

MINUTES OF MEETING

HOOVER PLANNING AND ZONING COMMISSION

Date: September 12, 2016
Time: 5:30 PM
Place: Hoover Municipal Center
Present: Mr. Mike Wood, Chairman
Mr. Scott Underwood, Vice-Chairman
Mr. Allen Pate
Mr. Mark Schroeter
Mr. Kelly Bakane
Mr. John Lyda

Absent: Mr. Carl West
Mr. Sammy Harris

Also Present: Mr. Bob House, House Consultants
Mr. Rod Long, City Engineer
Mr. Chris Reeves, Assistant City Engineer
Mr. Jim Wyatt, Director, Building Inspections
Mr. Duke Moore, Fire Marshal
Ms. Sharon Deep Nelson, Landscape Architect
Ms. April Danielson, City Attorney Staff

1. CALL TO ORDER

The meeting was called to order by Mr. Wood and the secretary had roll call at this time.

2. Mr. Wood asked Mr. Scott Underwood to give the invocation.
3. Mr. Wood asked Mr. Kelly Bakane to lead in the Pledge of Allegiance.
4. Mr. Wood stated the members of the Commission had been given copies of the minutes of August 8, 2016, meeting and asked for a motion concerning these minutes if there were no corrections or additions to be made. Mr. Underwood made a motion to approve the minutes as presented. Mr. Bakane seconded the motion. On voice vote the motion carried unanimously.
5. The following case has been continued to the October 10, 2016, P&Z meeting at the request of the applicant:

S-0916-32 – Wade Lowery, Engineering Design Group, is requesting **Final Plat** approval for **Resurvey Lot 7 of International Park-Second Sector**. The purpose of this resurvey is to divide Lot 7 into 7A and 7B creating ingress/egress utility and drainage easements for the City of Vestavia. The property is owned by Keith Development, LLC, and the City of Vestavia Hills, Alabama.

Mr. Wood announced this case had been continued until the October 10, 2016, Planning and Zoning meeting at 5:30 p.m. Mr. Wood stated that no new notices would be sent out. Mr. Wood asked if there were any questions regarding what he had just announced. There were none.

Mr. Wood announced that Item #6 was the next thing on his agenda but the Planning Commission was going to go over the subdivision cases first and then come back to this case (Item #6).

6. The following case was continued from the August 8, 2016, P&Z meeting at the request of the applicant:

Z-0816-08- Mr. Joseph A. Miller III, MTM Engineers, Inc., is requesting to re-zone two parcels, approximately 8.96 acres, located at **821 Alford Avenue** and **2120 Tyler Road** from **A-1 (Agriculture District) to PRD (Planned Residential Development District)**. The property is owned by R.W. Carleton and Patricia Clark.

APPROVED

Mr. Wood announced that the Planning Commission members had the opportunity to review each of the following subdivision (final plat) cases at the pre-meeting work session. He stated he would read the following cases and the Planning Commission would be voting on them as a block. He explained that if anyone in the audience had a concern or wanted to ask a question regarding any of the following cases to raise their hand and they would come back to that case at the end of the agenda. He asked if there were any questions so far. There were none.

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

(a) **S-0916-27** – Mr. & Mrs. Jim Ernest Estes are requesting **Final Plat** approval for **Resurvey of Lot 1, Park Lane Addition to Riverchase**. The purpose of this resurvey is to combine two lots into one. The owners of this property are Jim and Lynn Estes. The property is zoned PUD PR-1 (Planned Single Family District).

Engineering Comments: Recommend approval.

APPROVED

Mr. Jim Estes was present to represent the case. Mr. Wood asked if there were any questions from the Planning Commission or anyone in the audience. There were none.

(b) **S-0916-28** – Joseph Breighner, Jr., Walter Schoel Engineering, is requesting **Final Plat** approval for **Tattersall Park Survey No. 1**. The purpose of this plat is to create a two lot subdivision from acreage. EBSCO Industries is the property owner and the property is zoned C-2 (Community Business District).

APPROVED

Engineering Comments: Recommend approval contingent upon the following:

- 1. Applicant providing a guarantee in the amount of **\$400,000**.*
- 2. No building permits will be issued for these lots until all storm water retention calculations are provided for the entire Tattersall Development and approved by the City Engineer.*
- 3. Applicant to provide signed Mylar to City Clerk.*

Mr. Joey Breighner, Walter Schoel Engineering Company, was present to represent this case. Mr. Wood asked him if he understood about the \$400,000 guarantee. He answered he did.

(c) **S-0916-29** – Dave Arrington, Arrington Engineering, is requesting **Final Plat** approval for **Tameron Honda Survey**. The property is located along Sierra Drive and the purpose of this survey is to combine 4 lots into one lot. The property is owned by Daniel W. Braden and is zoned C-2 (Community Business District).

Engineering Comments: Recommend approval.

APPROVED

Monica Espanoza, Arrington Engineering, was present to represent this case. Mr. Wood asked if there were any questions or comments from the Planning Commission or audience. There were none.

(d) **S-0916-30** – Jonathan Belcher, SB Dev. Corp. d/b/a Signature Homes, is requesting **Final Plat** approval for **Northampton-Phase 5 Resurvey of Lots 508, 509, 512, 520-522, 529, 530, 535, CA-1 & CA-2**. The purpose of this resurvey is to change Lots 508, 509, 520-522, 535, CA-1 & CA-2, and to add dimensions to Lots 512, 529 and 530. SB Dev. Corp. is the property owner and the property is zoned PUD PR-1 (Planned Single Family).

Engineering Comments: Recommend approval.

APPROVED

Jonathan Belcher was present to represent this case. Mr. Wood asked if there were any questions or comments from the Planning Commission or audience. There were none.

(e) **S-0916-31**- Jonathan Belcher, SB Dev. Corp., d/b/a Signature Homes, is requesting **Final Plat** approval for **Ross Bridge Village Center Parcel Resurvey Number 2**. The purpose of this resurvey is to change lots Lot 3A, Lot 2A, Lot CA-1A, and vacate private sidewalk easement and eliminate common area CA-1A. The property is owned by SB Dev. Corp., and is zoned PUD PR-1 (Planned Single Family District).

Engineering Comments: Recommend approval.

APPROVED

Jonathan Belcher was present to represent this case. Mr. Wood asked if there were any questions or comments from the Planning Commission or audience. There were none.

Mr. Wood stated that was the end of the subdivision cases and they had satisfied themselves with any questions they had. He said if there weren't any other questions, he would entertain a motion for cases 7(a) through 7(e). Mr. Bakane made a motion to approve cases 7(a) through 7(e). Mr. Scott Underwood seconded the motion. On voice vote, the motion was approved unanimously.

Mr. Wood announced they would then back up to Case #6 which was:

Z-0816-08- Mr. Joseph A. Miller III, MTM Engineers, Inc., is requesting to re-zone two parcels, approximately 8.96 acres, located at **821 Alford Avenue** and **2120 Tyler Road** from **A-1 (Agriculture District)** to **PRD (Planned Residential Development District)**. The property is owned by R.W. Carleton and Patricia Clark.

APPROVED

Mr. Joey Miller, Civil Engineer, 2217 10th Court South, Birmingham, AL, 35205, was present to represent Parrish Builders. Mr. Miller stated what they had before the Planning Commission was roughly a little under nine acres that backed up to the old Delchamps Shopping Center and Bluff Park United Methodist Church was to their west, some agriculture single family lots that were adjacent to them, and townhouses and patio homes were across the street. Mr. Miller stated what they would like to do was have 35 single family lots. They would be 75 feet wide, which was the same width as R-1 (Single Family District), but they would not have the depth of R-1. He stated they would have sidewalks on both sides of the streets. Mr. Miller stated the land would not be mass graded. He said they were going to try to work with the topography and have either crawl spaces or basement lots depending on the topography and how steep or how the lay of the land was.

Mr. Miller stated they had two detention ponds that would be maintained by the HOA. He stated they were not diverting any drainage. He said they planned to detain, and re-storm the 2, 5, 10, 25, and 50 year storm and be able to pass the 100 year storm so that they would not flood any downstream properties.

Mr. Miller stated the houses would be between 2500 and 2800 square feet. He stated the minimum size they had to have was 1500 square feet, so they were well above what was required by the zoning regulation. Mr. Miller stated he would be glad to answer any questions they may have.

Mr. Wood asked if there were any questions for the applicant from the Planning Commission. There were none.

Mr. Wood stated he had a question that was not addressed during the pre-meeting work session. Mr. Wood asked if they planned on putting up a wall in the front. Mr. Miller stated what they had planned was when the city required right-of-way to re-channel Alford Avenue and Tyler Road, they got some additional right-of-way. Mr. Miller stated they planned to landscape that and try to maintain the existing tree canopy at the rear and to landscape the right-of-way. Mr. Miller stated that Mr. Kirk, landscape architect, who drafted the plan, was very familiar with Hoover's regulations and he felt certain that everyone would be happy with it.

Mr. John Lyda apologized to the Commissioners for bringing this up again, but felt it was important to bring this information up again that piece of property had been the subject of an item that came before them probably about a year ago. Mr. Lyda stated at that time, they had considered how that proposal fit in with the surrounding areas. Mr. Lyda stated in the work session they had discussed neighboring residential property and how the density of that property matches the density of this plan and how the square footage of the homes to be constructed in this neighborhood proposed matched the PRD zoning. Mr. Lyda stated he felt these were two important topics when they talking about the overall landscape of the neighboring properties.

Mr. Miller stated he knew that south of them where the Piggly Wiggly Shopping Center was located, he knew there were some single family houses that were placed on 50 foot lots, then across the street were some patio homes and town homes that both those developments were denser than they were. Mr. Miller stated that across Fancher Avenue actually in the Shades Crest area where Mr. P's was located, there were some single family larger residential lots located

across the streets. Mr. Miller added there was kind of a mixed area in that vicinity. Mr. Miller added to him this was a very good transitional zoning because they were backing up to a church and to a commercial shopping center also. Mr. Miller stated he felt this was a good use of the property.

Mr. Lyda asked again about the second part of his question which was to confirm his understanding about the average square footage for the home. Mr. Lyda asked if he understood Mr. Miller to say that it was 1,000 sq ft above the required PRD square footage. Mr. Miller answered that was correct. He added they planned to build 2500 minimum square foot houses that would be two story. He explained some would have three car garages and some would have two car garages. Mr. Lyda thanked him for his explanations.

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

Mr. Steve Leasure, 675 Shades Crest Road, stated his property actually extended to Valley Street, about 1/10 mile from the property in question. Mr. Leasure stated he had circulated correspondence earlier in the day to the Planning Commission and hoped everyone had gotten an opportunity to read it.

Mr. Leasure stated he felt this was too dense of a development and the issues that related to density. Mr. Leasure stated he felt the key point was that the proposal represented substantial deviation from the current zoning and the character of the neighborhood in which it was going in to. Mr. Leasure stated it was a hyper-dense development and was an infield development within a mature historic area.

Mr. Leasure stated he was a huge proponent of personal property rights and the ability to develop within a reasonable limitation. Mr. Leasure asked what was reasonable for a mature historic neighborhood. Mr. Leasure stated they were already taxing existing resources and he thought the city had recognized that in part when it had taken the huge rezoning effort a couple of years ago. He stated that one reason for doing so was because Bluff Park Elementary School was overcrowded. Mr. Leasure stated that this, he believed, was districted for Bluff Park Elementary. He stated if this was correct, then it would require additional alterations to a zoning plan which had been a tortuous process for everyone involved.

Mr. Leasure stated he felt it would also tax the single lane ingress and egress roads that were residential in character to begin with. Mr. Leasure stated they had no ability within reasonable cost limits to alter the infrastructure that this would deal with. Mr. Leasure stated that the proponents had stated there would be 140 car trips and they could debate that, but he would ask for them to step back and decide what is a reasonable development within master plan/master framework that Hoover anticipated adopting. He felt that Mr. Lyda and Mr. Shaw in the audience could attest developing a Master Plan for development of Hoover was a major issue in the most recent election. Mr. Leasure stated he felt that both sides of the fence recognized that fact. He stated that Mr. Ivey put forward a previously drafted plan at the candidate forum and urged its adoption. Mr. Leasure stated he felt they all recognize that some reasonable plan for development within a Master Plan needs to be adopted.

Mr. Leasure asked if a traffic study had been done. Mr. Leasure asked how they would rezone the schools. Mr. Leasure stated he would just ask the Planning Commission to consider the

hodge podge that was already there and to ask what reasonable development was as well as what precedent they were going to set.

Mr. Sid Lasseter, 3099 Tyler Crest Circle, stated he was a resident of Tyler Crest Townhomes and President of the Board for Tyler Crest Townhomes. Mr. Lasseter stated he had been given the permission of the board, consisting of 7 members, to speak at this meeting and say what he believed to be the consensus of the residents. He stated they did not oppose this development but did have some concerns. He stated he would like to go over their concerns. He stated he had seen a drawing of the rough grade and one of their main concerns was the gully that had been put in years ago probably for purposes of being an interceptor ditch for water that was coming off the elevated grade.

Mr. Lasseter stated he had spoken to the developer and he was willing to work with them on the gully. Mr. Lasseter added that most people in the townhomes were really happy when the Wal-Mart didn't go in. Mr. Lasseter stated he felt most of the people in Tyler Crest Townhomes were not opposed to this development and felt it was the best alternative for the land. He stated their biggest concern was the storm water drainage.

Mr. Lasseter stated that another big concern was the residential street environment traffic and it was being insufficiently controlled. He stated the street geometrics could not see over the road vertical curve. Mr. Lasseter stated he suggested some kind of mirror for the elderly residents.

Mr. Lasseter added that another main concern was where the staging area would be. He said he had already been told where the staging area would be and he was satisfied with it.

Mr. Lasseter stated that not allowing the present developer in there to develop the property was going to alleviate something coming in there.

Mr. Wood confirmed with Mr. Lasseter his main concerns were drainage and traffic but was not opposed to the development. Mr. Lasseter stated that was correct unless a resident was present that felt differently.

Mr. Wood asked the engineer where the detention pond was going to be and if the gully was where the detention pond was going to go. Mr. Miller answered no it wasn't. Mr. Miller stated what Mr. Lasseter was talking about was across the street there were some drainage issues and the developer had made the commitment they would clean the ditch out with a backhoe and widen the ditch. Mr. Miller stated the gully was not on their property.

Mr. Wood stated they should make sure they had access to do what they had promised to do whether there was an easement there or, had permission from the property owner, or whether it was city right of way. Mr. Miller stated he thought it was Tyler Crest Townhome property and was where the current drainage ended up. Mr. Lasseter stated the access road there would probably not be on townhouse property. Mr. Miller stated the alley way to the north of the town house property, he thought, was city right of way property.

Mr. Wood stated he wanted to make sure what Mr. Lasseter was told was correct. Mr. Wood asked Mr. Rod Long, City Engineer, to speak about this subject. Mr. Long stated what Mr. Lasseter and Mr. Miller had described was accurate. Mr. Long stated the alley way did provide access to about three homes that utilized the alley and the slope was coming downhill from

Alford Avenue to the alley and to the described ditch or “gully”. Mr. Long stated his memory of this ditch was that it was enlarged primarily at the same time the patio and townhouse development was constructed. Mr. Long added that if they were concerned about this ditch then cleaning it out would facilitate the flow of water and reduce that concern.

Mr. Wood asked if there would be a problem with widening up the easement for them to go in there and clean the gully out. Mr. Wood stated that they could determine that by looking at the map to verify there was a significant easement, but he felt there was.

Mr. Wood stated he wanted to make sure that what the developer told Mr. Lasseter they would/could do was correct and in the process, cleaning out the ditch wouldn't get on other people's property and everyone get in a fuss.

Ms. Ellen Murphree, 3063 Tyler Crest Circle, stated she is the last unit next to the creek. She stated that the creek was probably 15 feet across and 10 feet deep. She had taken pictures of the edge of her home by the creek after a 3 hour rainfall which depicted a lot of water in her yard. Ms. Murphree stated she wanted to make sure there would be some recourse in case of flooding. Mr. Wood stated he was going to get the engineer to explain what a detention pond was and the different flows of the property.

Mr. Miller stated what they were proposing was to match the existing flows as they came off the property. He stated they would have a pond that would meter out the water so that it was not an increase in the amount of water coming off. Mr. Miller stated that not all the water that was coming through that ditch came from their property. Mr. Miller explained that some of it came from Alford Avenue down the hill and coming down Tyler Road also. Mr. Miller emphasized that it wasn't just their property draining into that ditch. Mr. Miller stated the theory behind a detention pond was that you were going to increase the amount of water coming off of it and that is what they met with Mr. Lasseter about also. Mr. Miller stated the ditch or “gully” did need to be cleaned out. He stated he didn't think anything had ever been done to it in awhile.

Mr. Lyda stated he was curious about the latter part of Ms. Murphree's question. He asked what the recourse was in case this didn't work. Mr. Miller stated his name and stamp was on it and that was part of being a professional civil engineer's responsibility of being responsible for any designs they turned in.

Mr. Roger Clark, 2120 Tyler Road, had a question for the engineer, Mr. Miller. He asked what percentage of the 9 acres drained toward the townhomes and what percentage did not. Mr. Miller stated that probably 60% of the property drained toward Tyler Road and the rest drained toward the shopping center that was to the south and east of them.

Mr. Wood asked if anybody else had any comments. Mr. Rod Long, City Engineer, spoke up to say that Mr. Miller had stated that he was going to detain 2, 5, 10, 25, and 50 year storms which was a very good design parameter for this sight.

Mr. Wood asked again if anyone else had any questions or comments regarding this case. Mr. Bakane asked Mr. Miller where the second detention pond was located. Mr. Miller pointed out on a map where the second detention pond was which was on the southeast corner of the property which was the lowest part of the property.

Mr. Wood asked if there were any other questions. There were none. Mr. Wood asked for a motion. Mr. Bakane made a motion to approve. Mr. Schroeter seconded the motion. The motion was approved unanimously.

8. C-0916-11 – Richard A. Johnson, II, representing SB Dev Corp, is requesting **Conditional Use** approval for the construction of 40 (forty) townhouses and a park to be located across Grand Avenue from the Ross Bridge Welcome Center. This property is owned by SB Dev Corp and is zoned PC (Planned Commercial).

APPROVED

Jonathan Belcher, 3545 Market Street, was present to represent this case. Mr. Belcher stated their proposal was for a location that the residents in Ross Bridge referred to as the “gravel lot”. Mr. Belcher stated he had been a resident at Ross Bridge for the last 9 years and also have had the pleasure of building a lot of homes in Ross Bridge. Mr. Belcher stated this particular site was zoned PC (Planned Commercial) Village Center and what they were proposing in this request was a total of 40 townhomes. Mr. Belcher stated 28 of them would be located on the “gravel” portion of the property and the additional 12 would be adjoining the Ross Bridge Golf Course that is there onsite.

Mr. Belcher stated in addition to the townhomes they have a park they are proposing that was approximately 35 yards wide by 80 yards long. Mr. Belcher stated the park was designed to accommodate how they currently used their neighborhoods now so it would flow and would connect to the parks that exist along Ross Bridge Parkway and then also back to the existing Ross Park that they had in the neighborhood.

Mr. Belcher stated that on Tuesday, September 6, 2016, they hosted a meeting at their office in Ross Bridge for the neighbors and presented the plan to them and had a lot of good questions. Mr. Belcher stated he did not receive any opposition regarding the plan and felt in general, the neighborhood was ok with the development itself. Mr. Belcher stated at the same time as this proposal, they are working on the engineering for three commercial lots across the front of the property which was part of the resurvey they requested earlier tonight. Mr. Belcher explained their plans were to go ahead and build the parking lots which were depicted on his handout earlier. He stated there was a design that showed the parking and three commercial buildings. Mr. Belcher stated they were currently engineering it and at this site if this zoning request was approved, they would build it in conjunction with the townhomes and the park that was there.

Mr. Belcher stated that one other thing he would like to mention was that on page 3 of their handout there was an overall zoning map of the Ross Bridge PUD. Mr. Belcher explained that there was a parcel at the top center of the page that was circled and was zoned PR-2 (Planned Multi-Family). Mr. Belcher stated they had also purchased that site at the same time they purchased the gravel lot from Daniel Corporation and US Steel. Mr. Belcher stated that as a condition of this zoning, if it were to be approved, that site was zoned for 110 multi-family or apartment units. Mr. Belcher stated they were going to remove that so that they could no longer be built and they were going to use that as a single-family site.

Mr. Wood asked Mr. Belcher if he would like to repeat the last statement one more time. Mr. Belcher stated that as a condition to their zoning application, because they purchased the site that was zoned PR-2 (Planned Multi-Family), they would not allow that to be built as multi-family

homes. Rather, they would use that for single-family homes. Mr. Belcher stated that when they purchased those properties, they purchased the rights for all 110 units, the remaining multi-family units in Ross Bridge, so if this zoning is approved, they would eliminate that opportunity to ever build any more apartments in Ross Bridge.

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

Mr. Wood told Mr. Belcher that he commended him for getting rid of the apartment zoning. Mr. Wood asked for a motion. Mr. Bakane made a motion to approve. Mr. Underwood seconded the motion. On voice vote, all members voted "aye" with the exception of Mr. Mark Schroeter who abstained from the vote.

9. C-0916-12 – Warren Bailey, representing Blue Rain Express Car Wash, LLC, is requesting **Conditional Use** approval for an express car wash and detailing services to be located at the southwest corner of Hwy 119 and Tattersall Drive. EBSCO Industries, Inc. is the property owner and the property is zoned C-2 (Community Business District).

Tie-Vote

Mr. Warren Bailey, 2109 Natalie Lane, Hoover, AL, was present to represent this request. He stated they were proposing to build a 2nd Blue Rain Express Car Wash at the intersection of Tattersall Drive and Hwy 119. Mr. Bailey then explained the background of his idea for this style car wash and showed renderings of the car wash. He stated several years ago, he decided to build his first car wash in Pelham, AL. He wanted to build something unique to the market. He stated there was no other design like this in the Southeast. He stated it not only met the requirements of washing the vehicles with products that were bio-degradable, and non-toxic, capturing about 75% of the water for re-use in the tunnel. Mr. Bailey stated it took about 80 gallons of water to properly wash a vehicle. Mr. Bailey stated that water drained into a trough that then drained into some holding tanks where the heavy particles settled out and then was pumped back into the tunnel for various operations so that at the end of the day, they would be reusing about 60 to 65 of the 80 gallons.

Mr. Bailey said they also wanted to build something that was user friendly. He stated that some people had feelings of claustrophobia when they went through a top car wash, so they made their car wash open and then continued to show more renderings. Mr. Bailey pointed out the sides were all glass so that there was plenty of light in the tunnel. Mr. Bailey stated they had children who actually came up and watched the operation and were excited about what they saw going on inside.

Mr. Bailey then showed the audience a master plan of the Tattersall Development. Mr. Bailey pointed on the rendering where his project was on Hwy 280 and Hwy 119. Mr. Bailey pointed out a lot that was being sub-divided into two lots, of which he would have the front lot. He pointed out the Lazy Boy, Chick-Fil-A, and the Brookwood Free Standing Emergency Center. He pointed out on the artist rendering how his customers would enter and exit the car wash.

Mr. Bailey also stated that he wanted to take the project in Tattersall Park to a higher level that was again aesthetically pleasing, had all the engineering, the water treatment and easy access, and showed an artist rendering of what they were proposing. It showed where the customers would come in and go through a pay station, enter the tunnel, come out the back side, then could circle

back around and go to a new concept for the area called a “polish tunnel” where you could get a treatment to your vehicle, whether you got an “express” wash or went ahead and got a polish, one could come out and use the vacuums or they would be offering some “full service” where attendants would actually do some detailing on your vehicle.

Mr. Bailey then showed some additional renderings working from each corner of the car wash. Mr. Bailey also showed the parking lot and where the car wash employees would park. Mr. Bailey pointed out that this was not the regular standard car wash with cinder block or metal building.

Mr. Bailey showed his proposed landscape plans and had been working with staff, particularly Sharon Nelson, to make sure they were meeting all the setback and green zone requirements for the building. Mr. Bailey said they also were complying with all the interior landscaping that were pervious and impervious calculations as far as their green space being met for city requirements.

Mr. Bailey stated this was the project they were hoping to build and they were excited about it, and looking forward to getting it into place.

Mr. Wood asked if there were any questions for the applicant from the Planning Commission. There were none. Mr. Wood asked if there were any questions from the audience.

Mr. Mary Sue Ludwig, 3500 Shandwick Place, stepped forward to say she had some questions for Mr. Bailey. She asked what hours the operation would be open. She asked what size the car wash was and how many acres he would be building on. Ms. Ludwig stated also, the Greystone subdivision residents had fought very hard to keep their area aesthetically pleasing and to protect their property values. Ms. Ludwig stated when Ebsco decided not to develop this property and they recently approved the C-2 zoning on some of the acreage that had been sold to them by the Daniel Corporation who built Greystone, the Greystone residents are not ecstatic about having a car wash backing up to their subdivision. Ms. Ludwig stated this is in an area where Lee Branch comes through and goes into Lake Purdy which was the water supply for the City of Birmingham. Ms. Ludwig stated they had hoped that Ebsco would at least develop part of it as they had intended to, but now it was being fragmented and they were afraid they were going to end up with a strip mall in their back entrance. Ms. Ludwig explained they were concerned about a car wash. Ms. Ludwig asked if they could get these questions answered and see exactly what they were looking at. Ms. Ludwig stated they had not seen any of these plans.

Mr. Wood reiterated Ms. Ludwig’s questions and told her they would get all the answers from Mr. Bailey after they had gotten any other questions or comments from the audience. Mr. Wood added that as far as Ebsco was concerned, he couldn’t answer anything regarding them.

Mr. Jerry Carr, 1564 Lauren Street, Hoover, AL, stated he owned 119 Car Wash LLC, and has leased the property of the flea market across the street from this car wash and was getting ready to start construction shortly. Mr. Carr stated this property was in Shelby County and was zoned correctly and had received ALDOT approval for ingress and egress on that side of the road. Mr. Carr stated they were getting ready to start construction of a 230 foot tunnel of an express wash. Mr. Carr stated this was just for their information. He stated he had been working on it well over a year and had it financed and were ready to go.

Mr. Jason Bailey, 1901 6th Avenue North, Birmingham, AL, stepped up to the podium and stated he was there on the behalf of Dantract, who owned at least seven parcels of property in the area along the Hwy 280/Hwy 119 corridor. Mr. Bailey stated that some of the parcels were south of the property and while the property that they currently owned did not immediately adjoin this property but most of the property to the north of them they did develop and did adjoin the property. Mr. Bailey said to give a little history, the property they currently own was part of the Greystone Planned Unit Development. Mr. Bailey stated this was a PUD that was approved by the city in 1990. Mr. Bailey said it initially consisted of somewhere over 2,073 acres which since that time, property has been added, in relation to this property would be to the south and to the east. Mr. Bailey stated at one time, Dan Track owned all four corners of Hwy 280 and Hwy 119.

Mr. Bailey stated that some of the primary objectives of the PUD was for the review and approval of all construction, landscaping, architectural, and signage approval. Mr. Bailey stated that was just really to heighten the development of the area including the Greystone subdivision. Mr. Bailey stated that included approximately 1800 acres of single family development, 78 acres of multi-family development and 55 acres of planned office development and 78 acres of commercial development mostly along the Hwy 119 and 280 corridor. Mr. Bailey stated that part of the reason for that was so that they could have a heightened landscaping and architectural approval and were going to establish definitive development guidelines in this area and make more restrictive covenants than what the city currently had in place.

Mr. Bailey stated that part of the Greystone subdivision, as indicated by Ms. Ludwig who spoke before him, was the single family portion of the property and was primarily accessed through Greystone Way and Greystone Legacy Drive which was just to the immediate east of this property off Hwy 119. Mr. Bailey stated that Dantract and the other parties to the PUD submitted a substantial amount of property at that time with the intent of heightening the development standards in the area. Mr. Bailey stated that under the current zoning of C-2 (Community Business District) that a car wash was a permitted principal use. He stated the applicant could certainly request a Conditional Use for the property. Mr. Bailey stated the car wash would be permitted in a C-3 zone for which this property was not. Mr. Bailey stated that Dantract primarily was opposed to the proposed use and the Conditional Use of the property primarily because they don't believe it is consistent with the general development that they have put into place along this corridor. Dantract has essentially raised the standards of the area with their development that has gone back to 1990 and consistently been a good corporate citizen and have significantly increased the property value of the area and have overall really been a model with what they have done with the development of the area.

Mr. Bailey stated that prior to developing the PUD, they worked with the city to develop the Planned Unit Development as well as the declaration of prescriptions and covenants which have gone along with this property. Mr. Bailey stated that Dantract did not think this use was consistent with what they had worked on for nearly 30 years with the City of Hoover in the long term plan for the development of the area. Mr. Bailey added that this was a portion of some property that was sold by Daniel Corporation to Ebsco and now this has been severed off and essentially leaves a little small island where there is some concern that the property as in this case was not going to be developed with the overall intent that has been going back for quite some time with Dantract.

Mr. Wood thanked Mr. Bailey and asked if there were any other questions. There were none.

Mr. Wood then asked Mr. Warren Bailey the hours and the size of the lot. Mr. Warren Bailey responded the hours would be 7am to 7pm, 6 days per week and 12 – 6pm on Sunday.

Mr. Warren Bailey responded the size of the parcel planned for the car wash was about 1 acre of property.

Mr. Warren Bailey also replied that Ms. Ludwig had asked about water run-off. Mr. Bailey said to please keep in mind that this wash was designed to capture 100% of all water used in the operations and any overflow that might go into the holding tanks would eventually go into the sewer system. Mr. Warren Bailey stated the areas of asphalt would drain into drainage system that Ebsco was charged now with developing.

Mr. Wood asked if there were any other questions. Mr. Allen Pate asked Mr. Bailey if he had worked with Ms. Sharon Nelson and it met all the landscape requirements. Mr. Bailey answered yes.

Mr. Paul Braswell came to the podium and stated he had been to Mr. Bailey's car wash in Pelham and it was the best one he had ever seen. Mr. Braswell stated if he was going to have a car wash in the area, Mr. Bailey would be the one to build it for him. Mr. Braswell stated we all needed a car wash.

Mr. House added that the he wanted to report that the landscape plan was still a work in progress and was still short a couple of trees. Mr. House stated the concept was good but was still deficient in some of the trees that were required.

Mr. Wood asked Mr. Warren Bailey if he, based on the fact that the landscape plan ordinance was not met, had the option of continuing the case until next month or choose to have his case voted on at tonight's meeting. Mr. Wood stated that he didn't think the case currently met the landscape ordinance as it was presented tonight. Mr. Bailey stated he would prefer not to continue the case and preferred to make a commitment to meet whatever Sharon and Mr. House indicated for it to comply. Mr. Bailey stated this was the first he had heard that it didn't comply. Mr. House stated that the final landscape plan they received was on Friday, September 9, 2016, so they were still working on it.

Ms. Jenny Carpenter, 5351 Harvest Lane, Shelby County, stated she and Sharon Nelson had been working on the landscape design for this project and had to alter two of the islands inside the parking area to allow fire truck access back and forth so they were working out the details to get the exact amount of tree canopy required. She stated it was a very minimal issue as far as the landscaping went. Mr. Wood asked her if she thought they could get it worked out. Ms. Carpenter replied yes.

Ms. Sharon Nelson spoke up to say she felt they could meet the requirement but there were some details to work out. Ms. Nelson stated the final plan for permitting won't be approved until they can meet the canopy requirement but she felt they could accommodate what was required.

Mr. Wood asked if there were any other questions from the Planning Commission or audience. There were none. Mr. Wood asked for a motion. Mr. Kelly Bakane made a motion to deny. Mr. Lyda seconded the motion. A roll call vote was held and Mr. Wood voted "naye"; Mr. Bakane, "aye"; Mr. Schroeter- "naye"; Mr. Lyda- "aye"; Mr. Pate - "naye", and Mr. Underwood- "aye". Mr. Wood announced there was a tie vote. Mr. Wood explained to the audience that the Planning Commission was a recommending body only and this would go on to the City Council as a tie vote.

10. Z-0916-10 – Richard A. Johnson, II, representing SB Dev. Corp., is requesting an amendment to the **Blackridge PUD**, for the purpose of adding one parcel consisting of approximately 108 acres to be zoned PR-1 (Planned Single Family District) Medium Density. P.R.Wilborn, LLC is the property owner. The property is currently not zoned by the City of Hoover.

APPROVED

Mr. Jonathan Belcher, 3545 Market Street, Hoover, AL 35226, was present to represent this case. Mr. Belcher stated their proposal tonight was an amendment to the Blackridge PUD. Mr. Belcher stated the proposal was to add an additional 108 acres to the PUD as it exists now. Mr. Belcher stated the intention for this was that back when they submitted this zoning earlier this year, they made a commitment to include park lands for open and public spaces on an adjacent or nearby property. Mr. Belcher stated this was the property they were referring to that would satisfy and fulfill the statement they made. Mr. Belcher stated of the 108 acres, approximately 60 of this parcel would become a public park and would have access to the Cahaba River, with a minimum of 5,000 feet along the Cahaba River that would be accessed through their Wilborn Lake development.

Mr. Belcher stated it was a little unique that the rest of the Blackridge PUD was separated by a railroad track and so they did choose to make this part of the Blackridge PUD as opposed to the Wilborn Lake PUD for a couple of reasons. Mr. Belcher stated the first reason was they were not the developer of the Trace Crossings PUD which was a US Steel Development. While Wilborn Lake was a part of that, US Steel still controls that development, so they felt like the commitment that they made as part of the Blackridge PUD this would be more appropriate to make it part of it as they fulfill the park commitment. Mr. Belcher stated there were no additional homes to be added. Mr. Belcher stated there was a total of 1150 homes planned for Blackridge and that was still the number so by adding additional acreage it does slightly reduce the density down to 0.7 homes per acre.

Mr. Wood asked if there were any questions from the Planning Commission. There were none. Mr. Wood asked if there were any questions from the audience. Mr. Clay Peveler, 1820 Southpointe Drive, Hoover, AL 35244, asked about if the 108 acres would be accessed from Fleming Parkway or the street that goes in front of Bumpus Middle School. Mr. Wood answered that it would access future roads that would be Lake Wilborn and as it grows, it will add to it. Mr. Wood stated it would go south and asked Mr. Belcher if this was correct. Mr. Belcher stated it would be accessed from Stadium Trace. Mr. Peveler asked if it would be public roads in this 108 acres. Mr. Belcher answered that was correct.

Mr. Paul Braswell came forward to say that he thought Mr. Belcher had a great idea and this idea was even better. Mr. Braswell stated he was keeping the standards up in the City of Hoover.

Mr. Wood asked if there were any further questions or comments from the audience or Planning Commission. There were none. Mr. Wood asked for a motion. Mr. Underwood made a motion to approve. Mr. Bakane seconded the motion. On voice vote, the motion was approved by everyone with the exception of Mr. Schroeter who abstained from the vote.

There was no further discussion and the meeting was adjourned.

Vanessa Bradstreet
Zoning Assistant