

**CITY OF HOOVER**  
**PLANNING AND ZONING**  
**SUMMARY**  
**MAY 11, 2020**

The Planning and Zoning Commission of the City of Hoover met in regular session on this date at 6:00 PM, via teleconference/video conference, following publication and posting pursuant to Alabama Law. Chairman Mike Wood called the meeting to order and the City Clerk called the roll with the following:

**Members Present:** Mike Wood, Chairman  
Jennifer Peace, Chairman Pro-Tem  
Jason Lovoy, Commission Member  
Nathan Reed, Commission Member  
Allan Rice, Commission Member\*  
Mike Shaw, Commission Member  
Carl West, Commission Member  
Ben Weiseman, Commission Member  
Becky White, Commission Member  
\*Arrived at 6:07 p.m.

**Other Officials Present:** Rod Evans, Assistant City Attorney  
Wendy Dickerson, City Clerk  
Mac Martin, City Planner  
Chris Reeves, City Engineer

Mike Shaw led the invocation.

Mr. West led the Pledge of Allegiance.

**MINUTES**

The minutes of the January 13, 2020, (Regular Meeting) and March 9, 2020, (Regular Meeting) was presented for approval.

**MOTION:** Motion to dispense with the reading of the minutes of the January 13, 2020, (Regular Meeting) and March 9, 2020, (Regular Meeting) and approve them as presented was by Mr. Shaw and second by Mr. Reed. Mr. Wood called for a roll call vote.

Mr. Lovoy – yes	Ms. Peace – yes
Mr. Reed – yes	Mr. Shaw – yes
Mr. West – yes	Mr. Weiseman – yes

Ms. White– yes

Mr. Wood - yes

Motion carried.

The motion carried approving the minutes of the January 13, 2020, (Regular Meeting) and March 9, 2020, (Regular Meeting).

Mr. Rice arrived on teleconference at 6:07 p.m. right after the approval of minutes.

## CONTINUED ITEMS

Mr. Mike Wood announced that the following cases have been continued until the **June 8, 2020**, P&Z meeting:

### PRELIMINARY PLAT

**S-1119-43** – David Rawson, MTTR Engineers, Inc., representing Multi-Vest LLC/Baronwood Property, LLC, is requesting **Preliminary Plat** approval for **Baronwood Commercial Subdivision**, being a resurvey of Lots 4 & 5 of 2<sup>nd</sup> Amendment to ATI Industrial Park subdivision and acreage. This is a proposed 4-lot subdivision located off Medford Drive/ATI Parkway. The property is owned by Multi-Vest LLC/Baronwood Property LLC, and is zoned I-1 (Light Industrial District) in Hoover and R-4 in Jefferson County.

### FINAL PLAT

**S-0520-20** – SB Dev. Corp. d/b/a Signature Homes is requesting **Final Plat** approval for **Lake Wilborn Phase 6B** a proposed 68-lot subdivision located at the end of Coates Pass in Trace Crossings. The property is owned by PR Wilborn, LLC, and is zoned PUD PR-1.

## PRELIMINARY AND FINAL PLATS

### FINAL PLAT

**S-0520-16** – Mr. Frank Paduch is requesting **Final Plat** approval for a **Resurvey of Lot 63-Greystone 5<sup>th</sup> Sector Phase 1** located at 801 Royal Terrace. The purpose of this plat is to vacate a drainage easement. George and Nerrin Zaharias are the property owners and the property is zoned PR-1 (Planned Single Family District).

Mr. Wood read a summary of the case.

Mr. Chris Reeves explained the request. The purpose of this request is to vacate a portion of an easement on the property for the purpose of a pool. The easement is large and with an on-site visit and review of the plat, it has been determined that the portion to be vacated was unneeded. All vacation letters have been submitted and staff recommends approval.

Mr. Wood asked if there were any questions or comments from the Commission, applicant or audience. There being none, Mr. Wood called for the question with a roll call vote.

**MOTION** Motion to approve the Final Plat for a **Resurvey of Lot 63-Greystone 5<sup>th</sup> Sector Phase 1** was made by Mr. West and seconded by Mr. Shaw.

Mr. Lovoy – yes	Ms. Peace– yes
Mr. Reed – yes	Mr. Shaw – yes
Mr. Rice – yes	Mr. West – yes
Mr. Wiseman – yes	Ms. White– yes
Mr. Wood - yes	Motion carried.

Motion carried approving the final plat for a **Resurvey of Lot 63-Greystone 5<sup>th</sup> Sector Phase 1**.

### **FINAL PLAT**

**S-0520-18** – Lance Kitchens, CK Enterprises, LLC, is requesting ***Final Plat*** approval for **Smith Farm Phase 1**, purpose being to create a separate parcel of land for the existing home site located at 2431 Savoy Street. The property owner is CK Enterprises, LLC, and the property is zoned R-1.

Mr. Wood read a summary of the case.

Mr. Chris Reeves explained the request. The purpose of the request is for two lots. One lot will include the existing home.

Mr. Mac Martin stated that this is a shifting of property boundaries.

Mr. Wood asked if there were any questions or comments from the Commission, applicant or audience. There being none, Mr. Wood called for the question with a roll call vote.

**MOTION** Motion to approve the Final Plat for a **Smith Farm Phase 1** was made by Mr. Rice and seconded by Ms. Peace.

Mr. Lovoy – yes	Ms. Peace– yes
Mr. Reed – yes	Mr. Shaw – yes
Mr. Rice – yes	Mr. West – yes
Mr. Wiseman – yes	Ms. White– yes
Mr. Wood - yes	Motion carried.

Motion carried approving the final plat for **Smith Farm Phase 1**.

### **PRELIMINARY PLAT**

**S-0520-17** – Mr. Lance Kitchens, CK Enterprises, LLC, is requesting ***Preliminary Plat*** approval for **Smith Farm Subdivision-Phase 1A** a proposed 23-lot subdivision

located at 2429 Savoy Street. This property is zoned R-1 and A-1. CK Enterprises, LLC, is the property owner.

Mr. Wood read a summary of the case.

Mr. Chris Reeves explained the request. The acreage for Phase 1A is approximately 12½ acres and will include 23 lots zoned R-1. Only the R-1 property is shown on the plat. The applicant has addressed storm water. The phase has two storm water management facilities shown in the common area. The storm water facilities meets the requirements of the Ordinance adopted a few months ago. The site distance is adequate. Sanitary sewer will be through Jefferson County Environmental Services. All required permits from ADEM, Corp of Engineers and any offsite easements required by Jefferson County Environmental Services must be provided before this site is permitted for construction. The City Staff recommends approval with that being met.

Mr. Martin stated that a front setback should be added to Lot 1.1.

Mr. Wood asked if there were any questions or comments from the Commission, applicant or audience.

Mr. Shaw asked for the final version of the plat.

Mrs. Dickerson showed the final version.

Mr. Martin confirmed the final version. He explained that only the portion of the property zoned R-1 was included in the plat for residences and a portion of the area zoned E-2 proposed as common area for storm water retention.

Mr. Shaw asked if the lots are consistent with the zoning.

Mr. Martin stated that it is.

Mr. Wood asked if there were any other questions or comments from the Commission, applicant or audience. There being none, Mr. Wood called for the question with a roll call vote.

**MOTION** Motion to approve the Preliminary Plat for a **Smith Farm Subdivision-Phase 1A** was made by Mr. Weiseman and seconded by Mr. Reed.

Mr. Lovoy – yes	Ms. Peace– yes
Mr. Reed – yes	Mr. Shaw – yes
Mr. Rice – yes	Mr. West – yes
Mr. Weiseman – yes	Ms. White– yes
Mr. Wood - yes	Motion carried.

Motion carried approving the preliminary plat for **Smith Farm Subdivision-Phase 1A**.

### **PRELIMINARY PLAT**

**S-0520-19** – SB Dev. Corp. d/b/a Signature Homes is requesting *Preliminary Plat* approval for ***Lake Wilborn Phase 8*** a proposed 60 lot subdivision located on the west end of Trip Run in Trace Crossings. The owner of the property is PR Wilborn, LLC, and it is zoned PUD PR-1.

Mr. Wood read a summary of the case.

Mr. Chris Reeves explained the request. The total acreage is 31 acres and it will include 60 residential lots. It will, also, connection to the walking trail/emergency access to Lake Wilborn Phase 3. The staff recommends that the design and construction of walking trail/emergency access should be completed with the construction of this subdivision. It should be constructed of an improved surface to the satisfaction of the Hoover Fire Marshall. The applicant is in agreement. The applicant is, also, requesting a variance for the sidewalk installation on the north side of Trip Run to Iris Drive, Lot 801. The staff recommends the Planning Commission consider this at the applicant's request. Sanitary sewer will be through Jefferson County Environmental Services. Water will be provided through Birmingham Water Works. The applicant has submitted a waiver request for compliance with the new Stormwater Ordinance. The review is currently being looked at by the storm water consultant. Staff has added that this subdivision is to be designed to meet all of the requirements of the Stormwater Ordinance prior to permitting. Staff recommends approval with the contingencies.

Mr. Wood asked if there were any questions or comments from the Commission, applicant or audience.

Mr. Bob Easley, Alabama Engineering, Alford Avenue, stated that the variance requested for the sidewalk is keeping with the sidewalk plan of Flemming Farms, Phase 2. There was no sidewalk on the north side of that phase. The request is because there would be no sidewalk to tie it in to.

Mr. Rice wanted clarification of the sidewalk variance. He asked if this was for one side of the street.

Mr. Wood stated yes.

Mr. Easley stated the area that they are asking for the variance on, is for the Alabama Power Easement. The rest of the neighborhood will have sidewalks on both sides of the street.

Mr. Rice asked about the variance from the Stormwater Ordinance. He asked if the staff does not recommend a variance or based on the recommendation of the consultant.

Mr. Reeves stated that it should be based on the recommendation of the consultant.

Mr. Wood asked if there were any other questions or comments from the Commission, applicant or audience. There being none, Mr. Wood called for the question with a roll call vote.

**MOTION** Motion to approve the Preliminary Plat for a **Lake Wilborn Phase 8** was made by Mr. Rice and a second by Mr. Shaw with the following contingencies:

1. The design and construction of walking trail/emergency access should be completed with the construction of this subdivision; and
2. It should be constructed of an improved surface to the satisfaction of the Hoover Fire Marshall; and
3. Variance to not install the sidewalk on the north side of Trip Run to Iris Drive, Lot 801, and
4. Stormwater Compliance will be subject to the determination of the recommendations by the City's stormwater consultant and the City Engineer.

Mr. Lovoy – yes

Ms. Peace– yes

Mr. Reed – yes

Mr. Shaw – yes

Mr. Rice – yes

Mr. West – yes

Mr. Weiseman – yes

Ms. White– yes

Mr. Wood - yes

Motion carried.

Motion carried approving the preliminary plat for **Lake Wilborn Phase 8** with the following contingencies:

1. The design and construction of walking trail/emergency access should be completed with the construction of this subdivision; and
2. It should be constructed of an improved surface to the satisfaction of the Hoover Fire Marshall; and
3. Variance to not install the sidewalk on the north side of Trip Run to Iris Drive, Lot 801, and
4. Stormwater Compliance will be subject to the determination of the recommendations by the City's stormwater consultant and the City Engineer.

### **FINAL PLAT**

**S-0520-21** – SB Dev. Corp. d/b/a Signature Homes is requesting ***Final Plat*** approval for **Abingdon by the River Phase 1** (formerly Flemming Farms Phase 3), a proposed 33 lot subdivision located off of Flemming Parkway. The property is owned by SB Dev. Corp. and is zoned PUD PR-1.

Mr. Wood read a summary of the case. The City Engineer recommends approval contingent upon the applicant providing a guarantee in the amount of \$265,100 and the word future development needs to be changed to future park.

Mr. Chris Reeves explained the request. The purpose of the request is for thirty-three lots and six common area lots. The staff recommends approval contingent upon the applicant providing a guarantee in the amount of \$265,100.

Mr. Mac Martin stated that the word future development to be changed to future park is on the South and East of the plat.

Mr. Wood asked if there were any questions or comments from the Commission, applicant or audience.

Mr. Wood asked the applicant if he understood that the City is requesting a guarantee of \$265,100.

Mr. Easley stated that he does.

Mr. Wood asked the applicant if he was aware of the future development to be changed to future park.

Mr. Easley stated that he is.

Mr. Wood asked if there were any other questions. There being none, Mr. Wood called for the question with a roll call vote.

**MOTION** Motion to approve the Final Plat for **Abingdon by the River Phase 1** was made by Ms. White and seconded by Mr. Shaw with the following contingencies:

1. The applicant provide a guarantee in the amount of \$265,100; and
2. Future development needs to be changed to future park.

Mr. Lovoy – yes

Ms. Peace– yes

Mr. Reed – yes

Mr. Shaw – yes

Mr. Rice – yes

Mr. West – yes

Mr. Weiseman – yes

Ms. White– yes

Mr. Wood - yes

Motion carried.

Motion carried approving the final plat for **Abingdon by the River Phase 1** with the following contingencies:

1. The applicant provide a guarantee in the amount of \$265,100; and
2. Future development needs to be changed to future park.

### **PRELIMINARY PLAT**

**S-0520-22** – Scott Rohrer, SB Dev. Corp. d/b/a Signature Homes, is requesting **Preliminary Plat** approval for **Flemming Farms Phase 5**, a 47 residential lot subdivision located at the south end of Flemming Parkway. The property owner is SB Dev. Corp. and it is zoned PUD PR-1.

Mr. Wood read a summary of the case.

Mr. Chris Reeves explained the request. The subdivision includes 21.1 acres. The purpose of the request is for forty-seven residential lots. Sanitary sewer will be through Jefferson County Environmental Services. Water will be through Birmingham Water Works. There is, also, a preliminary grading plan for Phase 6, which is northeast and adjacent to this phase. This will balance dirt and earthwork needed in the phases. He stated that he has received a waiver from the

Stormwater Ordinance. Staff has added that this subdivision is to be designed to meet all of the requirements of the Stormwater Ordinance prior to permitting. The property to the south is potentially being landlocked. The applicant will be donating the property to the south of Annika Drive to the City of Hoover for construction of a future park. The City will grant an access easement to the adjacent landlocked parcel once this donation has occurred. Staff recommends approval with the contingencies.

Mr. Wood asked if there were any questions or comments from the Commission, applicant or audience. There being none, Mr. Wood called for the question with a roll call vote.

- MOTION** Motion to approve the Final Plat for *Flemming Farms Phase 5* was made by Mr. Rice and seconded by Mr. Shaw with the following contingencies:
1. The Stormwater Compliance will be subject to the determination of the recommendations by the City's stormwater consultant and the City Engineer; and
  2. The donation the property to the south of Annika Drive to the City of Hoover for construction of a future park and the City will grant an access easement to the adjacent landlocked parcel once this donation has occurred.

Mr. Reeves stated that the Fire Marshall had comments for page C6.0 Utility Plan, the newly installed water mains are shown but there are no additional hydrants indicated. New hydrants will be required along the Annika Drive extension and Sunny Lane. Hydrants will be located and installed in accordance with the ordinances of the City of Hoover and will require the approval of the Fire Marshal concerning location and spacing.

- MOTION** Motion to amend the motion to approve the Final Plat for *Flemming Farms Phase 5* was made by Mr. Rice and seconded by Mr. Shaw with the following contingencies:
1. The Stormwater Compliance will be subject to the determination of the recommendations by the City's stormwater consultant and the City Engineer; and
  2. The donation the property to the south of Annika Drive to the City of Hoover for construction of a future park and the City will grant an access easement to the adjacent landlocked parcel once this donation has occurred; and
  3. New hydrants will be required along the Annika Drive extension and Sunny Lane. Hydrants will be located and installed in accordance with the ordinances of the City of Hoover and will require the approval of the Fire Marshal concerning location and spacing.

Mr. Wood left the meeting temporarily due to technical difficulties.

Ms. Peace asked the applicant, Mr. Easley if he understood the contingencies.

Mr. Easley stated that he does.

Ms. Peace asked for a roll call vote.

Mr. Lovoy – yes	Ms. Peace– yes
Mr. Reed – yes	Mr. Shaw – yes
Mr. Rice – yes	Mr. West – yes
Mr. Weiseman – yes	Ms. White– yes
Mr. Wood - yes	Motion carried.

Motion carried approving the final plat for **Flemming Farms Phase 5** with the following contingencies:

1. The Stormwater Compliance will be subject to the determination of the recommendations by the City’s stormwater consultant and the City Engineer; and
2. The donation the property to the south of Annika Drive to the City of Hoover for construction of a future park and the City will grant an access easement to the adjacent landlocked parcel once this donation has occurred; and
3. New hydrants will be required along the Annika Drive extension and Sunny Lane. Hydrants will be located and installed in accordance with the ordinances of the City of Hoover and will require the approval of the Fire Marshal concerning location and spacing.

## CONDITIONAL USE

### CONDITIONAL USE

**C-0520-04-** Richard A. Johnson, II, representing SB Dev. Corp. d/b/a Signature Homes is requesting **Conditional Use** approval for an **Amenity Center for Abingdon by the River** to be located off Flemming Parkway. The Amenity Center will include a clubhouse and swimming pool and other related appurtenances. The property is owned by SB Dev. Corp. and is zoned PUD PR-1.

Ms. Peace read a summary of the case. She stated that staff comments include the following:

1. Landscape plans should be revised to show future park path to the north and east of the site.
2. Landscape plan indicates the drop-off area directly in front of the clubhouse is landscaped rather than concrete like the site plan shows.
3. Will there need to be any handrails for sidewalk located on top of the dam?
4. If lighting is planned for the parking lot, will need to coordinate with landscaping to ensure no conflicts.
5. These items can be addressed with the permit site plan set.

Mr. Martin stated that the comments are minor and can be addressed in the permitting process. He stated that he does want to make sure that if a handrail is needed that it will be added.

Mr. Wood returned to the meeting.

Mr. Wood asked if there were any questions or comments from the Commission, applicant or audience.

Mr. Johnson, Market Street, stated that he has no comments.

Mr. Wood asked if there were any other questions. There being none, Mr. Wood called for the question with a roll call vote.

**MOTION** Motion to approve the Conditional Use for an *Amenity Center for Abingdon by the River* to be located off Flemming Parkway was made by Mr. Shaw and seconded by Mr. Rice with the contingency that the following is addressed in the permitting set:

1. Landscape plans should be revised to show future park path to the north and east of the site.
2. Landscape plan indicates the drop-off area directly in front of the clubhouse is landscaped rather than concrete like the site plan shows.
3. Will there need to be any handrails for sidewalk located on top of the dam?
4. If lighting is planned for the parking lot, will need to coordinate with landscaping to ensure no conflicts.
5. These items can be addressed with the permit site plan set.

Mr. Lovoy – yes

Ms. Peace– yes

Mr. Reed – yes

Mr. Shaw – yes

Mr. Rice – yes

Mr. West – yes

Mr. Weiseman – yes

Ms. White– yes

Mr. Wood - yes

Motion carried.

Motion carried approving the Conditional Use for an *Amenity Center for Abingdon by the River* to be located off Flemming Parkway with the contingency that the following is addressed in the permitting set:

1. Landscape plans should be revised to show future park path to the north and east of the site.
2. Landscape plan indicates the drop-off area directly in front of the clubhouse is landscaped rather than concrete like the site plan shows.
3. Will there need to be any handrails for sidewalk located on top of the dam?
4. If lighting is planned for the parking lot, will need to coordinate with landscaping to ensure no conflicts.
5. These items can be addressed with the permit site plan set.

### COMMENTS/QUESTIONS

There will be a special called meeting on May 19, 2020, at 5:00 p.m. for case of Smith's Addition to Greystone Legacy.

There being no further business, the meeting was adjourned at 6:14 p.m.