

## MINUTES OF MEETING

### HOOVER PLANNING AND ZONING COMMISSION

**Date:** April 12, 2021  
**Time:** 5:30 pm  
**Place:** Hoover Municipal Center  
**Present:** Mr. Mike Wood - Chairman  
Ms. Jennifer Peace –Vice-Chairman  
Mr. Mike Shaw  
Mr. Nathan Reed  
Mr. Allan Rice  
Ms. Becky White  
Mr. Ben Wieseman  
Mr. Jason Lovoy

**Absent:** Mr. Carl West

**Also Present:** Mr. Chris Reeves, City Engineer  
Mr. Marty Gilbert, Director, Building Inspections  
Mr. Mark Thornton, Fire Marshal  
Mr. Mac Martin, City Planner  
Mr. Jehad Al-Dakka, Director, Special Projects  
Ms. April Danielson, Assistant City Attorney

#### 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. Rice gave the invocation.

3. Mr. Reed led the Pledge of Allegiance.

4. Mr. Wood stated every Planning Commission member should have received copies of the March 8, 2021, minutes and if no one had any changes to be made, he would ask for a motion to approve as written. Mr. Rice made a motion to approve. Ms. Peace seconded the motion. On voice vote, the minutes were approved unanimously.

5. The following cases have been *continued by the applicants until the April 12, 2021, P&Z meeting*:

(a) **S-0121-01** – Scott Rohrer, SB Dev. Corp., is requesting *Final Plat* approval for Ross Bridge Parcel / Phase 4, a proposed 22 lot subdivision located at the end of Glasscott Trail in Ross Bridge. SB Dev. Corp. is the property owner and the property is zoned PUD PR-1 (Planned Single Family District). **(APPROVED)**

*Comments: Recommend approval contingent upon the applicant providing a guarantee in the amount of \$227,700.*

Mr. Bob Easley, AL Engineering Co., Inc., was present to represent this case. Mr. Wood asked if Mr. Easley was ok with the guarantee. Mr. Easley answered yes.

Mr. Wood asked if there were any questions on this plat from the Commission members or audience. There were none. Mr. Wood asked for a motion. Mr. Shaw made a motion to approve. Mr. Rice seconded. On voice vote, the motion was unanimously approved.

(b) **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. **(CONTINUED)**

*Comments: Recommend approval contingent upon the Applicant concurring and addressing the following items for this development:*

- 1. Applicant will permit with ALDOT and re-stripe the westbound left turn lane on AL Hwy 150 at Medford Drive/ Grove Boulevard to accommodate 450 feet of vehicle stacking.*
- 2. Provide a \$125,000 cash donation to the City of Hoover that would be used for the warranting, permitting and installation of a traffic signal at AL Hwy 150 and ATI Parkway. This cash donation would be made to the City upon Final Plat approval by the Hoover Planning and Zoning Commission. In the event that the traffic signal has not warranted after a period of five (5) years from the approval of the final plat, any unused funds as donated for the warranting, permitting and installation of the signal at AL Highway 150 and ATI Parkway will be refunded to the developer.*
- 3. Remove the right turn only restriction from the intersection of ATI Parkway and AL Hwy 150.*
- 4. Execute the proposed access easement agreement between Baronwood Property, LLC, TDG Lake Crest LLC and 150 Partners (Harden & Farris property).*

Mr. David Rawson, MTTR Engineering, 200 Southlake Report, was present to represent this case. Discussion was held and concerns over the traffic took place.

Several Planning Commission members, Mr. Shaw, Mr. Rice, and Ms. Peace questioned Mr. Rawson about various alternatives and the lack of the warrant study being available. Mr. Rawson's traffic engineer was not present to discuss the options. Mr. Wood told Mr. Rawson he had the option to continue this case if he so chose. Mr. Rawson decided to continue the case. Mr. Shaw made a motion to continue; Mr. Rice seconded the motion. On voice vote, the motion passed unanimously.

6. **Z-0421-07** – Jay Compton, Limited Resources, LLC, is requesting pre-zoning and eventual annexation of property owned by Limited Resources, LLC, and located at **2560 Woodmeadow Lane**. Mr. Compton is asking for the property to be pre-zoned to R-2 (Single Family District) for the purpose of developing a 6 (six) lot subdivision. **(APPROVED)**

*Comments: No issues. Zoning requested provides a logical transition between the R-4 zoning to the south/east and R-1 zoning of the rest of the neighborhood. Final analysis of whether or not the property can accommodate a 6 lot subdivision meeting all of the City's development criteria would occur with the platting process.*

Mr. Ben Watson, 5800 Feldspar Way, Hoover, AL, was present to represent this case. Mr. Watson stated the property was currently zoned R-2 in Jefferson County as it sat. Mr. Watson discussed the various aspects of the property and why they were asking for the property to remain R-2 in Hoover.

Mr. Watson also discussed the idea of a hammerhead cul-de-sac design which had been discussed in work session and the maximum number of lots being able to be developed.

Mr. Wood asked if there were any questions from any of the Commission members or anyone in the audience.

Mr. Jay Compton, 2604 Diamond Circle, Hoover, stepped forward to say he had spoken to some of the neighbors. There were not any other questions.

Mr. Wood asked for a motion. Mr. Wieseman made a motion to approve with Mr. Lovoy seconding. On voice vote, the motion was approved.

7. **Z-0421-08** – Darin Boykin on behalf of **Wal-mart** is requesting to amend conditions placed on the zoning of property at **2780 John Hawkins Parkway** (AL Hwy 150). The property is zoned C-2 (Community Business District) with Conditions, with said zoning being adopted by the City Council on July 19, 1999. Specifically, Wal-mart requests the following amendments: (1) Condition #6 be amended to permit morning deliveries beginning at 4am until 10pm; and (2) Condition #19 be removed, lifting the prohibition on drive up/drive thru restaurants. The property would remain zoned C-2 with all remaining conditions intact. **(CONTINUED)**

*Comments: No issues. Staff view the request as reasonable. These conditions were placed on the zoning prior to the development of the shopping center, when unknowns did abound. Now that the shopping center is developed out and its impact on the surrounding area can be observed, staff are of the opinion that these amendments will not adversely impact neighborhoods in the vicinity. There is a considerable vegetated buffer and elevation change between the shopping center and the nearest residence (500+ ft). The change to the delivery hours would allow for fresh items to be on display in time for morning shoppers. The removal of the drive up/drive thru prohibition would permit a new viable use of excess property along AL 150. An existing drive up/drive thru restaurant across AL 150 has posed no issues for residents as far as staff can tell. Any new drive up/drive thru restaurant would have to apply for Conditional Use approval, giving the City an additional opportunity to weigh potential impacts and offer conditions to remedy them.*

The representative for Wal-mart was not present however there were some homeowners who wanted to speak.

Mr. Paul Elkourie, 1802 Cahaba River Estates, presented some documentation from a court case which ended with a court order and settlement agreement back in July of 1999.

Mr. Tripp Galloway stepped to the podium to state he represented Cahaba River Estates during the 1999-2020 court procedures. Mr. Galloway stated he was there to represent Mr. Barry Vickery, a member of the Cahaba River Estates neighborhood association. Mr. Galloway explained he felt there had been a misunderstanding about how this had been presented. He read some documentation from the Order of the Court and advised the City of Hoover to look into this.

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

Mr. Wood asked for a motion to continue. Mr. Shaw made a motion to approve with Mr. Rice seconding. On voice vote, the motion was approved unanimously to continue the case.

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

- (a) **S-0421-06** – Stephen H. Gilbert is requesting **Final Plat** approval for **Heatherwood 4<sup>th</sup> Sector 2<sup>nd</sup> Addition – Resurvey of Lots 14 & 15** located at 324 & 328 Turnberry Road. The purpose of the resurvey is to move the line between the lots to correct

a driveway encroachment. The property owners are Kenneth Mark Coggin, Jr., and Jason L. Bryant and the property is zoned E-2. **(APPROVED)**

*Comments: Recommend approval.*

Mr. Stephen Gilbert, 5160 Scenic View Drive, Birmingham was present to represent this case. Mr. Wood asked if there were any questions from the Planning Commission members or the audience. There were none. Mr. Wood asked for a motion. Mr. Rice made a motion to approve and Mr. Reed seconded. On voice vote, the motion was approved unanimously.

- (b) **S-0421-07** - David M. Adams is requesting **Final Plat** approval for **A Resurvey of Lots 16 & 17 of The Crest at Greystone First Addition** located on Greystone Crest. The purpose of the resurvey is to combine two lots into one lot for building a home. The property owner is Mr. David M. Adams and the property is zoned PR-1 (Planned Single Family District). **(APPROVED)**

*Comments: Recommend approval.*

Mr. David Adams, 1072 Regency Way, Hoover, was represent this request. Mr. Wood asked if there were any other questions from the Commission members or in the audience. There were none. Mr. Wood asked for a motion. Mr. Rice made a motion to approve with Mr. Reed seconding. On voice vote, the motion was approved unanimously.

There being no further business, the meeting was adjourned.

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Vanessa Bradstreet, Zoning Assistant