

MINUTES OF MEETING

HOOVER PLANNING AND ZONING COMMISSION

Date: March 11, 2019
Time: 7:00 PM
Place: Hoover Municipal Center
Present: Ms. Jennifer Peace
Mr. Ben Wieseman
Mr. Allan Rice
Mr. Jason Lovoy
Mr. Sammy Harris
Mr. Mike Shaw
Mr. Mike Wood
Mr. Nathan Reed
Mr. Carl West

Absent:

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. Wood. Mr. Wood then asked the secretary to call the roll in which a quorum was present.

2. Mr. Wood asked Mr. Harris to give the invocation.
3. Mr. Wood asked Mr. West to lead in the Pledge of Allegiance.
4. Mr. Wood stated every Planning Commission member should have received copies of the February 11, 2019, minutes and if no one had any changes to be made, he would ask for a motion to approve as written. Mr. Harris made a motion to approve. Mr. Shaw seconded the motion. On voice vote, the minutes were approved unanimously.
5. The following case has been **WITHDRAWN** by the applicant:

Z-0319-04 – Richard A. Johnson, II, is requesting to **prezone** approximately **24 acres** of unincorporated Shelby County property, pursuant to AL Code Section 11-

11-52-85, to Hoover PR-1 (Planned Single Family) and to amend the Blackridge Planned Unit Development to include said property.

Mr. Wood announced that if anyone had an interest in this case, it would not be heard at this meeting or the meeting next month. Mr. Wood explained this case would not be heard unless they sent out new notices.

6. The following case has been **CONTINUED** by the applicant until the April 8, 2019, Planning Commission meeting.

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).

Mr. Wood stated this case would be held at the April 8, 2019, 5:30 pm meeting and no new notices would be sent out.

7. **REQUESTS FOR PRELIMINARY AND/OR FINAL MAP APPROVAL:**

Mr. Wood stated the Planning Commission had an opportunity during work session to satisfy themselves with any questions they might have on the following subdivision cases. Mr. Wood stated he would read the subdivision cases at this time and if anyone had any questions to please raise their hand and they would move that case to the end of the agenda to go over it and answer any questions. Mr. Wood asked if there were any questions on what he had just said and there were none.

- (a) **S-0319-09** - Derek S. Meadows, Gonzalez-Strength & Associates, representing the City of Hoover, is requesting **Final Plat** approval for **Shelby Development Park Plat No. 2**, located along Valleydale Road and Jaguar Drive. The purpose of this plat is to subdivide one lot into two lots. The City of Hoover is the property owner and the property is zoned A-1 (Agriculture District). ***APPROVED***

Staff Comments: – Recommend approval.

Derek S. Meadows, Gonzalez-Strength & Associates, Parkway Lake Drive, Hoover, AL, was present to represent this case. Mr. Wood asked if there were any questions on this case. There were none.

- (b) **S-0319-10** – Mr. Scott Rohrer, SB Dev. Corp., d/b/a Signature Homes, is requesting **Final Plat** approval for **Lake Wilborn Phase 4B**, a proposed 55 lot subdivision located on Griffin Way. P.R. Wilborn, LLC, is the property owner and the property is zoned PUD PR-1. ***APPROVED***

Staff Comments: Recommend approval contingent upon the applicant providing a guarantee in the amount of \$400,000.

Mr. Richard Johnson, representing Signature Homes, was present to represent this case. Mr. Wood asked him if he was ok with the \$400,000 guarantee. Mr. Johnson responded he was ok with the guarantee.

- (c) **S-0319-11** – Mr. Walter Britt is requesting *Final Plat* approval for **Resurvey Lot 1 Inverness Corners Subdivision**, a 2 lot subdivision. The purpose of the plat is to subdivide Lot 1 into 2 lots. Branch Inverness Associates, LP, is the property owner and the property is zoned PC (Planned Commercial).
APPROVED

Staff Comments: Recommend approval contingent upon the applicant adding notes as required concerning cross parking/access easements to the final plat.

Mr. Walter Britt was present to represent this case. Mr. Wood asked Mr. Britt about the cross parking easements that had to be on the map before they signed. Mr. Britt answered he understood and was ok with this.

Mr. Wood asked if there were any other comments on any of the cases he just read. There were none. Mr. Wood asked for a motion. Mr. Nathan Reed made a motion to approve cases S-0319-09, S-0319-10, and S-0319-11. Mr. Mike Shaw seconded the motion. On voice vote, the cases were unanimously approved with the exception of all members voting “aye” on case S-0319-10, item 7(b), for which Mr. Harris abstained.

The following cases (**Items 8 & 9**) were **continued** at the February 11, 2019, P&Z meeting:

8. **Z-0219-03** – Zoning Amendment for PUD Timeline. **APPROVED**

Staff Comments: Amendment would add a month to the timeline prior to Planning Commission consideration for considering a PUD ordinance.

Mr. Mac Martin, City Planner, explained this zoning amendment dealt with amending the Planning Unit Development timeline for new PUDs to allow for an additional month of discussion and review by staff, an initial meeting by the Planning Commission where there was a presentation and informal discussion, and then a month later, a second Planning Commission meeting at which the actual public hearing and actual consideration for the PUD.

Mr. Wood explained they had ample time to discuss during the work session and asked if there were any comments from anyone in the audience. There were no comments. Mr. Wood asked for a motion. Mr. Rice made a motion to approve. Ms. Peace seconded the motion. On voice vote, the motion was approved unanimously.

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

Staff Comments: Amendment would alter the scheduled submittal deadline for Final Plats so it coincides with all other applications for Planning Commission agendas.

Mr. Mac Martin, City Planner, explained this amendment would require that Final Plats be submitted 21 (twenty-one) days prior to the meeting instead of the current 14 (fourteen) days. Mr. Martin stated this was to allow all of the applications going forward to Planning Commission be better integrated into the city's review schedule for each of the items and to allow staff to give better feedback to customers in a timely fashion.

Mr. Wood asked if there was any way the city could notify developers and engineers so that they didn't come in and get blind sighted by the new deadline. Mr. Martin stated absolutely the city could do this, and also, there would be a grace period involved to let the customers get used to the new deadline.

Mr. Wood asked if there were any questions from Board members or the audience. There were no questions. Mr. Wood asked for a motion. Mr. Rice made a motion to approve. Mr. Harris seconded the motion. On voice vote, the motion was approved unanimously.

10. **C-0319-04** – Joseph Miller, MTM Engineers, representing Zac Parrish, is requesting Conditional Use approval for a self-storage facility and strip retail center. This facility is to be located at 5281 Ross Bridge Parkway. The owner of the property is Zac Parrish and it is zoned C-2 (Community Business District).

Staff Comments: (a) **Please show all required/proposed sidewalks on latest plan.** (b) **Drive aisle should be two-way between the retail stores and the 18 space lot to the north.** **Fire Hydrant layout to be reviewed with Fire Marshal during plan submittal for construction.** **APPROVED**

Mr. Wood asked Mr. Duke Moore, Fire Marshal, to please explain the fire hydrant layout. Mr. Moore explained the Fire Hydrant layout would need to be reviewed with the Fire Marshal's office during the Plans submittal for construction phase. Mr. Moore stated he wanted to make sure the applicant knew that the hydrant layout currently shown on their plans would need to be changed somewhat.

Mr. Joey Miller, Civil Engineer and Land Surveyor, 2217 10th Ct. South, Birmingham, AL, 35205, was present to represent this case. Mr. Miller stated what they were proposing was a three story, self-storage, fully heated/cooled building and 5 retail, boutique type shops. Mr. Miller stated they were proposing putting in a dry cleaners, maybe a small restaurant, and those type businesses.

Mr. Miller discussed the fact that the traffic should be two-way going into the 2929 parking bay area. Mr. Miller stated it was 24 feet wide and sufficient for two-way traffic. Mr. Miller explained the property was located just behind the Walgreens and would be using what looked like Walgreen's driveway. Mr. Miller explained the driveway was actually on Lot 3's property, and was a joint use ingress/egress easement for their property and the property to the east of them.

Mr. Ben Wieseman asked what the back of the buildings would look like that faced Hwy 150. Mr. Miller stated they would be brick, with a service door, sidewalk, and landscaping between. Mr. Miller explained they would look like the rest of the building. Mr. Wieseman asked if there would be any signage on the rear. Mr. Miller stated there probably would be, and that they would meet the sign ordinance of Hoover. Mr. Wieseman stated he wanted to make sure they were thinking through the sign package.

Mr. Wieseman asked about the sidewalk layout. Mr. Wieseman stated the sidewalks addressed immediate parking but did not connect to one another. Mr. Wieseman stated they would connect them so they would have a cross walk. Mr. Miller also addressed the comment about the sidewalk on Hwy 150. Mr. Miller stated he needed to have that comment clarified, as much of their property was low grade to the bridge and did not know where the sidewalk would go.

Mr. Rod Long, City Engineer, stated he had mentioned in a previous meeting that there is a requirement now in our Sub-division Regulations for sidewalks along the DOT frontage and there may be limited or no frontage there. Mr. Miller pointed out on a rendering where their frontage drops below the grade of the bridge. Mr. Long stated that DOT would have to approve any frontage sidewalks on Hwy 150 which could be doubtful in this location and secondly, if the applicant requested a variance, it could go to BZA.

Mr. Rice asked Mr. Long when the sidewalk ordinance was being drafted if there wasn't some relief built in. Mr. Long answered he remembered there was some relief with matters of terrain. Mr. Shaw replied that were some provisions concerning sidewalks and terrain. Mr. Harris asked if the bridge had a walk way across it. Mr. Miller answered no, it did not. Mr. Long replied, too, that it had a very wide shoulder, but no walk way. Mr. Rice added that the City would like to see sidewalks where they were feasible and reasonable, and would rather have them than not, but also did not want to require them if they just couldn't be built or weren't pedestrian through ways.

Mr. Wieseman asked about the number of dumpsters and their locations. Mr. Wood stated to Mr. Miller that it appeared his parking was pretty tight and asked if he was going to be able to get the dumpster in and still have enough parking. Mr. Wood also asked about the dry cleaners and drive throughs as the drive through would take up parking spaces as well.

Mr. Wood asked if there were any other questions. Mr. Shelly Waites, Deer Valley, asked where is the primary entrance and exit to the new development. Mr. Wood

answered that based on information provided, it was the driveway to Walgreens and would have access over to Deer Valley where it would exit and use the traffic light at Hwy 150. Mr. Waites asked if the main entrance and exit would be off Hwy 150. Mr. Wood explained he thought that was their intent.

Mr. Joey Miller stated there was an existing driveway there now and they would use that driveway. Mr. Waites asked if there would be signage on Ross Bridge Parkway to direct traffic in there. Mr. Miller responded as far as he knew, there would not be, as they did not have road frontage on Ross Bridge Parkway. Mr. Miller emphasized their frontage was on Hwy 150.

Mr. Stan Marks, 5274 Cottage Lane, had some questions regarding the ingress and egress regarding where one would enter the Walgreen's. Mr. Miller answered people could drive in that way currently and there were easements already in place. Mr. Marks asked if there was a way to address additional traffic off of Deer Trail Road and could it be limited in any way. Mr. Marks voiced his concerns that there was not much of a median coming off Deer Trail Road and the extra traffic would make it worse. Mr. Marks asked if a traffic study had been done. Mr. Miller answered a traffic study had not been done.

Mr. Marks then asked about the sidewalk plan and asked if they would be able to tie-in with the existing sidewalks. Mr. Marks asked about the facade of the facility. Mr. Zac Parrish, builder, 8673 Lake Drive, Bessemer, AL, 35022, stated the building would be 85% brick with some stone and stucco accents.

Mr. Parrish commented that the storage units were only minimal regarding traffic concerns.

Mr. Shaw asked Mr. Parrish if he would be ok with putting in as a condition for the 80% brick facade as part of the Conditional Use approval. Mr. Parrish agreed.

Mr. Marks then talked about the renderings submitted for the store fronts and asked if this request would limit them to this or could someone later revise them in any way. Mr. Wood replied they could not increase the size of the building but could remove a tenant wall between spaces. Mr. Marks asked if the applicants could agree to make the retail spaces reflective, responsible and respectful of the residents living near by. Mr. Wood answered if the applicant chose to do that, he could, but that would be up to the applicant. Mr. Parrish stated he would not be able to limit the shops to one or two at this time.

Mr. Joey Miller added that whatever went in there, they would have to abide by the City of Hoover's parking requirements.

Mr. Bobby Buttram – 1589 Deer Valley Drive, spoke about the traffic in the mornings and afternoon, school traffic, and school buses, and suggested they install a traffic signal. Mr. Wood stated in his opinion that probably would not justify a traffic signal.

Ms. Amanda Knight, 1285 Deer Trail Road, had a question about the entrance. Mr. Miller showed her on the map where the entrance would be. Ms. Knight stated they were concerned about the traffic patterns as well.

Mr. Wood asked if there were any other questions. There were none. Mr. Wood asked for a motion. Mr. Shaw made a motion to approve C-0319-04 with the 80% brick facade structural requirement. Mr. Rice seconded the motion. On voice vote, the motion was approved.

11. C-0319-05 – Mr. Joseph Parsley, Carlson Consulting Engineers, is requesting **Conditional Use** approval for a retail strip shopping center to be located at **1539 and 1541 Montgomery Highway**. This property is owned by Orange Hoover 31, LLC, and is zoned C-2 (Community Business District) and C-3 (General Business District). **APPROVED**

Applicant received approval from the BZA of the following variances:

1. Relief on 27 required on-premise parking spaces (these spaces are included in the ROW)
2. Relief on required front setbacks – 35 feet on US 31 side, 40 feet on Lorna Side
3. Relief on required landscaping – 330 square feet on interior landscaping; waive required parking perimeter landscaping on-premise (some is offered with the ROW)
4. ALDOT has given conceptual approval of adjusted access and signal work for the site. The letter sent to the applicant from ALDOT references the conceptual site plan including the aforementioned improvements in the ROW. The owner/developer acknowledges that ALDOT retains the right to access and use the ROW at their discretion, even to the point of requiring removal of the improvements.

Staff Comments: Cross Parking agreement required for required parking located on adjacent property to the south.

Mr. Donn Fizer, Orange Development, 1200 Corporate Drive, Ste G50, Birmingham, AL 35242, was present to represent this case. Mr. Fizer confirmed they had gone to BZA for variances described above. Mr. Fizer stated they owned the property to the south and would integrate this cross parking agreement with their site plan approval process.

Mr. Fizer explained they were requesting Conditional Use approval for the retail development. He discussed having demolished the old Mr. Transmission and Mexico Lindo, met with ALDOT and showed them their preliminary development plan and approval for improvements to include a dedicated left hand turn lane, southbound on Hwy 31 at the traffic light, closing two curb cuts to clean up the access on Hwy 31, and maintaining the other two curb cuts.

Mr. Wood asked Mr. Fizer if he was aware that ALDOT had the right to come in there and wipe out the biggest part of their parking if they chose to do so. Mr. Fizer stated he did understand and had met with them twice.

Mr. Rice added that the city did appreciate that Mr. Fizer and his company were making some traffic improvements as part of their development. Mr. Rice stated it would be a better flow and better control in that section of Hwy 31. Mr. Rice thanked Mr. Fizer for taking the opportunity to close up some of the curb cuts and do some things to improve the traffic flow for everybody.

Mr. Wieseman asked about the overall height of the building and how it compared to the height of Lorna Road. Mr. Fizer answered that Lorna Road was currently about 30 feet above them and they would not be above that height. Mr. Wieseman asked about the conceptual elevation and if that was pretty close to what Mr. Fizer was thinking. Mr. Fizer answered they had just gotten that information in and anything they had done in the past was always top notch and understood that this was the gateway into Hoover and they wanted it to be very nice.

Mr. Shaw added he would like to compliment them as well for doing all the extra leg work they had to do to make this property work for them and adding all the improvements to improve the traffic flow.

Mr. Wood asked if there were any other comments. There were none. Mr. Wood asked for a motion. Mr. Harris made a motion to approve. Mr. Reed seconded the motion. On voice vote, the motion was approved unanimously.

There being no further business, the meeting was adjourned.

Vanessa Bradstreet
Zoning Assistant