

TUSCALOOSA PLANNING AND ZONING COMMISSION MEETING SYNOPSIS

Monday, May 20, 2024, 5:00 p.m.

COMMISSION MEMBERS PRESENT:

Chairman: Bill Wright
Vice-Chairman: Tim Harrison
Commissioners: Vincent Dooley, Eddie Pugh, Anne Hornsby, Dena Prince, Councilwoman Howard, and John Smith

ABSENT: Steven Rumsey

STAFF PRESENT:

Haley Webb, Development Review Coordinator
Jimbo Woodson, Deputy City Attorney
Michael Gardiner, Civil Engineer
Zach Ponds, Director of Planning

APPROVAL OF MINUTES

Chairman Wright announced that having received a synopsis of the previous meeting, the Commission moves to dispense with the reading of the minutes of the same unless there are any deletions, additions, or corrections. Hearing none, Chairman Wright recommended approval of the minutes. The motion passed by a unanimous voice vote.

Development Review Coordinator, Haley Webb, presented the following items to the Commission:

CONSENT AGENDA

S-35-24: 27th Street Townhomes, a Resurvey of Lot 6 I.M. Averette Subdivision No. 3, consisting of three townhome lots on approximately 0.16 acres located at 901 27th Street. (Council District 7)

No one spoke in favor or in opposition to the petitions. Chairman Wright read the motion to recommend approval of the consent agenda. The consent agenda was approved by a unanimous voice vote.

CASES REQUESTING TO WITHDRAW

Appeal Pursuant to Rule 13: Duncan Coker Associates, P.C. petitions to waive the bar against reconsideration within six (6) months and place the following previously denied petition on the June 2024 agenda:

P-02-24 Lou's Landing: a Planned Unit Development consisting of 149 single-family residential lots, 42 townhome lots, eight open space lots, and four common area lots on approximately 57 acres located north of Old Colony Road and south of Forest Oaks Lane in conjunction with AN-05-24 and PS-33-24. (Not in City Limits)

Appeal Pursuant to Rule 13: Duncan Coker Associates, P.C. petitions to waive the bar against reconsideration within six (6) months and place the following previously denied petition on the June 2024 agenda:

PS-33-24: Lou's Landing, consisting of 149 single-family residential lots, 42 townhome lots, eight open space lots, and four common area lots on approximately 57 acres located north of Old Colony Road and south of Forest Oaks Lane in conjunction with AN-05-24 and P-02-24. (Not in City Limits)

Robert Martin with Duncan Cokers & Associates represented the petition. No one spoke in favor or in opposition to the petitions. Chairman Wright read the motion to withdraw the cases. The motion was approved by a unanimous voice vote.

ZONING TEXT DISCUSSION

Director of Planning, Zach Ponds, briefed the Commission regarding the proposed changes for the sign ordinance related to interstate signs.

CASES REQUESTING AN EXTENSION

Commons North, LLC requests an extension for the previously approved Planned Unit Development:

P-03-22: Northriver Commons: a 5-story mixed-use building with approximately 17,000 sf of ground floor commercial space, 3,500 sf of amenity space, and 1, 2, and 3-bedroom apartment units consisting of 390 bedrooms, on approximately 4.68 acres located at 1750 Commons North Loop. (Council District 3)

Andy Turner represented the petition. No one spoke in favor or in opposition to the petitions. Chairman Wright read the motion to extend the previously approved Planned Unit Development. The motion was approved by a unanimous voice vote.

UNFINISHED BUSINESS

S-27-24: Sullivan Estates, consisting of five lots on approximately 9.0 acres located at and around 1705 Bear Creek Road East. (Not in City Limits) **CONTINUED FROM APRIL 2024**

Kevin Hinkle with Montgomery & Hinkle represented the petition. Joe Lane and Patricia Lane spoke in opposition to the preliminary plat due to an issue with an easement. No one else spoke in favor or in opposition to the petition. Variances requested were: half street improvements, capped sewer, and lot configuration. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Vice Chairman Harrison moved to approve. Commissioner Pugh seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

Development Review Coordinator, Haley Webb, presented the following items to the Commission:

CASES TO BE HEARD

COMPANION CASES

a. **AN-11-24:** Annexing approximately 0.3 acres located at 4730 Harkey Lane in conjunction with Z-06-24.

No one spoke in favor or in opposition to the petition. No one spoke in favor or in opposition to the petition. Chairman Wright recommended approval of the annexation petition. The motion passed by a unanimous voice vote. The annexation petition was approved.

Z-06-24: WJM Investments, LLC petitions to rezone approximately 1.3 acres located at 4730 Harkey Lane from R-1 to BN in conjunction with AN-11-24. (Council District 3/Not in City Limits)

Robert Martin with Duncan Coker & Associates represented the petitions. No one spoke in favor or in opposition to the petitions. Chairman Wright read the motion to recommend approval of the rezoning petition. Commissioner Smith moved to approve. Commissioner Dooley seconded. All Commissioners voted "no"; none, yes. The rezoning petition failed.

- b. **AN-12-24**: Annexing approximately 4.5 acres located at 1231 Englewood Village Drive in conjunction with Z-07-24 and S-39-24.

No one spoke in favor or in opposition to the petition. No one spoke in favor or in opposition to the petition. Chairman Wright recommended approval of the annexation petition. The motion passed by a unanimous voice vote. The annexation petition was approved.

Z-07-24: D.P. Properties, LLC petitions to rezone approximately 4.5 acres located at 1231 Englewood Village Drive from R-1 to BH in conjunction with AN-12-24 and S-39-24. (Not in City Limits)

Robert McGiffert with McGiffert & Associates represented the rezoning petition. Karen Dixon spoke in opposition to the petition due to her residential property being adjacent to the commercial lots. No one spoke in favor or in opposition to the petition. Chairman Wright read the motion to recommend approval of the rezoning petition. Commissioner Pugh moved to approve. Commissioner Prince seconded. All Commissioners voted "yes"; no, none. The petitions were approved.

S-39-24: Resurvey Commercial Lot 8 Englewood Village Phase IV, consisting of five commercial lots on approximately 4.5 acres located at 1231 Englewood Village in conjunction with AN-12-24 and Z-07-24. (Not in City Limits)

Robert McGiffert with McGiffert & Associates represented the preliminary plat petition. Karen Dixon spoke in opposition to the petition due to her residential property being adjacent to the commercial lots. No one spoke in favor or in opposition to the petitions. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Variances requested were: sidewalk construction. Variances were approved. Commissioner Dooley moved to approve. Commissioner Prince seconded. All Commissioners voted "yes"; no, none. The petitions were approved.

- c. **Z-08-24**: Cypress Properties LLC petitions to rezone approximately 0.98 acres located at 4005 6th Avenue from R-1 to R-2 in conjunction with S-38-24. (Council District 7)

Michael McGuire represented the rezoning petition. No one spoke in favor or in opposition to the petition. Chairman Wright read the motion to recommend approval of the rezoning petition. Councilwoman Howard moved to approve. Commissioner Pugh seconded. All Commissioners voted "yes"; no, none. The petitions were approved.

S-38-24: Resurvey of Lot 8 Burks Garden, consisting of four single-family residential lots on approximately 0.98 acres located at 4005 6th Avenue. (Council District 7)

Michael McGuire represented the petitions. No one spoke in favor or in opposition to the petitions. Variances requested were: sidewalks, right-of-way dedication, and lot configuration. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat with the condition that the existing storage facility on proposed Lot 3 be removed prior to the recording of the final plat. Commissioner Pugh moved to approve. Commissioner Hornsby seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

ANNEXATION REQUEST

- AN-09-24**: Annexing approximately 1.8 acres located at 15129 Marina Drive.

No one spoke in favor or in opposition to the petition. Chairman Wright read the motion to recommend approval of the annexation. The motion passed by a unanimous voice vote. The annexation petition was approved.

AN-10-24: Annexing approximately 1.1 acres located at 17060 Hayes Road.

Russell Ringo represented the annexation petition. No one spoke in favor or in opposition to the petition. Chairman Wright read the motion to recommend approval of the annexation. The motion passed by a unanimous voice vote. The annexation petition was approved.

PRELIMINARY PLATS

S-34-24: CLSB Subdivision, a Resurvey of Lot 4B of the Resurvey of Lot 4, Site A, Tuscaloosa County Industrial Park No. 1, a reconfiguration of two existing industrial lots on approximately 22.87 acres located at 1301 and 1351 Industrial Park Drive. (Council District 1)

Mike Hicks with Herndon, Hicks and Associates represented the petition. No one spoke in favor or in opposition to the petition. Variances requested were: lot configuration and sidewalks. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Commissioner Dooley moved to approve. Commissioner Hornsby seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

S-36-24: 5th Avenue Townhomes, a Resurvey of Newton 3 Subdivision, consisting of 14 townhome lots and two open space lots on approximately 1.8 acres located at and around 2820 and 2830 5th Avenue. (Council District 7)

Ken Faught with Crimson Realty represented the petition. No one spoke in favor or in opposition to the petition. Variances requested were: half street improvements. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Vice Chairman Harrison moved to approve. Commissioner Smith seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

S-37-24: Factory Addition No. 3, a Resurvey of Factory Addition No. 2, consisting of one industrial lot on approximately 0.5 acres located at 2851 Southside Drive. (Council District 2)

Marty Montgomery with Montgomery and Hinkle, Inc., represented the petition. No one spoke in favor or in opposition to the petition. Variances requested were: half street improvements and sidewalks. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Commissioner Pugh moved to approve. Commissioner Smith seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

S-40-24: 7414 Old Greensboro Road, consisting of two lots on approximately 3.07 acres located at 7414 Old Greensboro Road. (Not in City Limits)

Al Cabaniss with Cabaniss Engineering represented the petition. No one spoke in favor or in opposition to the petition. Variances requested were: half street improvements, capped sewer and sidewalks. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Vice Chairman Harrison moved to approve. Commissioner Dooley seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

S-41-24: Skelton Farm Subdivision, consisting of eight residential lots on approximately 24.5 acres located west of 11780 Joe Namath Road. (Not in City Limits)

Josh Robinson represented the petition. No one spoke in favor or in opposition to the petition. Variances requested were: half street improvements, capped sewer and drainage study. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Commissioner Hornsby moved to approve. Commissioner Prince seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

S-42-24: Resurvey of Lot 1 Deal Family Subdivision No. 2, consisting of two lots on approximately 61.9 acres located at 13501 Charlottesville Circle. (Not in City Limits)

Gary Cobb represented the petition. No one spoke in favor or in opposition to the petition. Variances requested were: public street frontage, capped sewer and drainage study. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition with the condition that Lot 1R cannot be further subdivided without public street frontage. Commissioner Dooley moved to approve. Commissioner Prince seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

S-43-24: Lake Cove Estates No. 4, consisting of nine lots on approximately 10 acres north of 11845 Grandview Drive and south of 11878 Grandview Drive. (Not in City Limits)

Mike Hicks with Herndon, Hicks and Associates represented the petition. Mike Butts, Donna Gast, Michael Tidmore, and Robert Way spoke in opposition to the petition due to concerns of preliminary restrictive covenants, turn around, and drainage study needed. No one else spoke in favor or in opposition to the petition. Variances requested were: half street improvements and capped sewer. Variances were approved. Chairman Wright read the motion to recommend approval of the preliminary plat petition. Commissioner Prince moved to approve. Commissioner Hornsby seconded. All Commissioners voted "yes"; no, none. The preliminary plat petition was approved.

OTHER BUSINESS

A Special Called Planning and Zoning Commission: Framework meeting will be held Wednesday, May 22nd.

ADJOURN

Chairman Wright asked whether there was any other matter to be brought before the Planning and Zoning Commission. Seeing none, the Planning and Zoning Commission meeting adjourned at 7:08 P.M.

ATTEST:



Zach Ponds
Secretary of Planning & Zoning Commission



Bill Wright
Chairperson of Planning & Zoning Commission



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