

MINUTES OF MEETING

HOOVER PLANNING AND ZONING COMMISSION

Date: January 8, 2018
Time: 5:30 PM
Place: Hoover Municipal Center
Present: Mr. Mike Wood, Chairman
Mr. Mike Shaw
Mr. Jason Lovoy
Mr. Allan Rice
Mr. Sammy Harris
Ms. Jennifer Peace
Mr. Nathan Reed
Mr. Carl West

Absent:

Also Present: Mr. Chris Reeves, Assistant City Engineer
Mr. Jim Wyatt, Director, Building Inspections
Mr. Duke Moore, Fire Marshal
Mr. Mac Martin, City Planner
Ms. Sharon Nelson, Landscape Architect
Ms. April Danielson, City Attorney Staff
Ms. Vanessa Bradstreet, Secretary, P&Z Commission

1. CALL TO ORDER

The meeting was called to order by Mr. Wood. The secretary had roll call at this time and 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 November 13, 2017 and December 11, 2017, minutes and if no one had any changes to me made, he would ask for a motion to approve as written. Mr. Rice made a motion to approve. Mr. Harris seconded the motion. On voice vote, the minutes were approved unanimously.
5. The following case has been **withdrawn** by the applicant:

Z-1217-20 – Richard A. Johnson, II, representing Blackridge Partners, LLC, is requesting approval of the **Second Amendment to the Blackridge Planned Unit**

Development (PUD) to exempt certain structures located within Blackridge Lake from some Building and Zoning regulations and to modify interconnectivity of conceptual roadways. The property is owned by Blackridge Partners, LLC and is zoned PUD.

6. The following cases have been **continued** by the applicants until the **February 12, 2018**, P&Z meeting:

(a) **S-1217-54** – Mr. Scott Rohrer, SB Dev. Corp., d/b/a/ Signature Homes, is requesting **Final Plat** approval for **Lake Wilborn, Phase 2A**, a proposed 46 residential lot subdivision located on Nunnally Pass in Lake Wilborn. P.R. Wilborn, LLC, is the property owner and the property is zoned PUD PR-1 (Planned Single Family District).

(b) **S-1117-50** - Public hearing to consider the adoption of **Resolution 01-2017** which would amend the Hoover Subdivision Regulations, Appendix A Design Standards, Article IV, Minimum Street Improvements, (5) Sidewalks.

Mr. Wood announced again if there was an interest in either one of these cases, they would be heard at the Monday, February 12, 2018, meeting at 5:30 p.m. Mr. Wood asked if there were any questions. There were none.

Mr. Wood announced that we would be moving **#8 – Case #C-0118-01** to the top of the agenda for the applicant's expediency due to him having to be at another meeting shortly. The case is described as:

C-0118-01 – Cole Williams, Goodwyn, Mills, & Cawood, Inc., is requesting **Conditional Use** approval for the **Crossings of Hoover**, a Senior Living (Independent, Dependent, and Memory Care) Center to be located at 2171 Parkway Lake Drive on the corner of Montgomery Highway and Parkway Lake Drive. The property is owned by S&K Investments and is zoned PUD PI (Planned Light Industrial).

APPROVED

City Planner Comments: Residents of the northern half of the building need direct access to the sidewalks along Parkway River Road. The building needs an entrance/exit on the east side with a connector sidewalk to the sidewalk being placed along the street. Otherwise, no issues.

Mr. Cole Williams, Goodwyn, Mills, & Cawood, 2701 1st Avenue South, Birmingham, AL, and stated he was representing the developers who were Smith/Packett, a senior living developer based out of Virginia. Mr. Williams stated they do these types of facilities all over the US but they had been focusing more on the eastern half of the US in the last couple of years.

Mr. Williams explained they usually did three types of product in one building which would be an independent, assisted living and a memory care center. Mr. Williams stated the breakdown was about 194 total units with around 90 independent living, 70 assisted living and 34 memory care units. Mr. Williams stated these numbers were their goal.

Mr. Williams stated this was a rental type facility; there was no buying in early on. Mr. Williams stated the idea was that one would move in to the Independent, and over time, they would then move into the Assisted Living side. Mr. Williams expressed he thought the average age they talked about for the Independent was in the late 70's or early 80's, and then the Assisted Living was a little older than that, but the average age of the Memory Care was actually younger, early to mid-seventies.

Mr. Williams stated the lower part that they had discussed was the 4 story on the end, Independent Care, the Assisted-Living would be on the other side and the Memory Care center would be close to Highway 31. Mr. Williams stated the Memory Care Center had to actually go through the Certificate of Need (CON) process so it might be delayed a little bit for construction, but they do it this way so they can phase it if need be.

Mr. Williams explained they were asking for a Conditional Use and understood they would have to go through City Council and that the decision the Planning Commission made would just be a recommendation. Mr. Williams stated they had presented to the RBA (Riverchase Business Association) and gotten their preliminary approval on the site plan and also on the Conditional Use.

Mr. Wood asked if there were any questions from the Planning Commission members or the audience. Mr. Harris asked if the developer had any other facilities like this in this area. Mr. Williams answered this could be the second or third. Mr. Williams stated they had just put on the street construction documents to build in East Chase in Montgomery. Mr. Williams stated that would be their first project in Alabama. Mr. Williams stated this project would be their second or third depending on the design schedule, because they were trying to start one in Tuscaloosa on Old Colony Road.

Mr. Rice stated he had a question for Mr. Wyatt and the Fire Marshal. Mr. Rice stated that life safety was always paramount probably even more so in a facility such as this, and with this population. Mr. Rice stated he knew this was in the preliminary phase, but they needed to make sure they put in protection features and method of construction and control detection. Mr. Rice stated he knew they were watching that every time, but with this population and that concentration just brought this to mind.

Mr. Wyatt, Director of Building Inspections, responded to say the Building Code would address these issues specifically. Mr. Rice thanked Mr. Wyatt. Mr. Wood asked if there were any other questions. There were none. Mr. Wood asked for a motion. Mr. Harris made a motion to approve. Mr. West seconded the motion. On voice vote, the motion was approved.

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

Mr. Wood stated there were comments on all the subdivision cases tonight and typically they would go through these cases as a block, but because of the comments, he decided to discuss them one at a time.

- (a) **S-1217-51** – Scott Rohrer, SB Dev. Corp., is requesting **Preliminary Plat** approval for **Flemming Farms – Phase 2**, a proposed 79 residential lot subdivision located at the south end of Flemming Parkway. SB Dev. Corp. is the property owner and the property is zoned PUD.

APPROVED

Engineering Comments: Recommend approval.

Fire Marshal Comments: Install 7 fire hydrants as shown on the Preliminary Map. Remit a check to Hoover Fire Department, payable to the City of Hoover, in the amount of \$3990.00 to cover the first 3 years rent on the 7 hydrants.

City Planner Comments: No issues. Signature has agreed to develop an emergency access and bicycle/pedestrian amenity route between the phase of Wilborn north of the lake and the future neighborhood south of Flemming 2. Recommend approval.

Mr. Richard Johnson, representing Lake Wilborn Partners, LLC, 3545 Market Street, Hoover, AL, 35226, was present to represent this case. Mr. Wood asked him to talk to them about the emergency access and bicycle/pedestrian amenities. Mr. Johnson explained that what was agreed upon at the meeting with staff was that they would provide a 12 foot improved path connection between the developments that would be at all times accessible for fire department access but would be primarily used for pedestrians and as a bicycle path. Mr. Johnson explained the system of preventing non-emergency use could be bollards or something similar that the Fire Department would have approval to and have a key for if it was locked. Mr. Johnson also wanted to address the fact that they had made an error on their submittal. Mr. Johnson stated in the last note section reflects a 15' front setback and a 35' setback to the garage. Mr. Johnson asked that be amended so as they could comply with Amendment 11 to the Trace Crossings PUD which reflects the current City of Hoover setbacks for houses of this nature.

Mr. Wood asked if also there was a comment about the length from the property line to the house. Mr. Johnson answered he was not sure it specifically spoke to that, but they would at all times maintain at least a 20' setback on lot parking area for a vehicle. Mr. Wood then asked if Mr. Johnson was ok with the \$3990.00 charge for first 3 years of fire hydrant rental. Mr. Johnson stated he was.

Mr. Chris Reeves, Assistant City Engineer, addressed the Planning Commission chairman to ask if they could amend the Flemming Farms – Phase 2 request to say the PUD setbacks would comply with the PUD as written. Mr. Reeves stated also they wanted to note about the additional sidewalks that may be required on those areas that were only showing one side of the road and note that the City of Hoover is looking at modifying the sidewalk ordinance and they may be required to add those sidewalks in the future. Mr. Johnson stated he understood and they accepted that condition. Mr. Wood agreed.

Mr. Nathan Reed addressed the Chairman and pointed out during their pre-meeting work session, also, from a safety standpoint, they would be provided a key but it was at the request that it be from a Knox key from a fire standpoint so that they would have that access. Mr. Johnson stated they would provide that condition. Mr. Wood agreed.

Mr. Wood asked if there were any further questions from a Planning Commission member or member of the audience. There were none. Mr. Wood asked for a motion. Mr. Rice made a motion to approve with all the previously stated conditions. Mr. Reed seconded the motion. On voice vote, the motion was approved by all members with the exception of Mr. Sammy Harris who abstained from the vote.

(b) S-0118-01- Ray Weygand is requesting **Final Plat** approval for **Austin Resurvey of Lot 1**, property located at 1521 Astre Circle. There will also be a vacation of easement. Property is owned by Mr. Ryan Austin and is zoned E-2 (Single Family Estate District).

APPROVED

Engineering Comments: Recommend approval contingent upon all utility vacation letters being provided to the City Clerk, and to correct title of map to reflect "second sector".

City Planner Comments: No issues as long as all utilities have communicated in writing they have no interest in the easement.

Mr. Ryan Austin, 1521 Astre Circle, was present to represent this case. Mr. Austin explained he had all the utility letters with the exception of the Birmingham Water Works letter and he anticipated it coming any day now.

Mr. Wood asked if there were any questions. There were none. Mr. Wood asked for a motion. Mr. Harris made a motion to approve contingent on receiving the letter from the Water Works Board. Mr. Shaw seconded the motion. On voice vote, the motion was approved unanimously.

(c) S-0118-02 – Derek S. Meadows, Gonzalez-Strength & Associates, is requesting **Final Plat** approval for **Stadium Trace Village Plat No. 1**, a proposed 3 lot subdivision located along Stadium Trace Parkway and AL Highway 150. The purpose of this plat is to create 3 lots out of 2 existing lots and an acreage parcel and also to dedicate right-of-way. Broad Metro, LLC, is the property owner and the property is zoned PC (Planned Commercial).

APPROVED

Engineering Comments: Recommend approval. NOTE: No building permits to be issued for lots 1 and 3.

City Planner Comments: No issues with Lot 2 and the dedication of rights-of-way indicated on the plat. Lots 1 and 3 are not ready to be developed in accordance with the adopted PUD. Recommend revising the plat to indicate Lots 1 & 3 are not approved for development with this plat.

Mr. Derek Meadows, Gonzalez, Strength & Associates, 2176 Parkway Lake Drive, Hoover, AL, was present to represent this case. Mr. Meadows stated they were creating these three lots and the purpose was to sell Lot 2. Mr. Meadows stated the developer has a potential buyer for this lot and this lot would be developed soon. Mr. Meadows stated the plans are preliminary at this time but had not been submitted to the city at this time. Mr. Meadows stated that basically they were trying to create this Lot 2 to be able to sell it and Lot 2 was a portion of a larger lot and that was why they had the other 2 lots incorporated into it.

Mr. Rice then stated he wanted to be sure they stipulated that this approval is for subdivision of the property only and that this does NOT grant any approval for construction to commence until the proper engineering drawings are submitted and approved and then they would address fire protection concerns and access.

Mr. Wood asked if there were any other questions. Mr. Meadows stated he had added the note earlier to the plat referencing Lots 1 and 3. Mr. Wood asked for a motion. Mr. Rice made a motion to approve subject to the staff comments and also to the stipulations they had stated. Mr. Lovoy seconded the motion. On voice vote, the motion was approved unanimously.

8. C-0118-01 – Cole Williams, Goodwyn, Mills, & Cawood, Inc., is requesting **Conditional Use** approval for the **Crossings of Hoover**, a Senior Living (Independent, Dependent, and Memory Care) Center to be located at 2171 Parkway Lake Drive on the corner of Montgomery Highway and Parkway Lake Drive. The property is owned by S&K Investments and is zoned PUD PI (Planned Light Industrial).

APPROVED (discussed first at tonight's meeting)

City Planner Comments: Residents of the northern half of the building need direct access to the sidewalks along Parkway River Road. The building needs an entrance/exit on the east side with a connector sidewalk to the sidewalk being placed along the street. Otherwise, no issues.

9. C-0118-02- Rakesh Patel, representing AUM Enterprises Inc., is requesting **Conditional Use** approval for retail beer (off premises only) and retail table wine (off premises only) to be sold in the convenience store inside the Hampton Inn and Suites located at 4520 Galleria Blvd, Ste. 144. AUM Enterprises Inc. is the property owner and the property is zoned PC (Planned Commercial).

APPROVED

City Planner Comments: No issues

Mr. Rakesh Patel, representing AUM Enterprises, Inc., was present to represent this case. He stated they were requesting Conditional Use approval for the sale of retail beer and retail table wine in their convenience store inside the Hampton Inn and Suites located at 4520 Galleria Blvd, Ste 144.

Mr. Wood asked the secretary if the applicant had been checked out. Ms. Bradstreet answered yes. Mr. Martin stated he had a question. Mr. Martin stated the agenda item read “off premises”. Mr. Martin asked for the items being sold there, was the consumption of those at the hotel or to be taken off-site.

Mr. Patel stated that “off premises” was based on the State of Alabama’s laws and basically it went from their little area in the “suite shop” to the guests’ rooms so that was what the “off premises” meant. Mr. Patel stated the ABC Board would still do their final inspection. Mr. Wood commented that was a good question and conversation ensued about the definition of “off premises”. The secretary checked the file and verified the ABC application read “off premises” for retail beer and retail table wine.

Mr. Wood asked if there were any other questions or comments. There were none. Mr. Wood asked for a motion. Mr. Rice made a motion to approve. Mr. Shaw seconded the motion.

Ms. Stacy Pickett, 1622 Chace Terrace, came to the podium to discuss sidewalks. Mr. Wood explained this case had been continued to the next meeting, February 12th, as they were still working on the wording of the ordinance, but to please share her concerns. Ms. Pickett stated she had lived in Hoover since 1994 and would like to say that Hoover was not overly “pedestrian friendly”, which was something she would have changed if she could have. Ms. Pickett stated in her current neighborhood, Chace Lake Subdivision, they did have sidewalks, but once you left the neighborhood, on the back side of Old Montgomery Highway, there were none. She stated she had bought a home in a community that was close to a lot of things, but could not walk to any of them. Ms. Pickett stated that she hoped the city could proceed as a community to make the sidewalk situation better and more pedestrian friendly.

There being no further business, the meeting was adjourned.

Vanessa Bradstreet
Zoning Assistant