Planning Commission Agenda

April 26, 2018

Council Auditorium

City Hall

103 North Perry Street

PLANNING COMMISSION MEMBERS

Buddy Hardwich, Chairman

James Reid, Vice-Chairman

Ann Clemons

Frank Cook

Clay McInnis

Jerome Moore

Patrick Moss

Crews Reaves

Kippy Tate

Planning Controls Division 25 Washington Ave., 4th Floor Montgomery, AL 36104 (334)625-2722

- I. Chairman's Message
- II. Executive Secretary's Report
- III. Approval of Minutes from the March 22, 2017 meeting

April 26, 2018

Item	File No. RZ-2009-011	Petitioner Richard Hanan	Location Woodmere Boulevard	Request Rezoning	Page
2.	DP-1999-146	Don Stansell	Monticello Drive	DP	2
3.	8951	Goodwyn, Mills & Cawood	Rock Ledge Road	Plat	3
4.	8953	Professional Engineering	East South Boulevard	Plat	4
5.	8954	Pilgreen Engineering	Fleetwood Drive	Plat	5
6.	8955	cc	Edgar D. Nixon Ave.	Plat	6
7.	RZ-2017-011	cc cc	Taylor Road	Rezoning	7
8.	RZ-2018-009	J. M. Garrett & Son	South Holt Street	Rezoning	8
9.	8952		South Holt Street	Plat	9
10.	RZ-2018-007	Orlando L. Durr, Sr	South Court Street	Rezoning	10
11.	RZ-2018-008	Taneki Mayes	Edna Brake Lucas Dr.	Rezoning	11
12.	RZ-2018-006	Earnestine Henderson	Phillip Street	Rezoning	12
13.	RZ-2018-005	Chris Thaggard	Upper Wetumpka Rd.	Rezoning	13

The next Planning Commission meeting is on May 24, 2018

1. RZ-2009-011 PRESENTED BY: Richard Hanan

REPRESENTING: Same

SUBJECT: Request to rezone property located on the north side of Woodmere Boulevard, approximately 1,400 east of Eastern Boulevard, from an R-65-m (Multi-Family Residential) Zoning District to a B-2 (Commercial) Zoning District.

REMARKS: This request pertains to one (1) parcel of land. The adjacent property has R-65-m (Multi-Family Residential) and R-75-m (Multi-Family Residential) zonings to the north, east and west, and B-3 (Commercial) zoning to the south. The intended use for this property if rezoned is for a gas station.

This item was delayed at the March 22, 2018 meeting due to the spot zoning comment, it has been determined that this is not spot zoning.

CITY COUNCIL DISTRICT: 9

DEPARTMENT COMMENTS

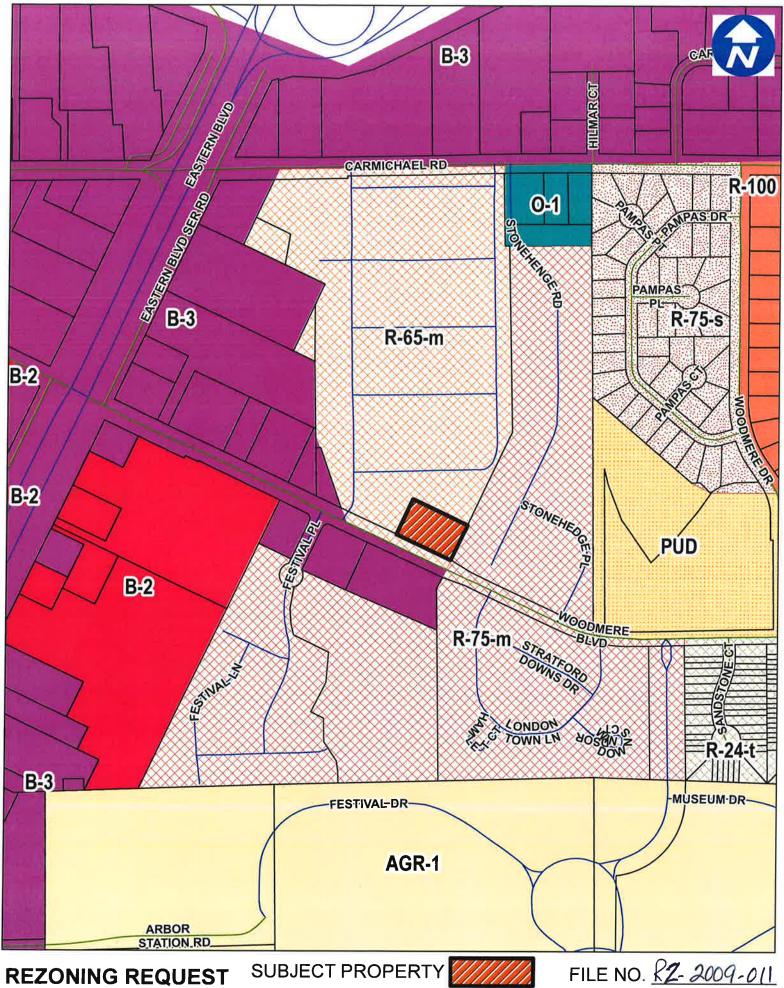
ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COMMENTS:		
ACTION TAKEN:	*	



REZONING REQUEST

1 inch = 400 feet

FROM <u>R65.m</u> TO <u>B.2</u>

ITEM NO. ___/A



REZONING REQUEST SUBJECT PROPERTY

FILE NO. <u>RZ-2009-011</u>

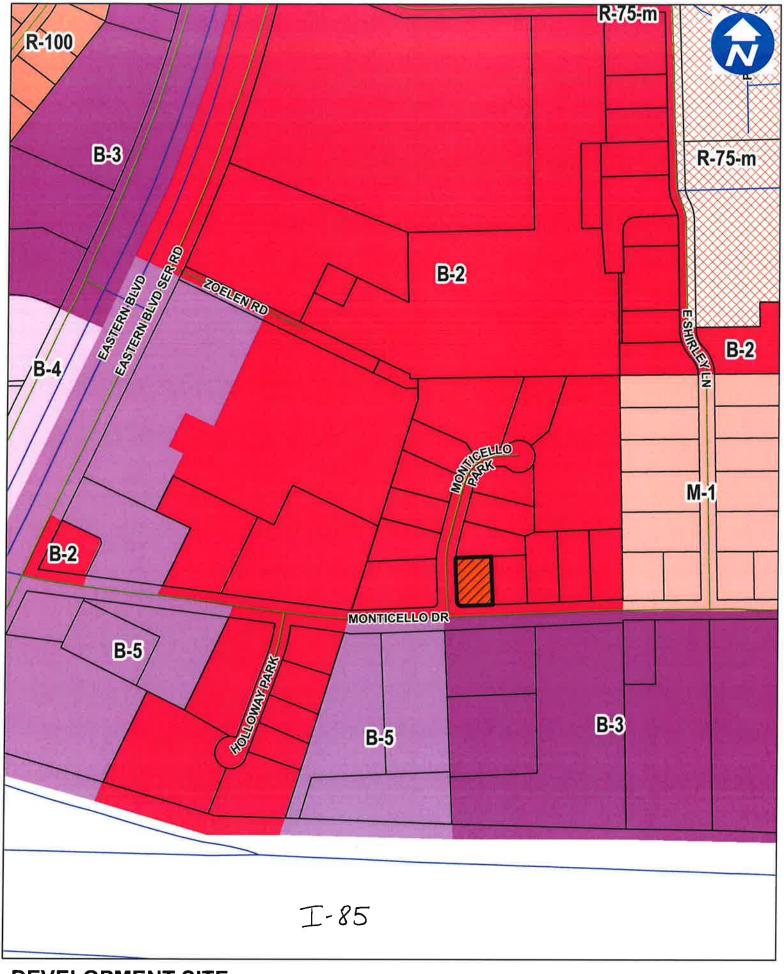
1 inch = 200 feet

FROM <u>R-65-m</u> TO <u>B-2</u>

2. DP-1999-146 PRESENTED BY: Don Stansell **REPRESENTING**: The Eagerton Group SUBJECT: Public hearing for a development plan for a new building to be located at 5941 Monticello Drive in a B-2 (Commercial) Zoning District. **REMARKS**: The petitioner has submitted plans to construct a 2,670 sq. ft. building. There are 20 paved parking spaces indicated on the site plan, and one (1) access drive to Monticello Park. All applicable requirements will be met. Planning Controls Comment(s): There is no signage or refuse container indicated or approved. CITY COUNCIL DISTRICT: 9 All requests are subject to Zoning Ordinance and/or Subdivision Regulations, applicable departmental approvals and Planning Commission recommendations. DEPARTMENT COMMENTS PLEASE NOTE: ALL DEPARTMENTAL COMMENTS WILL BE COMPLIED WITH PRIOR TO BEING RELEASED FOR PERMITTING. ENGINEERING DEPARTMENT: No objections. TRAFFIC ENGINEERING: No objections. FIRE DEPARTMENT: No objections. WATER AND SEWER: No objections.

URBAN FORESTRY: No objections.

ACTION TAKEN:



DEVELOPMENT SITE

1 inch = 300 feet





DEVELOPMENT SITE 1 inch = 200 feet

SUBJECT PROPERTY



3. 8951 **PRESENTED BY**: Goodwyn, Mills & Cawood

REPRESENTING: Goodwyn, Building Co. Inc.

SUBJECT: Request final approval of Park Lake Plat No. 6 located at 6612 and 6616 Rock Ledge Road in a PUD (Planned Unit Development) Zoning District.

REMARKS: This plat replats two (2) lots to decrease the drainage easement along the rear property line from 25 ft. to 15 ft. The Planning Commission approved a revised master plan in 2009 to develop these lots with 15 ft. rear yards and the drainage easement was never changed on the face of the plat for building purposes. This plat is in compliance with the Zoning Ordinance and Subdivision Regulations for this district.

CITY COUNCIL DISTRICT: 1

All requests are subject to Zoning Ordinance and/or Subdivision Regulations, and applicable departmental approvals.

DEPARTMENT COMMENTS

PLEASE NOTE: ALL DEPARTMENTAL COMMENTS WILL BE COMPLIED WITH PRIOR TO BEING RELEASED FOR PERMITTING.

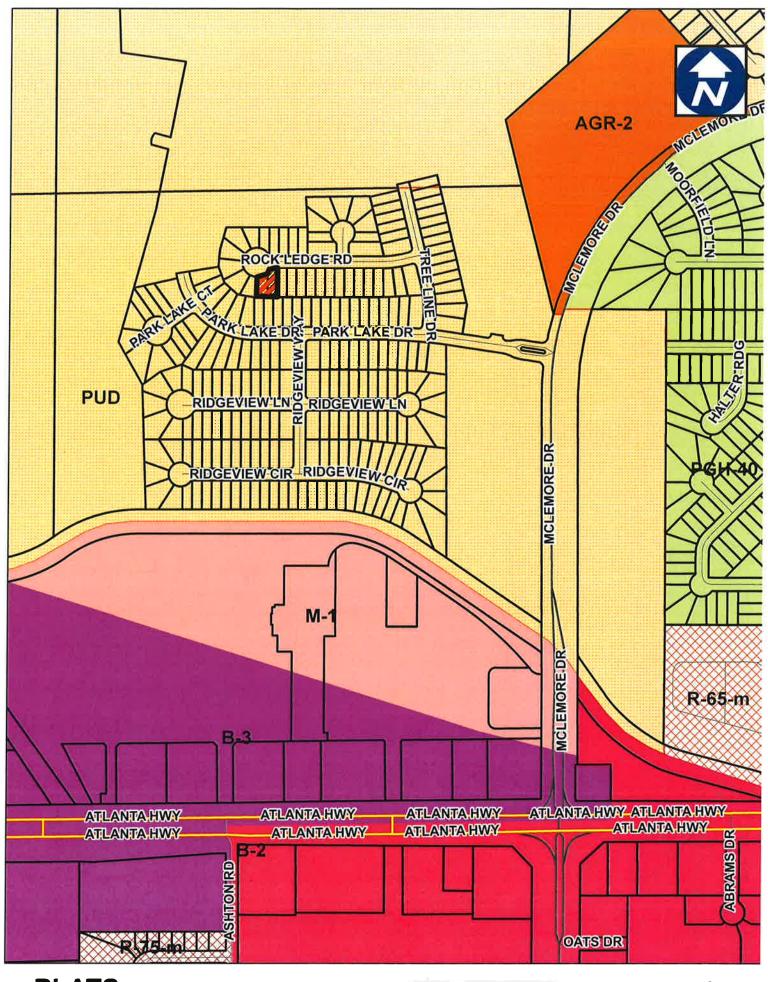
ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COMMENTS:		
-		
ACTION TAKEN:		

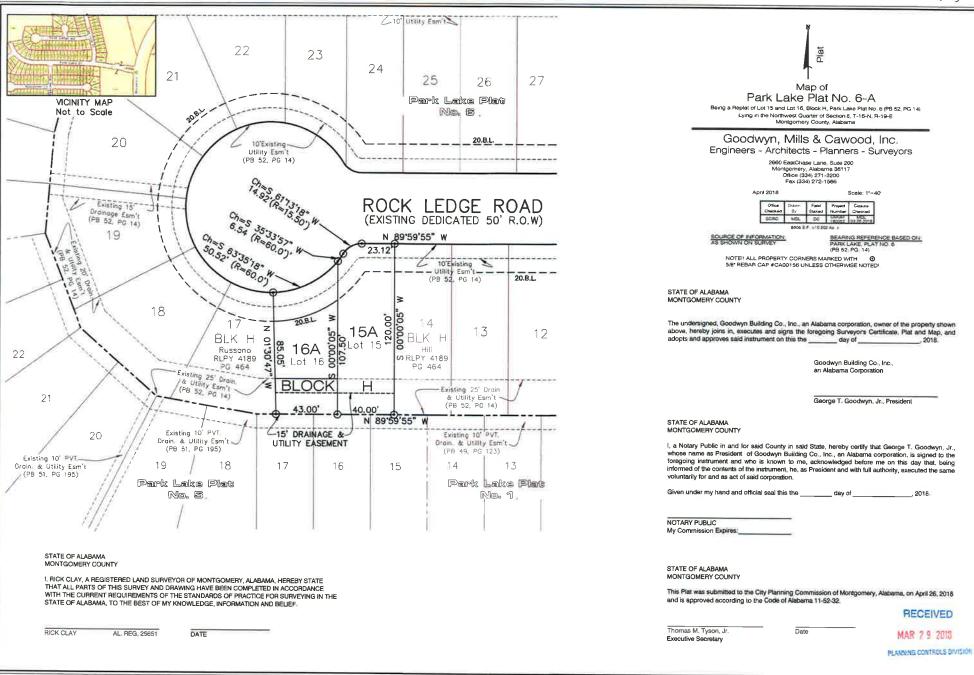


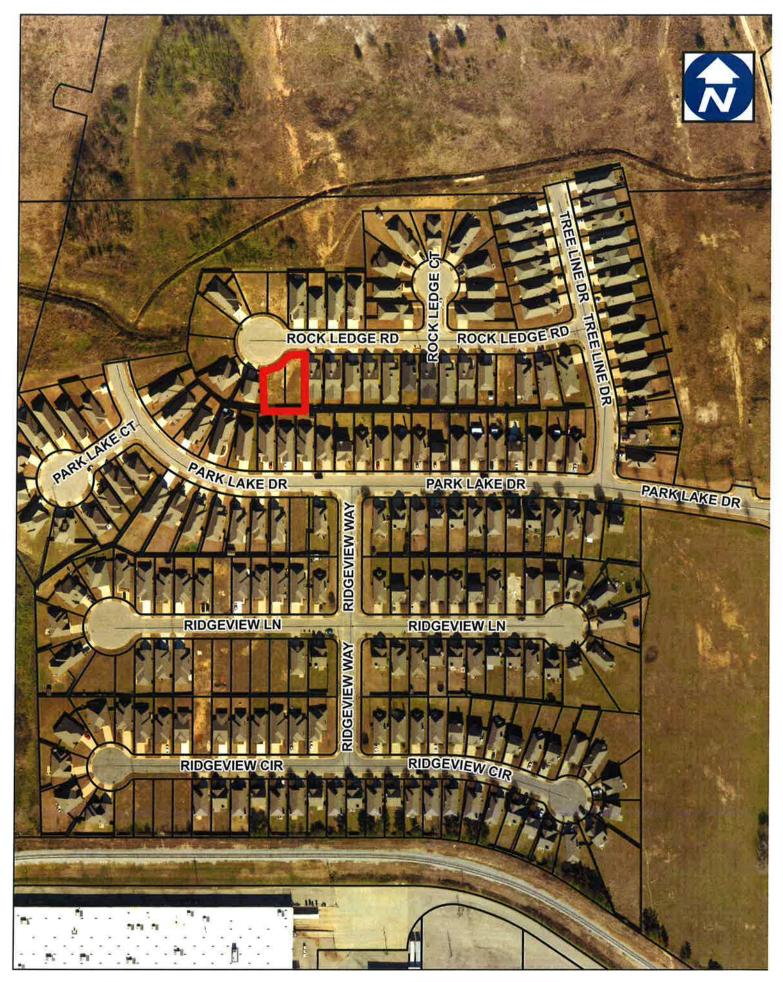
PLATS1 inch = 400 feet

SUBJECT PROPERTY









PLATS 1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. <u>30</u>



4. 8953 **PRESENTED BY**: Professional Engineering Consultants

REPRESENTING: Easter Seals Alabama, Inc.

SUBJECT: Request final approval of Easter Seals Alabama, Inc. Plat No. 1 located on the north side of East South Boulevard and the east end of Normandie Drive in an O-2 (Office) Zoning District.

REMARKS: This plat replats one (1) lot into two (2) lots for office use. Lot A1 (4.31 acres) has 444 ft. of frontage along East South Boulevard and a depth of 414 ft. Lot A2 (3.01 acres) has 50 ft. of frontage along Normandie Drive and a depth of 479 ft. This plat is in compliance with the Zoning Ordinance and Subdivision Regulations for this district.

CITY COUNCIL DISTRICT: 5

All requests are subject to Zoning Ordinance and/or Subdivision Regulations, and applicable departmental approvals.

DEPARTMENT COMMENTS

PLEASE NOTE: ALL DEPARTMENTAL COMMENTS WILL BE COMPLIED WITH PRIOR TO BEING RELEASED FOR PERMITTING.

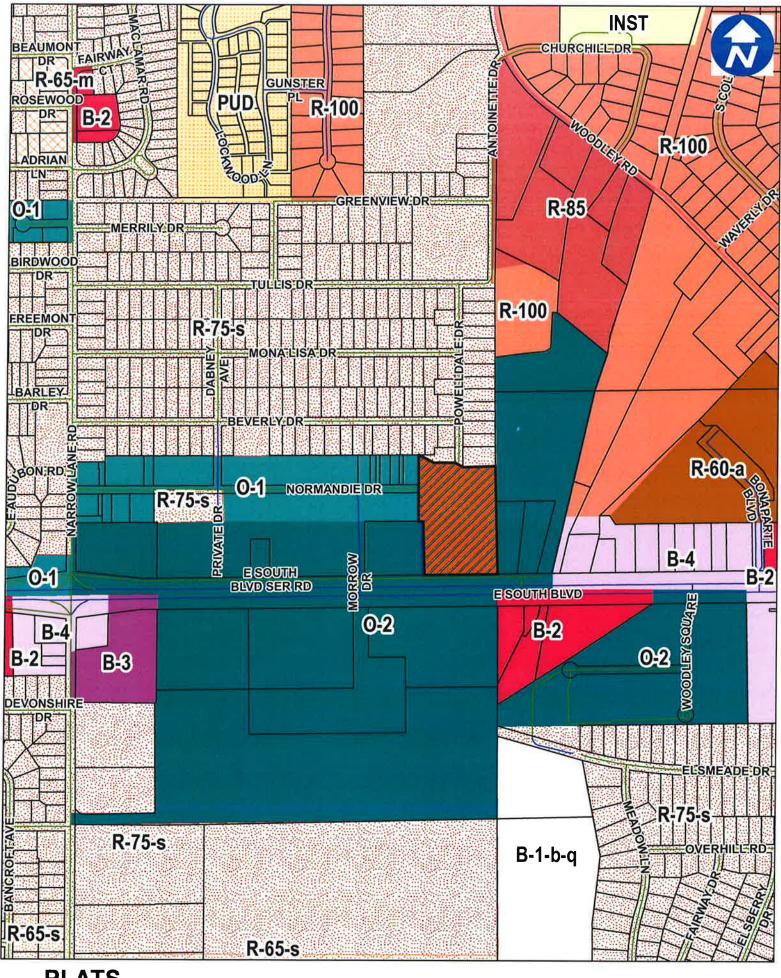
ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COMMENTS:		 	
ACTION TAKEN			

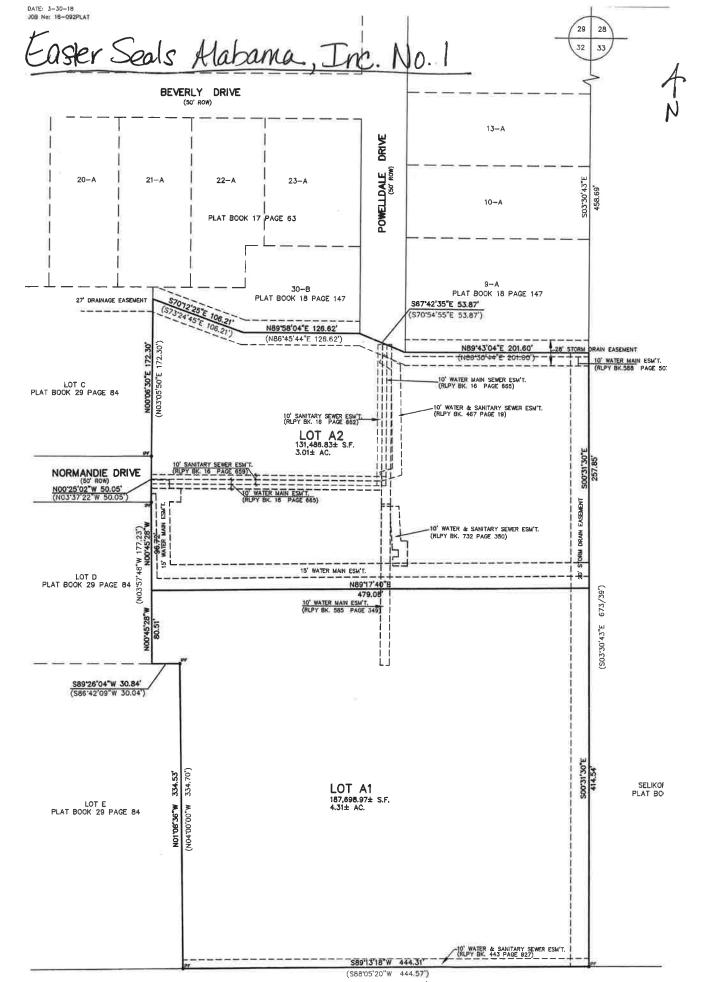


PLATS

SUBJECT PROPERTY 1 inch = 600 feet



ITEM NO. ____HA



East South Blvd.

43



PLATS 1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. <u>40</u>



5. 8954 **PRESENTED BY**: Pilgreen Engineering

REPRESENTING: Thomas Buford Smith

SUBJECT: Request final approval of TBS Plat No. 1 located at 87 and 91 Fleetwood Drive in an R-65-s (Single-Family Residential) Zoning District.

REMARKS: This plat replats two (2) lots into one (1) lot for residential use. Lot 3A (0.92 acres) has 200 ft. of frontage along Fleetwood Drive and a depth of 200 ft. This lot is being combined in order to construct an additional storage building. This plat is in compliance with the Zoning Ordinance and Subdivision Regulations for this district.

CITY COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION DISTRICT: 4

All requests are subject to Zoning Ordinance and/or Subdivision Regulations, and applicable departmental approvals.

DEPARTMENT COMMENTS

PLEASE NOTE: ALL DEPARTMENTAL COMMENTS WILL BE COMPLIED WITH PRIOR TO BEING RELEASED FOR PERMITTING.

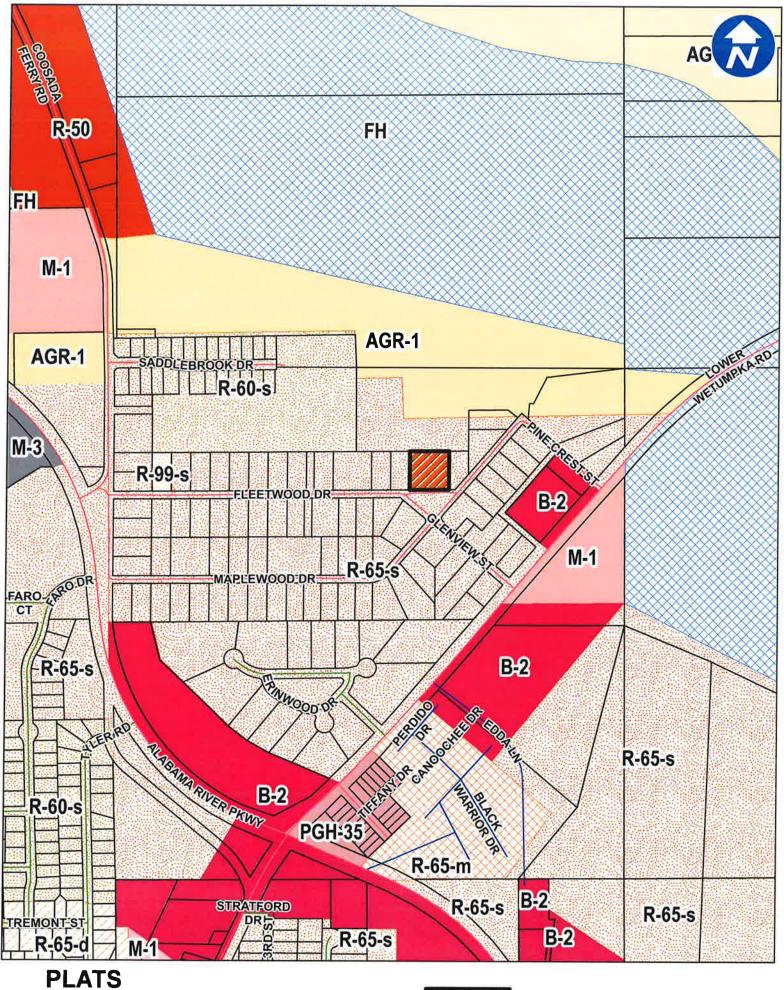
ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COMMENTS:		
-		
ACTION TAKEN	8	



1 inch = 500 feet

SUBJECT PROPERTY

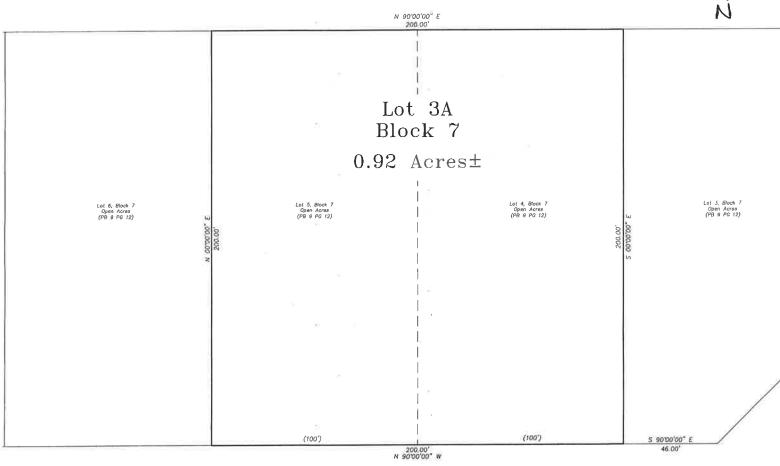


ITEM NO. <u>5A</u>

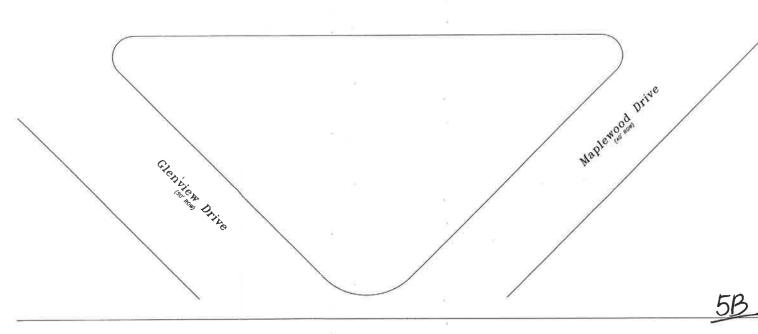
TBS No. 1

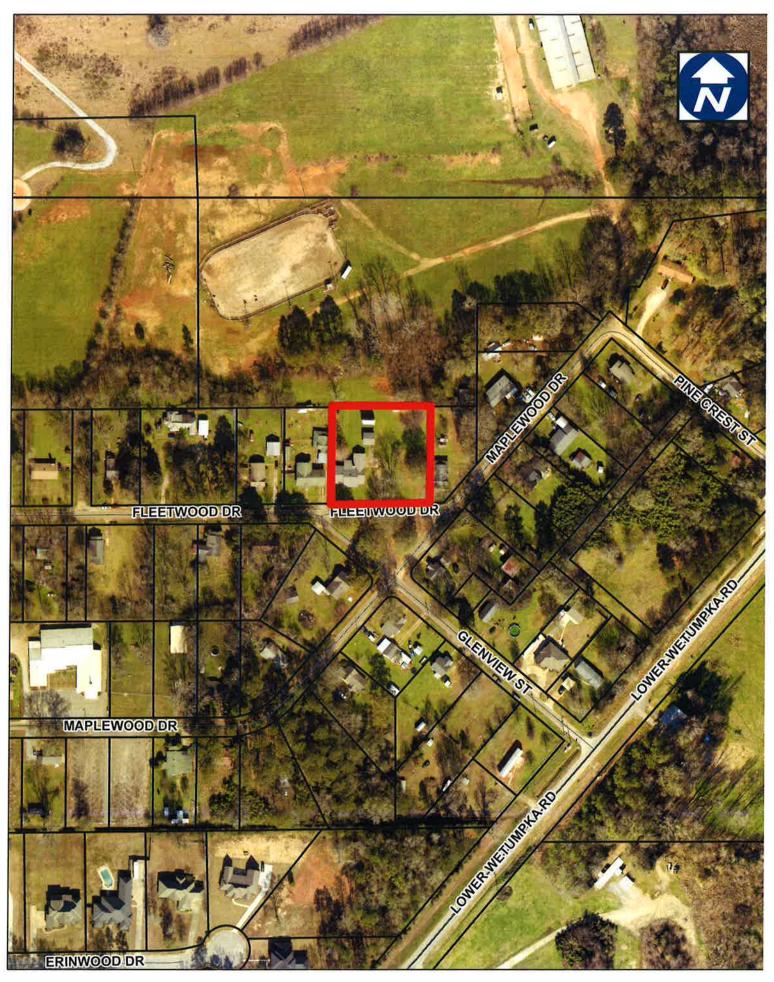


1



Fleeetwood Drive





PLATS 1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. <u>5C</u>



6. 8955 **PRESENTED BY**: Pilgreen Engineering

REPRESENTING: City of Montgomery

SUBJECT: Request final approval of Liberty Court Plat No. 1 located on the east side of Edgar D. Nixon Avenue, approximately 250 ft. north of Mooreland Road, in an R-65-m (Multi-Family Residential) Zoning District.

REMARKS: This plat creates two (2) lots for multi-family residential use. A new cul-de-sac (50 ft. right of way) is proposed to run east off Edgar D. Nixon Avenue (proposed Liberty Court). Lot 1 (2.27 acres) has 110 ft. of frontage along Edgar D. Nixon Avenue and approximately 390 ft. of frontage along the proposed cul-de-sac. Lot 2 (0.77 acres) has 48.58 ft. of frontage along Edgar D. Nixon Avenue and approximately 340 ft. of frontage along the proposed cul-de-sac. This plat is in compliance with the Zoning Ordinance and Subdivision Regulations for this district.

CITY COUNCIL DISTRICT: 7

All requests are subject to Zoning Ordinance and/or Subdivision Regulations, and applicable departmental approvals.

DEPARTMENT COMMENTS

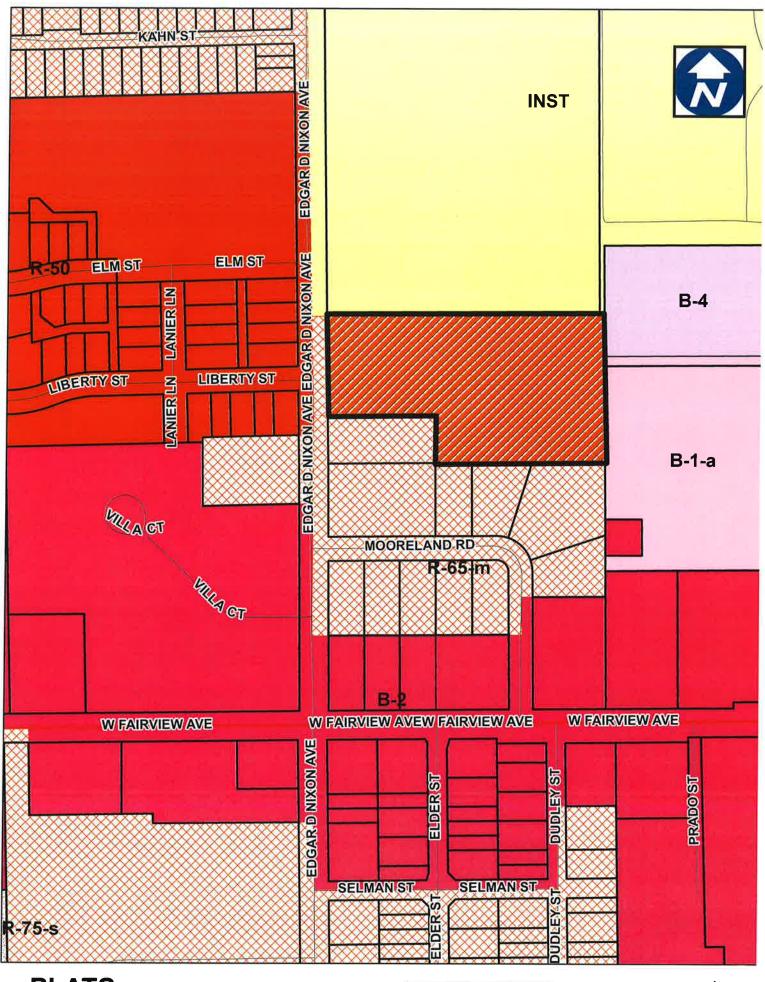
PLEASE NOTE: ALL DEPARTMENTAL COMMENTS WILL BE COMPLIED WITH PRIOR TO BEING RELEASED FOR PERMITTING.

ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.



PLATS
1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. <u>LA</u>

Liberty Court Plat 1 Section in the Northeast 1/4 Section 24. Township is North, Range 17 East Montgorney County, Albabarra Concluding Jose Acce. Pilgreen Engineering, Inc. | Digwe | Dirty | Dies | Dies | Book | Job | No. Tax ID 11-06-24-1-011-018,000 Sidney Lonier High School City of Montgamery 103 North Perry Street Montgamery, AL 36104 (No Deed Reference) Avenue I, MARTIN T. BLETHEN, A REQISTERED LAND SURVEYOR OF MONTCOMENY, ALABAMA, HOREST CERTIFY THAT THE PROPERTY SHOWN ON THIS MAP IS TRUE AND CORRECT, THAT ALL CORNERS ARE MARKED WITH IRON PINS OR CONCRETE MONUMENTS AND THAT THEY ACTUALLY EXIST. I MOMENT CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCOMPANCE WITH THE CURRENT RECUMPLIENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY INDIBUTOR, RECUMPATION AND BELIEF. · D Nixon 1/2" Retror Found (GMC) COMME TO MY STREET THIS THE 28 DAY OF STR Edgar (60' R "67.EL00 LOT 1 2.27 Ac Drill Hale in Canc Liberty St LIBERTY COURT Orde Hate In Conc Shops man 2) feet seet of Property the GEORGE C SPEAKE MONTEDWERT COUNTY ENGINEER PN No2 Found THIS PLAT WAS SUBMITTED TO THE CITY PLANNING COMMISSION OF MONTGOMERY, ALABAMA, ON ACCORDING TO THE CODE OF ALABAMA 11-52-32. Tax ID 11-06-24-1-011-020.000 John F Knight P.O. Bax 5300 Man1gomery. AL 36106 (RLPY 1025 PG 0052) BT: EXECUTIVE SECRETARY 9.77 Ac 3/4" Pipe Found S 893173" W 3/4" FbT 15" Oling Pipe Franci 10" Meet Tax ID 11-05-24-1-011-024,000 Harman & Barbara McClendon 4641 Vandarbil Drive Montgomery, AL 36116 (RLPY 3515 PG 0306) Lot 10, Block B Westover Resubdivision (PB 7 PG 13) Streets shown haveon, if not previously dedicated, are hereby tendered for dedication to public ass GRAPHIC SCALE Mooreland Road



PLATS 1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. _ 6



7. RZ-2017-011 **PRESENTED BY**: Pilgreen Engineering

REPRESENTING: City of Montgomery

SUBJECT: Request to rezone two (2) acres on the southeast corner of Taylor Road and Halcyon Boulevard from PGH-35 (Patio-Garden Home) Zoning District and B-2-Q (Commercial-Qualified) Zoning Districts to a B-2 (Commercial) Zoning District.

REMARKS: The adjacent property has INST (Institutional) zoning to the north, PGH-35 (Patio-Garden Home) zoning to the south and east, and R-20-t (Townhouse) zoning to the west. This is a baseball/softball complex (Buddy Watson Ballfields). The initial use for this is a billboard.

CITY COUNCIL DISTRICT: 9

DEPARTMENT COMMENTS

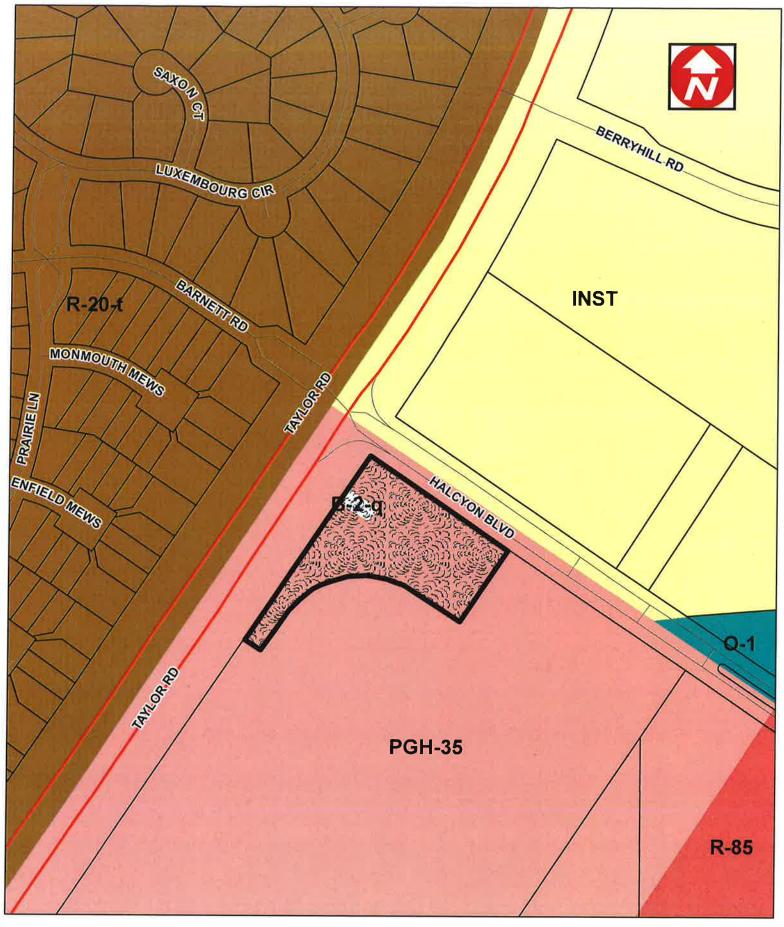
ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

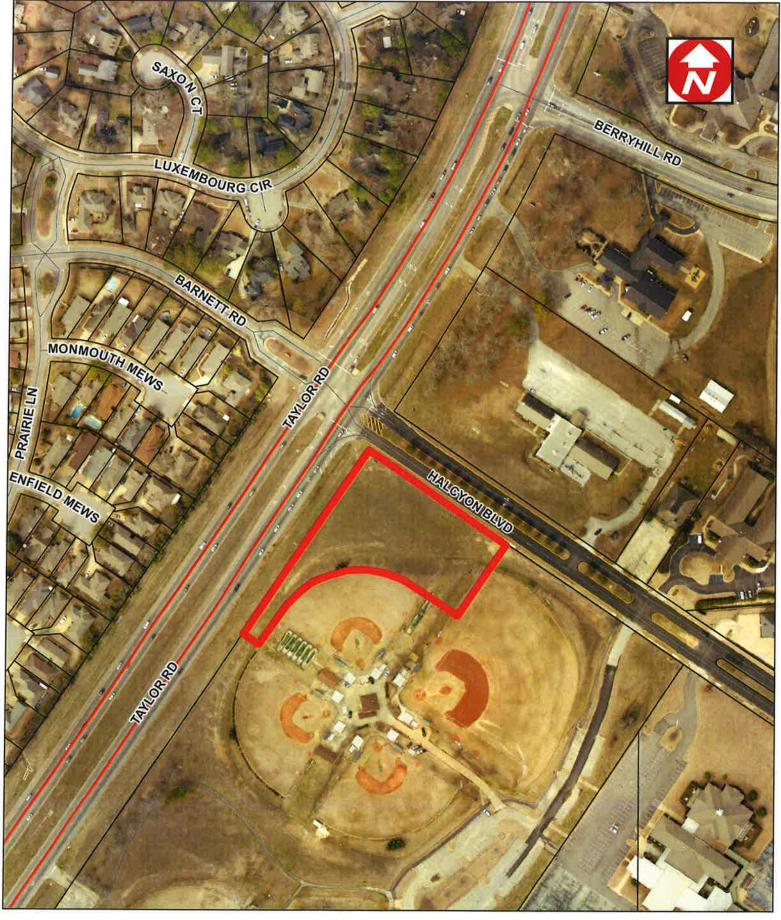
WATER AND SEWER: No objections.

COMMENTS:	A II	
ACTION TAKEN:		



REZONING REQUEST

The subject property of the No. 1 inch = 200 feet from 1 inch = 200 ITEM NO. <u>7A</u>



REZONING REQUEST SUBJECT PROPERTY

1 inch = 200 feet FROM B-2-Q TO B-2

FILE NO. <u>22-2017-011</u>
ITEM NO. <u>1B</u>

8. RZ-2018-009 PRESENTED BY: J. M. Garrett & Son

REPRESENTING: Kenneth Ward

SUBJECT: Request to rezone property located on the southwest corner of South Holt Street and Alexander Street from a B-2 (Commercial) Zoning District to an R-60-m (Multi-Family Residential) Zoning District.

REMARKS: The adjacent property has B-2 (Commercial) and R-60-m (Multi-Family Residential) zoning to the north, and B-2 (Commercial) zoning to the south, east and west. The intended use for this property if rezoned is for a structure containing four (4) family units.

CITY COUNCIL DISTRICT: 7

DEPARTMENT COMMENTS

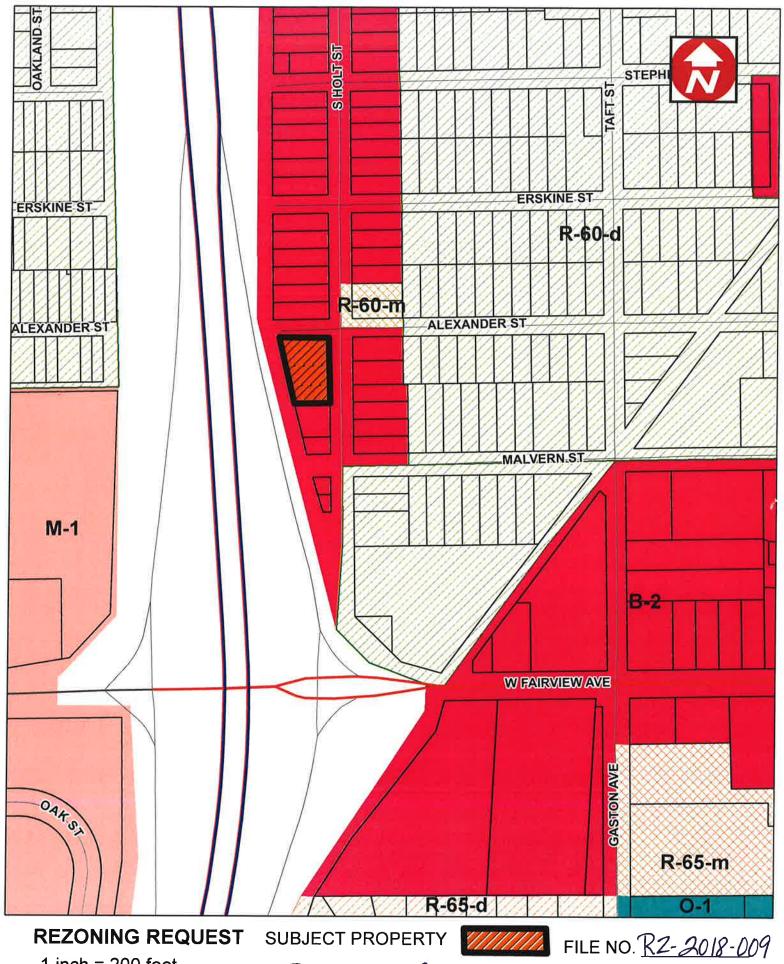
ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

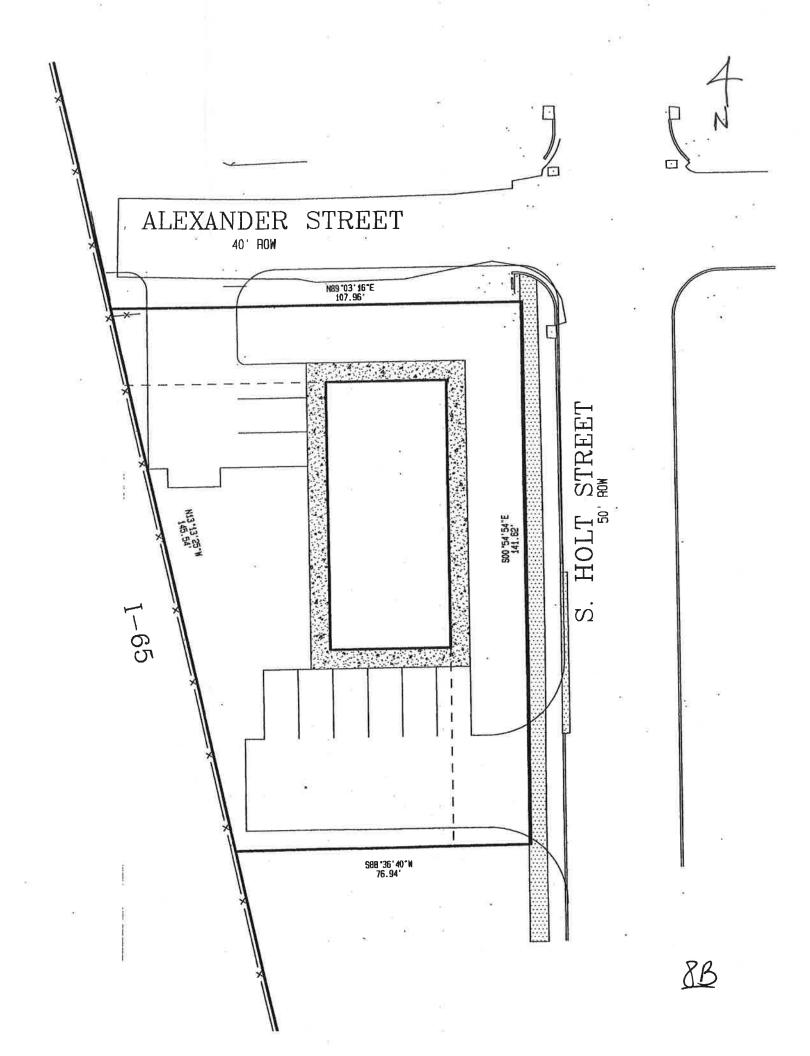
WATER AND SEWER: No objections.

COMMENTS:	. Fi	
-		
ACTION TAKEN:		



1 inch = 200 feet

FROM <u>B-2</u> TO <u>R-60-m</u>





REZONING REQUEST SUBJECT PROPERTY

FILE NO. <u>R2-2018-00</u>9

1 inch = 200 feet

FROM <u>B-2</u> TO <u>R-60-m</u>

ITEM NO. ______

9. 8952 PRESENTED BY: J. M. Garrett & Son

REPRESENTING: Kenneth Ward

SUBJECT: Request final approval of Kenneth Ward Plat No. 1 located on the southwest corner of South Holt Street and Alexander Street in a B-2 (Commercial) (proposed R-60-m (Multi-Family Residential)) Zoning District.

REMARKS: This plat replats several lots into one (1) lot for one (1) residential structure to be used as a four (4) unit residential structure. Lot A (13,125.34 sq. ft.) has 141.62 ft. of frontage along South Holt Street and 107.96 ft. along Alexander Street. A request to rezone this property to R-60-m (Multi-Family Residential) has been submitted. This plat is in compliance with the Zoning Ordinance and Subdivision Regulations for this district.

CITY COUNCIL DISTRICT: 7

All requests are subject to Zoning Ordinance and/or Subdivision Regulations, and applicable departmental approvals.

DEPARTMENT COMMENTS

PLEASE NOTE: ALL DEPARTMENTAL COMMENTS WILL BE COMPLIED WITH PRIOR TO BEING RELEASED FOR PERMITTING.

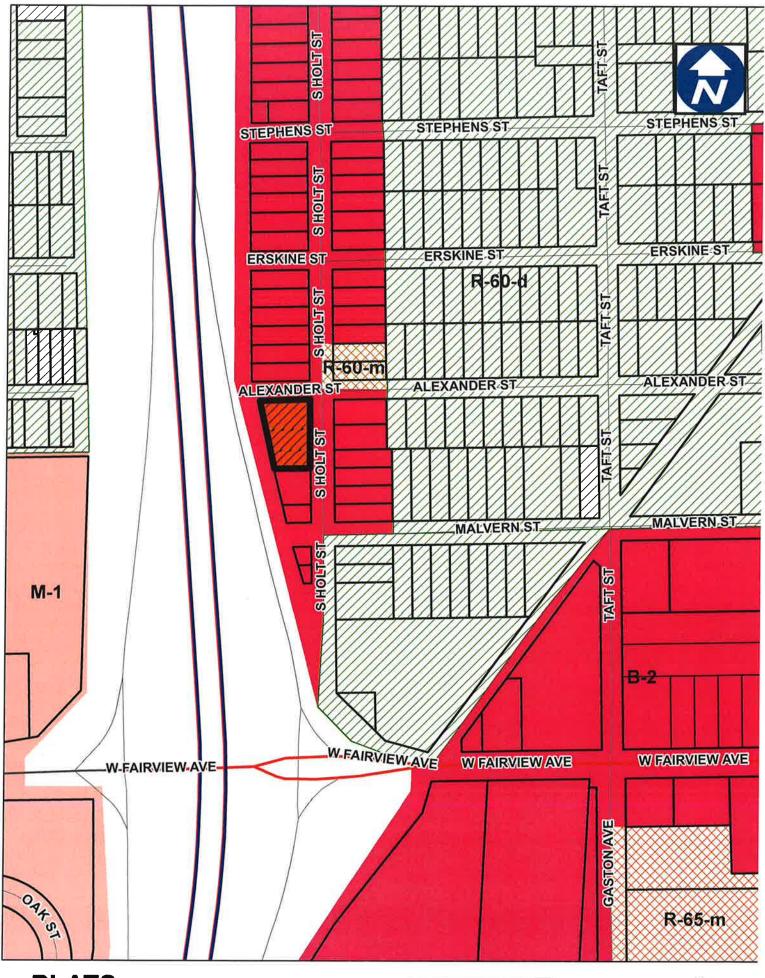
ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COMMENTS:				
See a state of the control of the state of t	X			
ACTION TAKEN:				



PLATS
1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. <u>9</u>A

Kenneth Ward No. 1 ALEXANDER STREET N89 '03' 16"E 107.96' LOT 3 BLOCK 9 LOT 2 BLOCK 9 LOT 1 BLOCK 9 GREESON AND HOLT PLAT BOOK 5 PAGE 80 LOT A 13,125.34 SQ FT <u>က</u> LOT 17 CLEVELAND PARK PLAT BOOK 6 PAGE 28 588*36'40"N 76.94"



PLATS 1 inch = 100 feet

SUBJECT PROPERTY



ITEM NO. <u>9</u>C

10. RZ-2018-007 PRESENTED BY: Orlando L. Durr, Sr.

REPRESENTING: Durr Development, LLC

SUBJECT: Request to rezone property located on the southeast corner of High Street and South Court Street from a T4-R (General Urban Zone-Restricted) SmartCode Zoning District to a T4-O (General Urban Zone-Open) SmartCode Zoning District.

REMARKS: The adjacent property has T4-R (General Urban Zone-Restricted) zoning to the north, south and east; and T4-O (General Urban Zone-Open) zoning to the west and south. The intended use for this property if rezoned is for a spa salon, hair salon, office space and gift shop on the first floor; and on the second, third and fourth floors would be living space for lofts. The basement would be designed as a cafe spot.

CITY COUNCIL DISTRICT: 3

DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

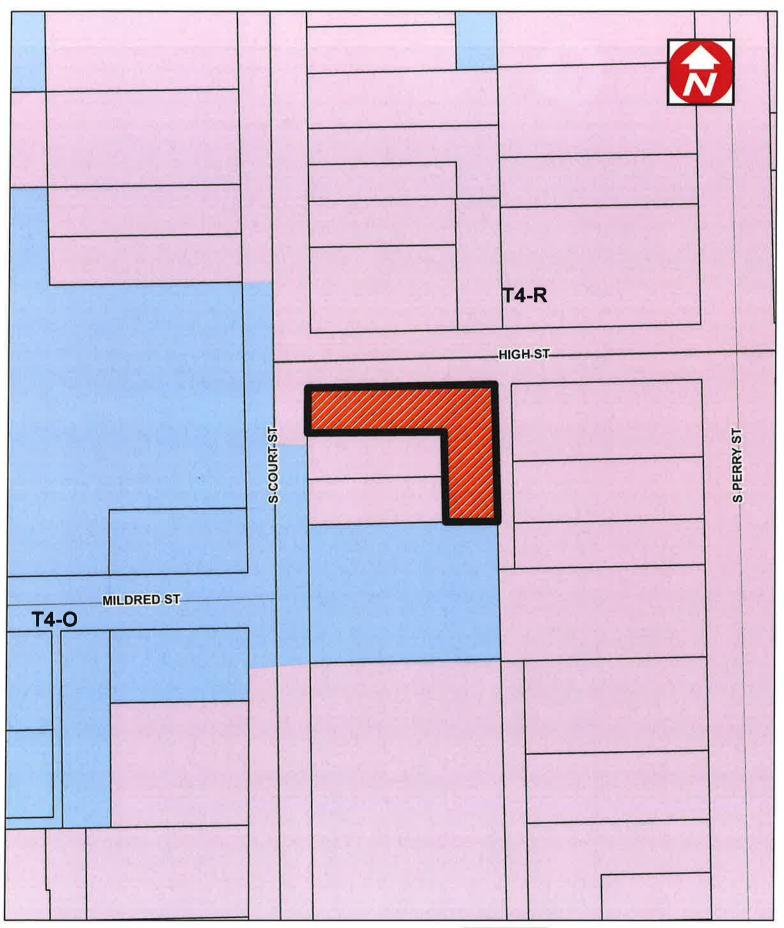
TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS:			
19			
ACTION TAKEN:	1 16		



REZONING REQUEST SUBJECT PROPERTY FILE NO. \$\frac{2}{2} - 2018 - 007

1 inch = 100 feet

FROM <u>T4-R</u> TO <u>T4-0</u>

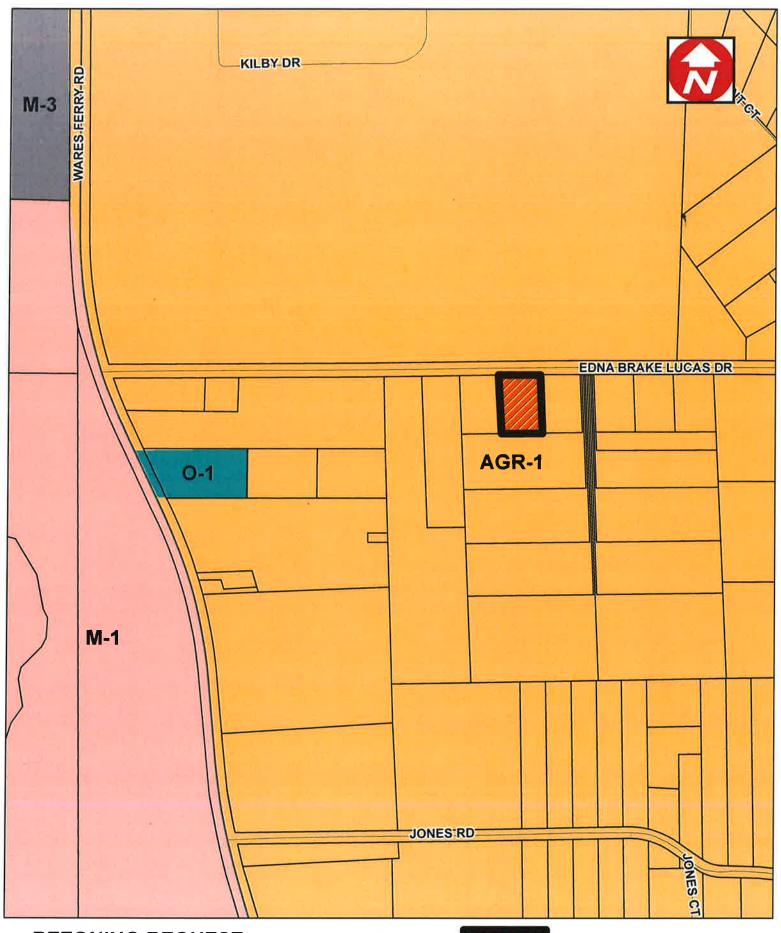
ITEM NO. __*[0A*___



1 inch = 100 feet FROM TH-R TO TH-O

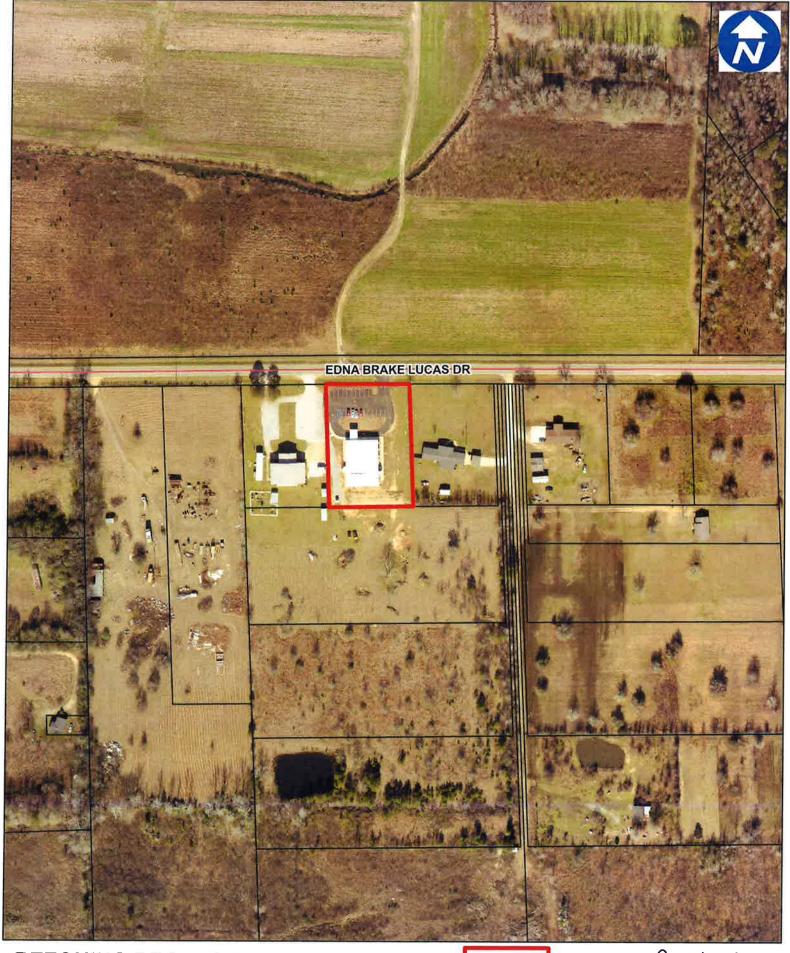
FILE NO. <u>R2-2018-00</u>7 ITEM NO. <u>10B</u>

RZ-2018-008 PRESENTED BY: Taneki Mayes 11. REPRESENTING: Same SUBJECT: Request to rezone one (1) lot located at 13074 Edna Brake Lucas Drive from an AGR-1 (Residential Agriculture) Zoning District to a B-2 (Commercial) Zoning District. REMARKS: This property is surrounded by AGR-1 (Residential Agriculture). The intended use for this property if rezoned is for a private, non-profit, early childcare development center (daycare). CITY COUNCIL DISTRICT: Police Jurisdiction **COUNTY COMMISSION DISTRICT: 5 DEPARTMENT COMMENTS ENGINEERING DEPARTMENT:** No objections. TRAFFIC ENGINEERING: No objections. FIRE DEPARTMENT: No objections. WATER AND SEWER: No objections. **COUNTY HEALTH DEPARTMENT:** No objections. COMMENTS: ACTION TAKEN:



REZONING REQUEST SUBJECT PROPERTY FILE NO. RZ-2018-008

1 inch = 400 feet FROM AGR-1 TO B-2 ITEM NO. 11A



REZONING REQUEST SUBJECT PROPERTY FILE NO. RZ-2018-008

1 inch = 200 feet

FROM AGR-1 TO B-2

REPRESENTING: Same

SUBJECT: Request to rezone one property located on the west side of Phillip Street, approximately 1,200 ft. south of Anthony Street, from an R-50 (Single-Family Residential) Zoning District to an R-99-s (Mobile Home Subdivision) Zoning District.

REMARKS: This property is surrounded by R-50 (Single-Family Residential) zoning. The intended use for this property if rezoned is for one (1) mobile home for living purposes.

CITY COUNCIL DISTRICT: 4

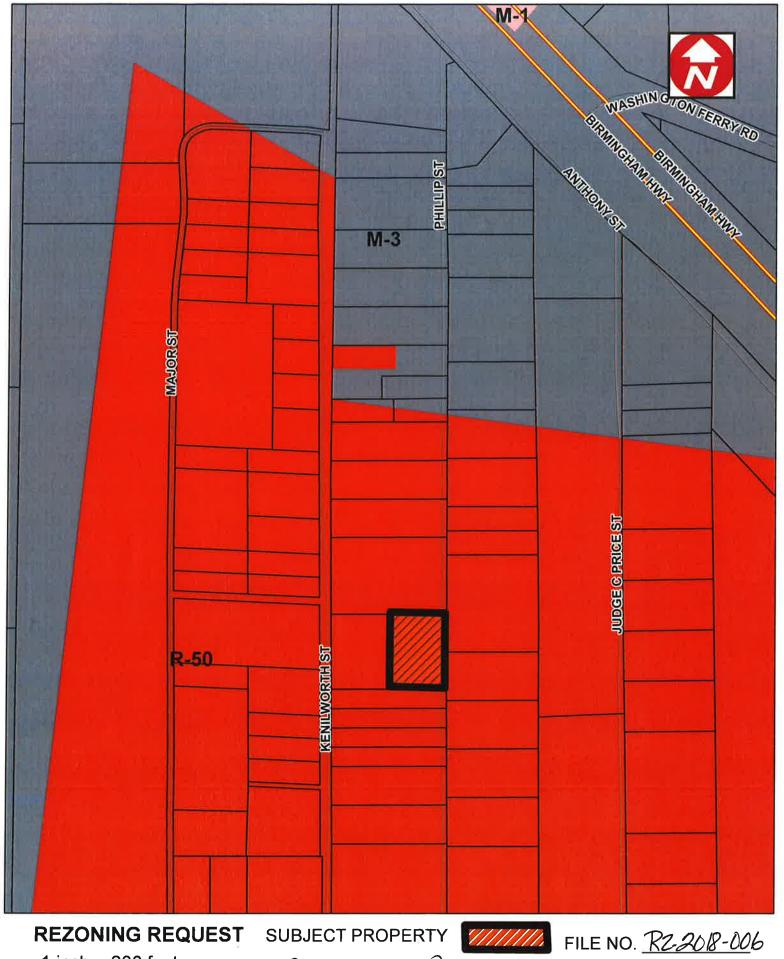
DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.



1 inch = 200 feet FROM <u>R-50</u> TO <u>R-99-5</u>

ITEM NO. __*|QA*_



REZONING REQUEST SUBJECT PROPERTY 1 inch = 200 feet FROM $\frac{R-50}{1}$ TO $\frac{R-99-5}{1}$

_____ FILE NO. <u>R2-2018-0</u>06 _____ ITEM NO. <u>12B</u>_

13. RZ-2018-005 PRESENTED BY: Chris Thaggard

SUBJECT: Request to rezone one (1) lot located on the northwest corner of Upper Wetumpka Road and Lucas Drive (2401 Upper Wetumpka Road) from an R-65-d (Duplex Residential) Zoning District to a B-2 (Commercial) Zoning District.

REMARKS: The adjacent property has R-65-d (Duplex Residential) zoning to the north, B-2 (Commercial) zoning to the south, R-100 (Single-Family Residential) zoning to the east, and R-65-d (Duplex Residential) zoning to the west. The intended use for this property if rezoned is for an auto repair shop.

CITY COUNCIL DISTRICT: 3

REPRESENTING: Same

DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

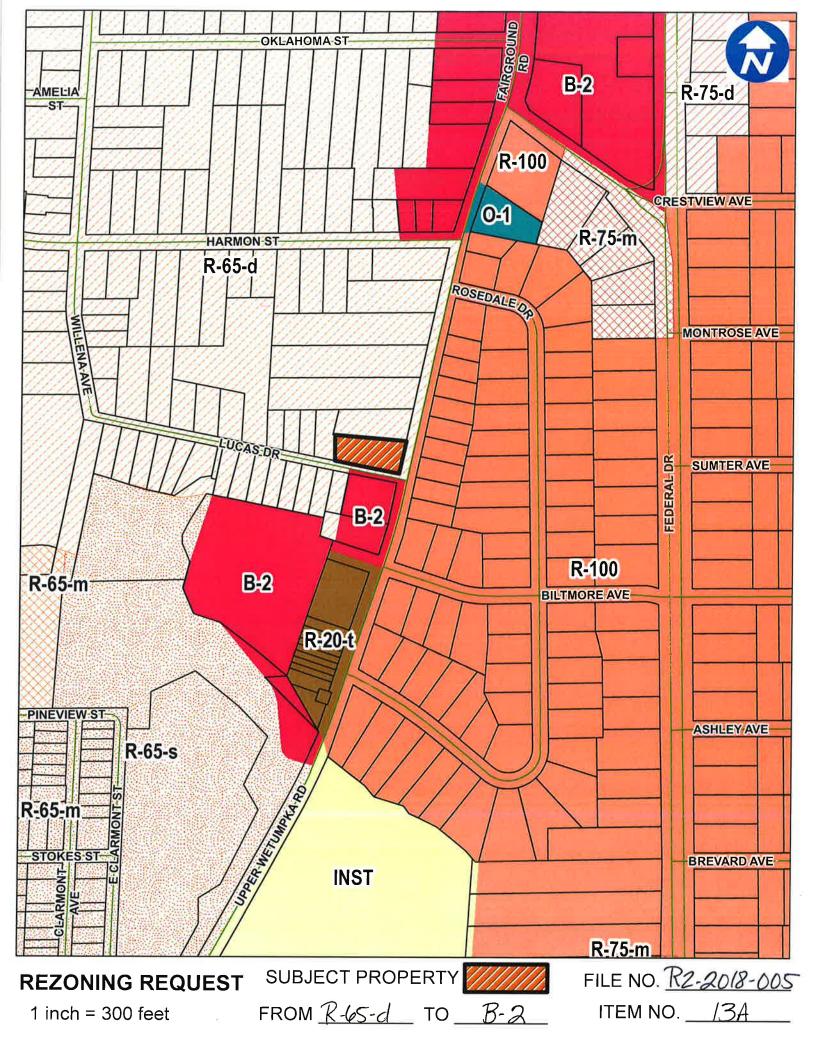
TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS:	 2			
ACTION TAKEN!				





REZONING REQUEST

SUBJECT PROPERTY

FILE NO. <u>R2-2018-005</u> ITEM NO. <u>13B</u>