioned a hospital proposed in which they would have had to put a road in connecting to Brocks Gap Parkway connecting to Scout Lake which had already been impacted by commercial development.

Mr. Williams said once again about a year ago, a convenience store with gas pumps, had been proposed. Mr. Williams stated common sense had prevailed and that proposal was dropped.

Mr. Williams mentioned the latest proposal, Pet Paradise, had been going on since March. They had attended several zoning meetings siting noise, barking, pet waste disposals, traffic and odor concerns. Mr. Williams pointed out that the residents did not believe that Pet Paradise should have been allowed as a “permitted by right” category within the Zoning Ordinance, as the veterinary services were not a primary business practice.

Mr. Williams finished with a request to the Planning Commission to please revisit the developmental zoning descriptions in the Zoning Ordinance and realize that the residents had to live in these neighborhoods and to think about that when these future development ideas were presented.

6. **Requests for Preliminary and/or Final Map Approval:**

***The following case has been continued by the applicant until the September 12, 2022, meeting:***

- (a) **S-0322-12** – Mr. Jay Compton is requesting ***Preliminary Plat*** approval for ***Friendly Estates (Woodmeadow Subdivision)***, a 6 lot subdivision located at 2560 Woodmeadow Lane. Limited Resources, LLC, is the property owner and the property is zoned R-2 (Single Family District).

Mr. Shaw stated this case has been **continued** and asked for a motion. Mr. Rice made a motion to approve. Mr. Wieseman seconded the motion. The motion was approved unanimously.

Mr. Shaw stated that in the pre-meeting work session, they had discussed items b, d, and e, and asked if anyone had any questions or comments on these items. There were none. Mr. Shaw asked for a motion. Mr. Wieseman made a motion to approve items b, d, and e as submitted. Mr. Lovoy seconded the motion. On voice vote, these items were approved unanimously.

(b) **S-0822-32** - Mr. Rakesh Patel is requesting ***Final Plat*** approval for property at **4318 Glasscott Crossing** to be subdivided into 3 proposed lots. Mr. Patel is the property owner and the property is zoned PR-1 (Planned Single Family District). (***Approved***)

COMMENTS: NO ISSUES

(c) **S-0822-33** – Mr. Brooks Knapp, representing EBSCO Industries, Inc., and Schoel Engineering Company, Inc., are requesting **Final Plat** approval for **Tattersall Resurvey No. 9**, a proposed 2 lot subdivision. The purpose of this resurvey is to divide one lot into two lots. EBSCO Industries, Inc., is the property owner. This property is zoned PC (Planned Commercial). (*Approved*)

COMMENTS: NO ISSUES. WILL RECOMMEND THE ROAD EXTENSION AREA DESIGNATED AS AN EASEMENT WITH ANY FURTHER SUBDIVISION OF LOT 10. Staff also recommending that the owner submit a copy of the Master Plan especially as it regards to vehicular access of this subdivision prior to any further subdivision of Lot 10.

Mr. Shaw asked if there were any questions or comments. Mr. Mark Clark of Schoel Engineering stepped forward to ask about the access easement for Lot 10A being dedicated by this plat. Mr. Clark asked if they were talking about the road being dedicated as actual ROW and the road being extended into that ROW? Mr. Mac Martin, City Planner, answered that when and if the property was subdivided further, they would recommend to the Planning Commission that it actually be platted as ROW at that time with the extension of the street, Tattersall Drive.

Mr. Wieseman added that his earlier question in the work session was regarding overall traffic circulation on what is planned for the lot and making sure the Master Plan is submitted prior that helps demonstrate vehicular access and circulation patterns. Mr. Clark asked if that was applicable to any further development and Mr. Wieseman answered yes, that was correct. Mr. Clark stated they could make sure that happens.

Mr. Rice then asked if he knew any insight into the future development of the remaining acreage. Mr. Clark stated he couldn't speak for the developer or owner.

Mr. Shaw asked if there were any further questions or comments from the Planning Commission members or audience. There were none. Mr. Shaw asked for a motion. Mr. Wieseman made a motion to approve item (c) S-0822-33 with staff comments (to include road extension) and recommendations that a Master Plan providing vehicular access and traffic circulation be submitted for any further subdivision of Lot 10. Mr. Lovoy seconded the motion. On voice vote, the motion was approved unanimously.

(d) **S-0822-34**– Mr. Scott Rohrer, Blackridge Partners II, LLC, is requesting **Final Plat** approval for **Blackridge South Phase 7 Common Areas**. A request is being made to vacate a part of prescriptive Elvira Road Right-of-Way and to dedicate 2 common area lots. The purpose for requesting to vacate is in the development of Blackridge South and in keeping with the approved Blackridge Planned Unit Development. (*Approved*)

COMMENTS: NO ISSUES.

(e) S-0822-35- Mr. Scott Rohrer, Blackridge Partners, LLC, is requesting Final Plat approval for Blackridge South Phase 7, a proposed 60 residential and 1 common lot area. Blackridge Partners, LLC, is the property owner and the property is zoned PUD PR-1 (Planned Single Family District). (*Approved*)

COMMENTS: **Bond Amount: \$398,000. No issues.**

7. C-0822-09 – Mr. Clint Sukar, Faris for Construction, Inc., is requesting Conditional Use approval for a mixed use project to be located at 1869 Chace Drive. The proposal is to construct a building with commercial use on the ground floor and residential units for sale on the second and third floors. The property is owned by Mr. Gissan Dib and is zoned PC (Planned Commercial). (*Continued*)

RECOMMENDED CONDITIONS/REQUIREMENTS: RECOMMEND APPROVAL WITH THE FOLLOWING CONDITIONS:

- PARKING FOR THE SITE MEET OR EXCEED PARKING STANDARDS PRESCRIBED FOR THE MIXED USE DISTRICT.
- EXHIBITS NOTED AS OUTDATED IN STAFF'S COMMUNICATION TO APPLICANT ON 8-5-2022 BE REVISED TO REFLECT THE LATEST SITE DESIGN.
- MATERIALS FOR THE FAÇADE SHALL BE SIMILAR TO THOSE USED FOR ADJACENT BUILDINGS.
- UPDATE ALL EXHIBITS TO SHOW CONSISTENT PARKING AND LANDSCAPING INFORMATION.
- DUMPSTER SHALL BE SCREENED WITH MATERIALS SIMILAR TO PRIMARY BUILDING.
- PROJECT SHALL SUBSTANTIALLY CONFORM TO THE APPEARANCE PRESENTED IN THE EXHIBITS.
- SIGNS SHALL BE REGULATED BY THE MXD DISTRICT REGULATIONS IN ARTICLE 12 OF THE ZONING ORDINANCE. SIGN PERMITS MUST BE APPLIED FOR SEPARATELY.

OTHER CONSIDERATIONS/COMMENTS:

- PLANNING COMMISSION WILL NEED TO DETERMINE THE APPROPRIATENESS OF UTILIZING THE MIXED USE DISTRICT PARKING CALCULATIONS FOR THIS PROJECT. THE PROJECT MEETS SAID CRITERIA. THE PROJECT DOES NOT MEET PARKING REQUIREMENTS WHEN CONSIDERING BASE CALCULATIONS FOR EACH USE RESPECTIVELY. THE PROJECT CURRENTLY SUPPORTS USE OF THE MIXED USE DISTRICT CALCULATION FOR RESIDENTIAL (1.5 SPACES PER UNIT) AND BASE PARKING REQUIREMENTS FOR RETAIL (4 ½ SPACES PER 1000 SF).

COMPREHENSIVE PLAN: SUPPORTS COMMERCIAL DEVELOPMENT AND MIXED USE/NEIGHBORHOOD CENTERS IN THIS VICINITY.

Mr. Clint Sukar, 5650 Lake Trace Drive, Hoover, AL, was present to represent this case. Mr. Sukar stated he was proposing this unique mixed use project to the city. Mr. Sukar stated the commercial use would be very limited with an additional 12 residential (condo) units. Mr. Reed asked if the residential units were apartments or condos. Mr. Sukar answered the units were condos for sale individually with 12 building permits and people would pay property taxes on each unit. Mr. Sukar stated they would have an attorney draw up regulations for maintaining the common area and the parking lot.

Ms. White asked about the limited parking spaces since this plan was meeting the 1 ½ spaces per residential unit regulation. Ms. White asked Mr. Sukar if he would be making clear to the potential buyers that parking was limited. She stated what they were trying to avoid was the overflow of parking into adjacent properties without arrangements with the other property owners. Mr. Sukar assured her and the other Planning Commission members he would make the parking situation clear to any potential purchaser. Mr. Sukar stated the commercial spaces could be utilized after hours as he predicted those would be utilized for daytime hours only.

Ms. White asked Mr. Sukar about what his intended commercial use was for those spaces. Mr. Sukar stated he felt it probably would be for office spaces. Ms. White then stated that given the commercial spaces would be used for offices, then there would be some shared use in the parking spaces.

Mr. Rice asked Mr. Martin about if there was anything in the Mixed Use District that referenced cross parking being automatic or would Mr. Sukar need to stipulate that Cross parking was allowed between commercial and residential.

Mr. Martin, City Planner, answered that as calculated in the Mixed Use criteria, the uses are considered combined on the particular property they are dealing with and if you had x number of units, it was 1 ½ spaces per unit, and if you had commercial on that same property, it would meet a lower designation. Mr. Martin stated there was no requirement that that parking be separated and it was all calculated together on that site. Mr. Rice then asked if there was anything that prohibits anybody visiting any of these uses from using any of the parking spaces. Mr. Martin answered not to his knowledge.

Mr. Rice asked Mr. Sukar if he would be willing to stipulate there was total cross parking among all his users. Mr. Sukar wanted his engineer to answer that question. Mr. Rice stated that what he was hearing were concerns about total parking.

Mr. Martin interjected to make a correction to something he said earlier after seeing a footnote to the criteria of the Mixed use portion. He explained it said designated off street parking spaces shall be provided for the residential component, so there would have to be spaces dedicated to the residential on-site. Mr. Martin stated there would have to be 1.5 spaces per unit, but there shall be dedicated off street parking spaces provided, but did not specify the number for residential spaces.

Mr. Rice asked if they had to dedicate a certain number of spaces for residential, but did not have to do the same for commercial but could allow residential residents to share the commercial spaces. Mr. Rice also asked if there was anything that would designate the commercial parking vs. the residential parking spaces.

Planning Commission members Ben Wieseman and Nathan Reed commented about their concerns regarding the uncertainty of the parking space plan and some other issues that were not clearly labeled.

Mr. Shaw asked Mr. Sukar if he would be agreeable to continuing the case until the next P&Z meeting, September 12, to give them time to work with City Planner, Mac Martin, and staff. Mr. Sukar agreed to continue the case.

Mr. Shaw asked if there was any public opinion regarding this case.

Mr. Oscar Hunt, 4721 Chace Circle, AL Restoration and MedSpa, stated he was concerned about not enough parking spaces which meant people would be parking in his spaces nor any grassy areas for dogs and their wastes.

Mr. Todd Howell, Chace Lake Family Dentistry, Lot 6C, voiced his opposition to the residential portion of this mixed use project due to parking concerns and dogs using his grounds for waste, therefore, he would have to be cleaning up his property all the time and having residents utilizing his parking spaces.

Ms. Mondonna Movahed,. 1870 Chace Drive, stated she owned the shopping plaza across from this lot, but wasn't in favor of the residential units due to the parking space issues. She was also concerned about her property values.

Mr. Shaw asked if there were any further questions or comments. There were none. Mr. Shaw asked for a motion to continue this case until the September 12, 2022, P&Z meeting. Mr. Weiseman made a motion to continue. Mr. Lovoy seconded the motion. On voice vote, the motion was passed unanimously. Mr. Shaw reminded the audience that no new notices would be mailed out for this continued case, so if interested, to please mark it on their calendar.

With no new business, the meeting was adjourned at 6:27 p.m.

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Vanessa Bradstreet, Zoning Assistant