

MINUTES OF MEETING

HOOVER PLANNING AND ZONING COMMISSION

Date: April 8, 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

Absent: Mr. Carl West
Mr. Jason Lovoy

Also Present: Mr. Rod Long, City Engineer
Mr. Chris Reeves, Assistant City Engineer
Mr. Jim Wyatt, Director, Building Inspections
Mr. Duke Moore, Fire Marshal
Mr. Mac Martin, City Planner
Ms. Vanessa Bradstreet, Secretary, P&Z Commission

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 Ms. Peace to lead in the Pledge of Allegiance.
4. Mr. Wood stated every Planning Commission member should have received copies of the March 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.

Mr. Wood then addressed the crowd that was gathered in the Council Chambers and explained to them that if they were present to discuss a potential new road in the Trace Crossings area and explained to them they were in the wrong meeting. Mr. Wood explained this was not the right meeting to discuss with them anything about the road.

Mr. Wood explained it was not on the agenda and there was no conversation they were going to have about the road. Mr. Wood stated he wasn't asking anyone to leave and if anyone had something they wanted to discuss, the Planning Commission would listen to a couple of people; however he emphasized again this meeting was not the venue to discuss the road. Mr. Wood stated the road proposal would be a City Council meeting to discuss the road as that would be a City Council decision, not the Planning Commission. Mr. Wood added they also would not be discussing anything about the Comprehensive Plan as that was out for revisions at the current time and didn't know exactly when it would be put on the P&Z agenda again for a vote.

Mr. Mark Punaty, Willow Trace, came to the podium to discuss the road approvals. Mr. Punaty stated there were many residents from Willow Trace, Park Trace in Trace Crossings, as well as from Cahaba River Estates. Mr. Punaty stated the reason they were here at the P&Z Commission meeting was to try to understand more about when the road proposals would be discussed.

Mr. Rice volunteered to stay after the meeting and discuss the road approvals if anyone wanted to stay. Mr. Mike Shaw spoke up to say that Planning & Zoning would not be involved at all with that decision and the only reason they were mentioned at all was because it was mentioned in the Comprehensive Plan.

Mr. Wood asked if anyone else had something to talk about in regards to this road. Nobody raised their hand.

5. The following case was CONTINUED by the applicant until the May 13, 2019, P&Z 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 announced this case had been continued and would be heard at the May 13, 2019, meeting and if anyone here was interested in this case, please come back on May 13, 2019, at the same time. Mr. Wood added that no new notices would go out.

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

(a) **S-0419-12** – Mr. Paul Carruthers is requesting **Final Plat** approval for the Carruthers Resurvey of Shades Cliff, regarding property south of 2233 Pine Lane for which the unopened public right-of-way is being vacated. Mr. Carruthers is the property owner and the property is zoned R-1 (Single Family Residential) District. (Note: Rescind

previous plat approval – Case # S-1118-39 – Approved – 11-13-18 and Resolution No. 5907-18 – 11-19-18) April 15th CC

Staff Comments: Recommend approval.

APPROVED

Mr. Wood announced the P&Z Commission needed to rescind the previous case. Mr. Paul Carruthers, 2233 Pine Lane, was present to represent his case. Mr. Carruthers explained his case regarding the right of way. Mr. Wood stated this case had been approved previously and asked Mr. Carruthers if he understood that. Mr. Carruthers answered he did. Mr. Wood asked if there were any questions. There were none. Mr. Wood asked for a motion. Mr. Rice made a motion to approve with the condition the previous case was rescinded. Mr. Harris seconded the motion. On voice vote, the motion was approved unanimously.

(b) S-0419-13 – Inverness Cove Homeowners Association is requesting **Preliminary Plat** approval to alter the character of public streets with the subdivision (one-way traffic with on-street parking on one side). This property is zoned PR-1 (Planned Single Family) District. CONTINUED

Staff Comments: Fire Marshal was checking on hydrant location and if the reconfiguration would impact emergency response. HOA requests street modifications to address on street parking issues. The Engineering staff has no objections to the request as submitted.

Mr. Wood explained this was a little different case than the Commission normally heard but invited the Fire Marshal to address the configuration of the fire hydrants. Mr. Duke Moore, Fire Marshal, then spoke briefly that in accordance to our new parking ordinances, the new fire hydrant areas are hatched out and no parking fire lane in front of the new fire hydrants. Mr. Moore stated there was only one fire hydrant affected.

Mr. Adam Wilson, Gonzalez-Strength & Associates, was present to represent the case. Mr. Wilson stated what they were proposing basically was to have parking on one side of the street and no parking on the other side of the street. Mr. Wilson stated he felt their plan would help to improve the traffic situation.

Mr. Wood asked how many parking places were included in this plan. Mr. Wilson stated that on street they would have 104 parking spaces and there were 190 units in the subdivision.

Mr. Wood asked if there were any questions from the Planning Commission. Mr. Rice stated they wanted to establish that this plan was at the request of the HOA that these changes were being contemplated. Mr. Rice asked if there was a letter from the HOA stating it was their request. The secretary stated it was documented.

The following residents of Inverness Cove spoke about various issues regarding this request. The concerns were everything from existing parking issues, the HOA not notifying the residents of this proposed plan, and general questions regarding the plan.

Mr. Hal Godwin, 1384 Inverness Cove Drive
Ms. Kim Pennington, 1258 Inverness Cove Place
Mr. Benny Efird, 1021 Inverness Cove Way
Mr. Bruce Bodner, 1527 Inverness Cove Lane
Mr. Barry Faulkner, 1335 Inverness Cove Drive
Mr. Pat Chumbley, 1134 Inverness Cove Way
Mr. Joshua Corbin, 1178 Inverness Cove Way

Mr. Bill Wilson, Engineer, Gonzalez-Strength & Associates, stated they would be more than happy to attend the next HOA meeting which was the next Thursday.

Mr. Wood asked if there were any other comments. Mr. Shaw made a motion to continue this case until the next meeting. Mr. Rice seconded the motion. On voice vote, the motion was approved unanimously. Mr. Wood announced the case would be continued until the May 13, 2019, meeting at 5:30 pm and announced no new notices would be sent out.

Mr. Rice added that residents could also go to the Hoover website and sign up for the "Notify Me" which would send them automatic texts or e-mails for various functions and meetings with the city.

(c) *S-0419-14* – Schoel Engineering Company, Inc., is requesting **Final Plat** approval for *Amended Map 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 increase an easement from 10' to 15' on Lots 3A and 3B.

Staff Comments: Recommend approval.

APPROVED

Mr. Robbin Phillips, Schoel Engineering was present to represent this case. Mr. Wood stated they had satisfied themselves at the pre-meeting work session with any questions they had. Mr. Wood asked if anyone in the audience had any questions. There were none. Mr. Wood asked for a motion. Mr. Sammy Harris made a motion to approve. Ms. Jennifer Peace seconded the motion. The motion was approved unanimously.

7. C-0419-07 – Mr. Bart Styes is requesting Conditional Use approval for hosting ticketed and private events, such as receptions, live entertainment, and such, to be held at their new coffee shop, Wild Roast Café, located at 585 Shades Crest Road. Mr. Noel Allen is the property owner and the property is zoned C-2 (Community Business District).

APPROVED

Staff Comments: Condition should be added that live events on the premises should not occur during normal business hours for other businesses in the shopping center. The purpose of this is to ensure that the parking on site will remain adequate.

Mr. Bart Styes, 585 Shades Crest Road, was present to represent this case. Mr. Styes stated he was the co-owner of Wild Roast Café Coffee Shop, pastries, gifts, and art for sale in the Bluff Park community. Mr. Styes stated they were located in the small shopping center across the street from “Tip Top Grille”. Mr. Styes stated they were in an area with many wonderful artists and musicians. Mr. Styes stated he was seeking approval for private events, such as music performances and receptions nights and weekends as they had discussed.

Mr. Rice asked if 6pm would work for them as far as a start time due to the parking in the shopping center. Mr. Styes stated he believed 6pm would be good and he had discussed this with the other tenants.

Mr. Shaw asked about the end time of the events. Mr. Styes answered he felt the latest time would be 11:00 p.m.

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 with the restriction times to be 6pm until 11pm. Mr. Rice seconded the motion. On voice vote, the motion was approved unanimously.

8. Z-0419-11- Mr. John Whitson, representing RealtyLink Investments, LLC, is requesting property located at 4273 South Shades Crest Road be pre-zoned from Jefferson County A-1 (Agriculture) to Hoover C-2 (Community Business District) for a proposed retail shopping center with a grocery store as the anchor, pursuant to Alabama Code Section 11-52-85. **APPROVED**

No Staff Comments

Mr. Bryan Hatcher, LBYD, 88 Montclair Road, B’ham, AL, was present to represent this case. Mr. Hatcher stated they were proposing to pre-zone this property that was

currently in Jefferson County to C-2 (Community Business District) for the future for when it was annexed into the City of Hoover and combine it with the larger property to the south for a future grocery store anchor and shopping center development.

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

9. Z-0419-10 – Ms. Virginia M. Bonds, Executrix of the Evelyn N. Mayor Estate, is requesting property located at *2016 Shannon Road* be pre-zoned from Jefferson County R-6 to Hoover C-1 (Neighborhood Shopping District) for a proposed commercial development, pursuant to Alabama Code Section 11-52-85.

APPROVED

No Staff Comments

Ms. Virginia Bonds representing 2016 Shannon Road was present to represent this case. She stated she was requesting to be zoned from Jefferson County R-6 to Hoover C-1 (Neighborhood Shopping District). Ms. Bonds stated she has no plans at this point for development but would like for it to be in the City of Hoover so they could have some type of control as to what was put on the property.

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

Mr. Lynn Brandon, Brandon Harwell Properties, then asked a question about what just happened on the 2016 Shannon Road property. Mr. Brandon asked if they were planning on coming into the city and if so, who approved it. Mr. Wood answered it would go to the City Council for approval and to speak with them if he had any comments.

10. Z-0419-09 – The City of Hoover is requesting to rezone recently annexed property located at *2253 Chapel Hill Road* from Jefferson County R-1 to Hoover R-1 (Single Family District). APPROVED

No Staff Comments

Mr. Wood explained this case was a City of Hoover annexation and had to be zoned. Mr. Wood asked if there were any questions. There were none. Mr. Wood asked for a motion. Mr. Harris made a motion to approve. Mr. Shaw seconded the motion. On voice vote, the motion was approved unanimously.

11. **Z-0419-08** –The City of Hoover is requesting to rezone the property located at ***2384 Farley Road*** that was annexed into the City of Hoover from Jefferson County R-1 to Hoover R-1 (Single Family District). **APPROVED**

No Staff Comments

Mr. Wood explained this case was a City of Hoover annexation and had to be zoned. Mr. Wood asked if there were any questions. There were none. Mr. Wood asked for a motion. Mr. Reed made a motion to approve. Mr. Rice seconded the motion. On voice vote, the motion was approved unanimously.

12. **Z-0419-07** – Mr. Michael Clay is requesting to rezone property at 4764 Wineridge Lane from Hoover E-2 (Single Family Estate District) to proposed Hoover R-1 (Single Family District). **APPROVED**

No Staff Comments

Mr. Michael Clay, 4764 Wineridge Lane, was present to represent this case. Mr. Clay stated this parcel was at the intersection of Heatherwood Drive and Wineridge Lane. Mr. Clay stated he was requesting a zoning change to R-1 due to the property being only 6/10 of an acre and was on a curve, so was of insufficient size to support the minimum requirements.

Mr. Shaw asked if there was any intention on his part of subdividing the lot. Mr. Clay answered no due to the size of the lot and the fact that it was of insufficient size. Mr. Wood asked if there were any questions. There were none.

Mr. Wood asked for a motion. Mr. Wieseman made a motion to approve the case. Ms. Peace seconded the motion. On voice vote, the motion was approved.

13. Z-0419-06 – The City of Hoover is requesting to rezone the property at ***853 Willow Oak Drive***, (formerly Riverchase Middle School), that was previously annexed into the City of Hoover, from Shelby County E-1 District to Hoover R-1 (Single Family Residential District). Ord. # 18-2416 **APPROVED**

Staff Comments: This zoning with Conditional Use is commonplace for school properties in Hoover.

Mr. Wood explained this case was a City of Hoover annexation and had to be zoned. Mr. Rice pointed out Dr. Dodson from the Hoover Schools was in the audience and asked him if there was any intention of the school system subdividing this property. Dr. Dodson answered there was no intent.

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

14. C-0419-06 – The City of Hoover is requesting *Conditional Use* approval for a Hoover Technical/Career Center to be located at **853 Willow Oak Drive**. The City of Hoover Board of Education is the property owner and the property is proposed to be zoned R-1 (Single Family Residential District). **APPROVED**

Mr. Wood explained this case was a City of Hoover annexation and had to be zoned. Mr. Wood asked if there were any questions. There were none. Mr. Wood asked for a motion. Mr. Shaw made a motion to approve. Mr. Peace seconded the motion. On voice vote, the motion was approved unanimously.

APPROVED

Staff Comments: R-1 zoning with Conditional Use is commonplace for school properties in Hoover.

Mr. Mark Thomas, 847 Willow Oak Drive, raised his hand to ask if this parcel would also **not** be subdivided. Mr. Wood answered it was the same property. Mr. Steve Grondin, Willow Trace, asked about a restriction placed against the subdivision.

15. Z-0419-05 – The City of Hoover is requesting to rezone a .25 acre parcel located at **4909 Coshatt Drive** that was annexed into the City of Hoover from Jefferson County A-1 zoning district to Hoover E-2 (Single Family Estate District). **APPROVED**

No Staff Comments

Mr. Wood explained this case was a City of Hoover annexation and had to be zoned. Mr. Wood asked if there were any questions. There were none. Mr. Wood asked for a motion. Mr. Reed made a motion to approve. Mr. Rice seconded the motion. On voice vote, the motion was approved unanimously.

There being no further business, the meeting was adjourned.

Vanessa Bradstreet
Zoning Assistant