

Planning Commission Agenda

October 25, 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

**Land Use 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 September 27, 2018 meeting

October 25, 2018

<u>Item</u>	<u>File No.</u>	<u>Petitioner</u>	<u>Location</u>	<u>Request</u>	<u>Page</u>
1.	RZ-2018-021	Darnell Bennett	Norman Bridge Road	Rezoning	1
2.	RZ-2018-022	Flowers & White Engineering	Carter Hill Road	Rezoning	2
3.	RZ-2018-020	Alfred Barnett	South Court Street	Rezoning	3
4.	RZ-2018-024	J. M. Garrett & Son	Selma Highway	Rezoning	4
5.	RZ-2018-023	Pilgreen Engineering	Hunter Lane	Rezoning	5
6.	8983	“ “	Mooreland Road	Plat	6
7.	8982	Goodwyn, Mills & Cawood	Myrtlewood Drive	Plat	7
8.	8984	Jeffcoat Engineers	Cantelou Road	Plat	8
9.	DP-1989-110	Wilfredo Navidad	Atlanta Highway	DP	9
10.	Street Renaming	Barbara McGuff & Cindy Heffelfinger	Morningview Street		10

***The next Planning Commission meeting is on
November 8, 2018***

1. RZ-2018-021 **PRESENTED BY:** Darnell Bennett

REPRESENTING: Darnell Bennett & Solister Menifee

SUBJECT: Request to rezone two (1) parcels of land on the east side of Norman Bridge Road, approximately 200 ft. north of Russell Street, from an M-1 (Light Industrial) Zoning District to an M-3 (General Industrial) Zoning District.

REMARKS: The adjacent property has M-1 (Light Industrial) zoning to the north and south, R-60-m (Multi-Family Residential) zoning to the east, and FH (Flood Hazard) zoning to the west. The intended use for this property if rezoned is for a junk yard. The Land Use Plan recommends general business.

Junk yards are a use permitted on appeal to the Board of Adjustment, therefore if the property is rezoned, the petitioner will also have to apply to the Board of Adjustment to seek a special exception for a junk yard.

Land Use Division Comment(s): We would consider this spot zoning due to the fact there is no M-3 zoning anywhere in the vicinity.

This request was delayed at the September 27, 2018 meeting due to no one being present to present the request.

CITY COUNCIL DISTRICT: 5

DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

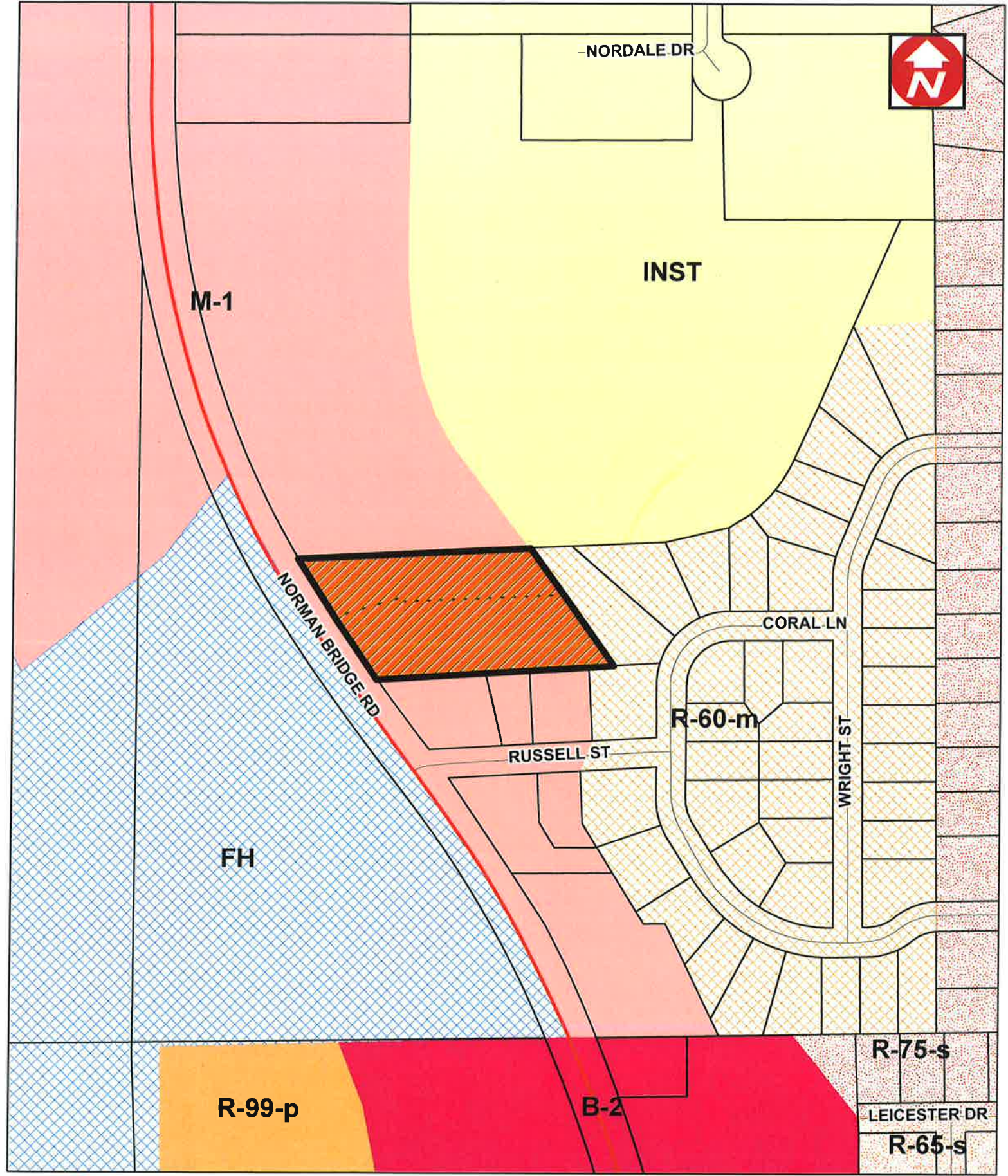
FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

ACTION TAKEN: _____



REZONING REQUEST

SUBJECT PROPERTY



FILE NO. RZ-2018-021

1 inch = 200 feet

FROM M-1 TO M-3

ITEM NO. 1A



REZONING REQUEST

SUBJECT PROPERTY



FILE NO. RZ-2018-021

1 inch = 200 feet

FROM M-1 TO M-3

ITEM NO. 1B

2. RZ-2018-022 **PRESENTED BY:** Flowers & White Engineering

REPRESENTING: The Hagalyn S. Wilson Trust

SUBJECT: Request to rezone property on the south side of Carter Hill Road, between West Haven Lane and Sanford Street, from an O-1 (Office) Zoning District to a B-2 (Commercial) Zoning District.

REMARKS: The adjacent property has INST (Institutional) zoning to the north, O-1 (Office) to the east, and R-60-s (Single-Family Residential) to south and west. The intended use for this property if rezoned is for retail commercial use. The Land Use Plan recommends low-density use.

STAFF COMMENT(S): The closest commercial property is approximately 500 ft. west of this property. Alabama State University is across the street and their tennis courts are to the west of this property.

This request was delayed at the September 27, 2018 by the petitioner.

CITY COUNCIL DISTRICT: 3

DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

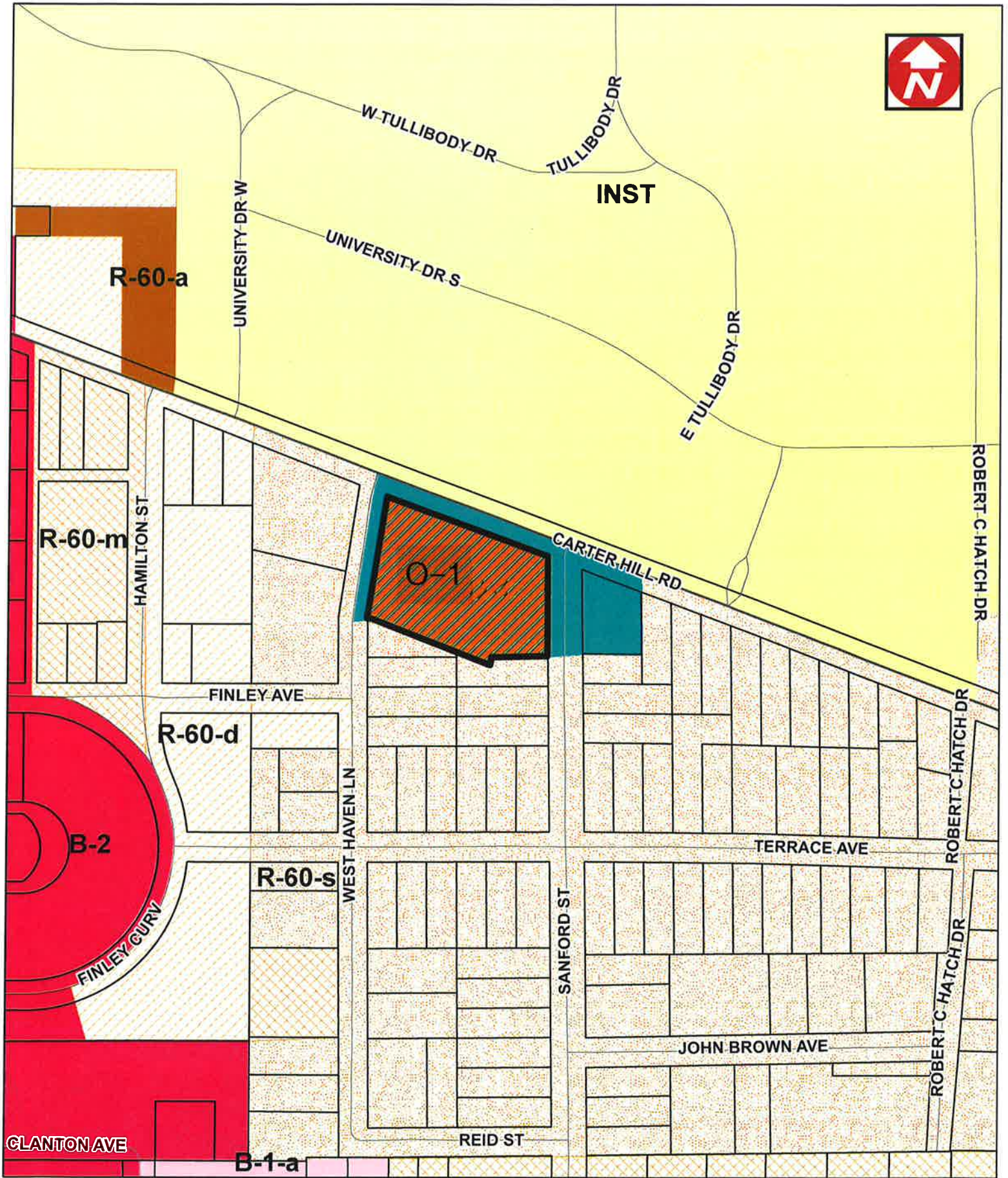
FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

ACTION TAKEN: _____



REZONING REQUEST SUBJECT PROPERTY

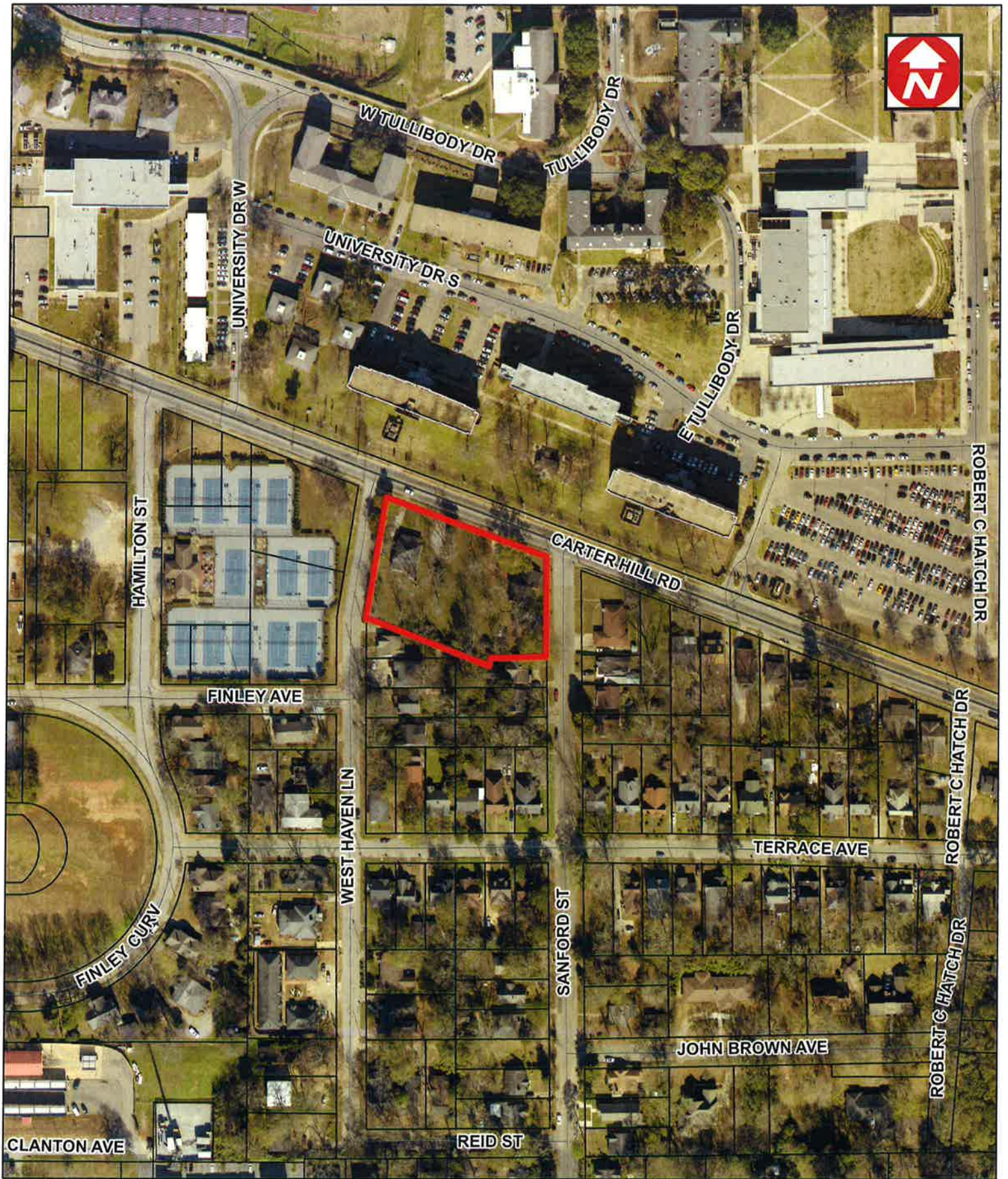


FILE NO. R2-2018-022

1 inch = 200 feet

FROM O-1 TO B-2

ITEM NO. 2A



REZONING REQUEST

SUBJECT PROPERTY



FILE NO. R2-2018-022

1 inch = 200 feet

FROM O-1 TO B-2

ITEM NO. 2B

3. RZ-2018-020 **PRESENTED BY:** Alfred Barnett

REPRESENTING: Same

SUBJECT: Request to rezone one (1) parcel located on the west side of South Court Street, approximately 350 ft. north of Mildred Street (464 South Court Street), from a T4-R (General Urban Center Zone-Restricted) SmartCode Zoning District to a T4-O (General Urban Center Zone-Open) SmartCode Zoning District.

REMARKS: The adjacent property has T4-R (General Urban Zone-Restricted) zoning to the north and east, and T4-O (General Urban Zone-Open) zoning to the south and west. The intended use for this property if rezoned is for office/retail space. The Land Use Plan recommends central business use; however the Downtown Master Plan approved in 2007 recommends General Urban Zone-Restricted use.

STAFF COMMENT(S): This property abuts T4-O zoning.

This request was heard at the last meeting on August 23, 2018 and was approved to be rezoned to T4-O-Q, restricted to no flea market, however it was determined after the fact that this district cannot be qualified placing restrictions on it; therefore the motion must be rescinded and a new motion made.

This request was delayed at the September 27, 2018 meeting by the petitioner.

CITY COUNCIL DISTRICT: 3

DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

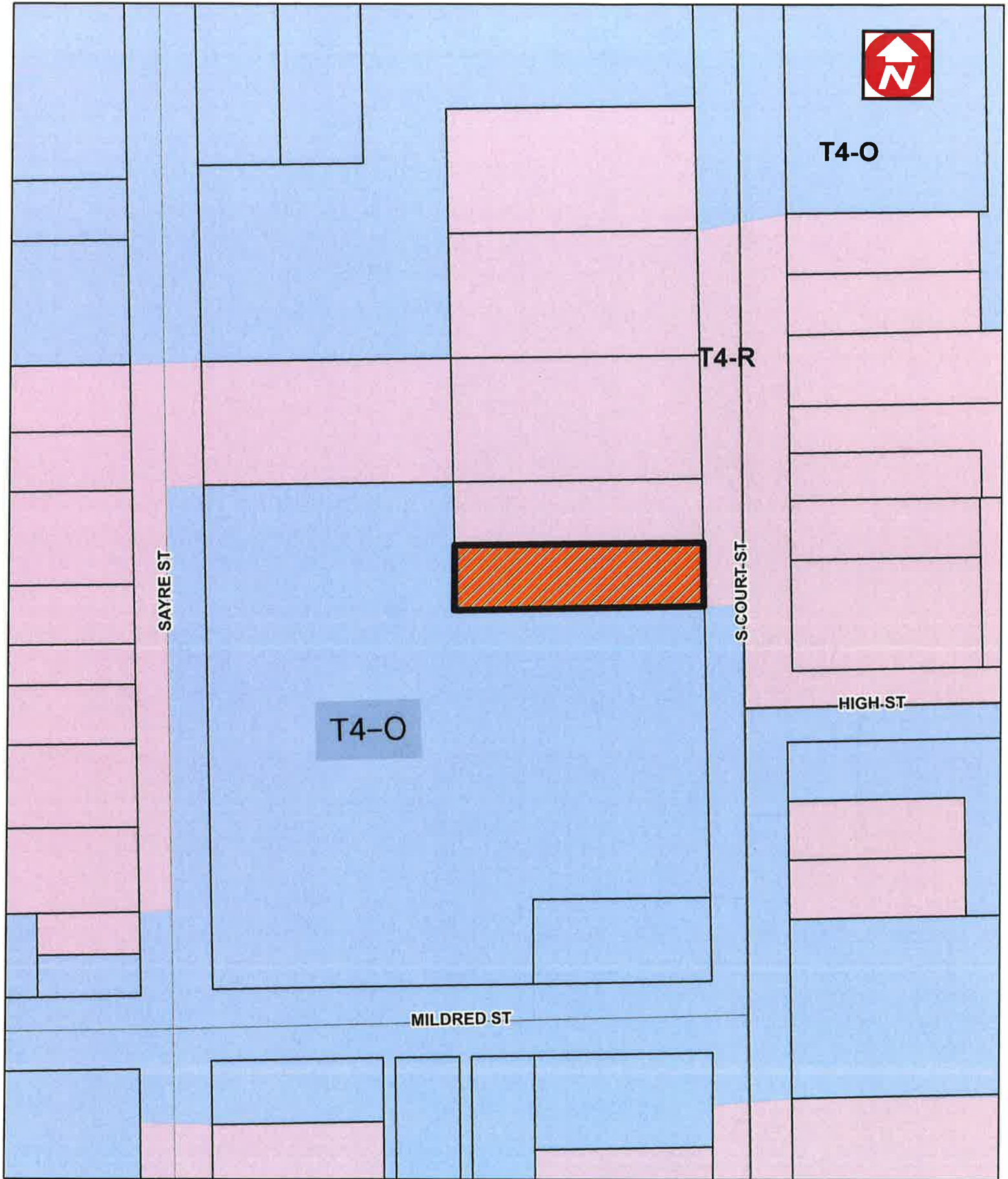
FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

ACTION TAKEN: _____



REZONING REQUEST

SUBJECT PROPERTY



FILE NO. R2-2018-020

1 inch = 100 feet

FROM T4-R TO T4-O

ITEM NO. 3A



REZONING REQUEST

SUBJECT PROPERTY



FILE NO. R2-2018-020

1 inch = 100 feet

FROM T4-R TO T4-0

ITEM NO. 3B

4. RZ-2018-024 **PRESENTED BY:** J. M. Garrett & Son

REPRESENTING: Rebecca Vaughn & Elizabeth Calhoun

SUBJECT: Request to rezone three (3) parcels containing 30.02 acres located on the north side of Selma Highway, approximately 1,100 ft. west of Brewer Road, from an R-75-s (Single-Family Residential) Zoning District to an M-1 (Light Industrial) Zoning District.

REMARKS: The adjacent property has M-1 (Light Industrial) zoning to the east, R-75-s (Single-Family Residential) zoning to the north, and M-1 (Light Industrial) and INST (Institutional) zoning to the west. The intended use for this property if rezoned is for warehouse use. The Land Use Plan recommends general business, office, low density & medium density residential use.

STAFF COMMENT(S): There is M-1 (Light Industrial) surrounding a portion of this property and along Selma Highway.

CITY COUNCIL DISTRICT: 4

DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

FIRE DEPARTMENT: No objections.

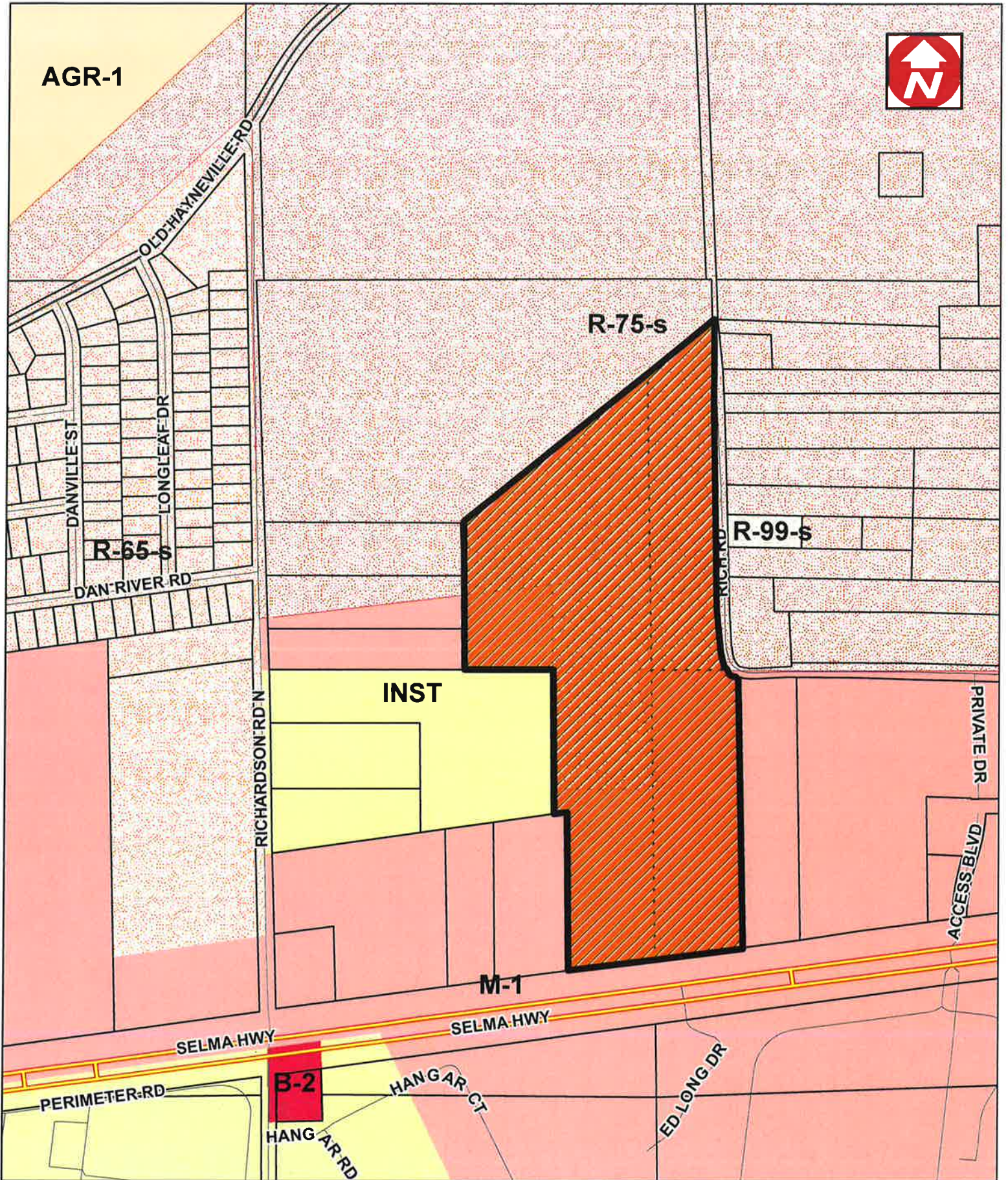
WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

ACTION TAKEN: _____

AGR-1



REZONING REQUEST SUBJECT PROPERTY



FILE NO. R2-2018-024

1 inch = 400 feet

FROM R-75-s TO M-1

ITEM NO. 4A



REZONING REQUEST **SUBJECT PROPERTY**



FILE NO. RZ-2018-024

1 inch = 400 feet

FROM R-75-s TO M-1

ITEM NO. 4B

5. RZ-2018-023 **PRESENTED BY:** Pilgreen Engineering

REPRESENTING: N & S Property

SUBJECT: Request to rezone one (1) lot located at 38 Hunter Lane from an R-100 (Single-Family Residential) Zoning District to a B-2 (Commercial) Zoning District.

REMARKS: The adjacent property has B-2 (Commercial) zoning to the east, south and west, and R-100 (Single-Family Residential) zoning to the north. The intended use for this property if rezoned is for commercial use. The Land Use Plan recommends low-density residential use.

STAFF COMMENT(S): This property has been operating under a use variance for a retail paint store since 1987 and is surrounded by commercial on three sides.

CITY COUNCIL DISTRICT: 1

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: _____

HICKORY DR

HUNTER LN



R-100

CAMELLIA DR

R-24-t

B-2

ANGELS CT

R-85

VAN ALLEN DR

ATLANTA HWY
ATLANTA HWY

B-2-q

INST

R-75-s

BELLEHURST DR

SHERMAN WAY

STERLING DR

REZONING REQUEST

SUBJECT PROPERTY



FILE NO. RZ-2018-023

1 inch = 200 feet

FROM R-100 TO B-2

ITEM NO. 5A



REZONING REQUEST

SUBJECT PROPERTY



FILE NO. R2-2018-023

1 inch = 200 feet

FROM R-100 TO B-2

ITEM NO. 5B

6. 8983 **PRESENTED BY:** Pilgreen Engineering

REPRESENTING: City of Montgomery

SUBJECT: Request final approval of Mooreland Road Street Stabilization Plat No. 1 located on the west side of Mooreland Road, approximately 154.34 ft. north of West Fairview Avenue, in an R-65-m (Multi-Family Residential) Zoning District.

REMARKS: This plat replats one lot to allow the installation of a cul-de-sac. Lot 20A (0.19 acres) has 82.03 ft. of frontage along Mooreland Road and depth of 74.65 ft. Mooreland Road will have a cul-de-sac installed and no longer connect straight through to Edgar D. Nixon Avenue. This is being done to reduce the amount of through traffic through a residential area from West Fairview Avenue to Edgar D. Nixon Avenue. 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.

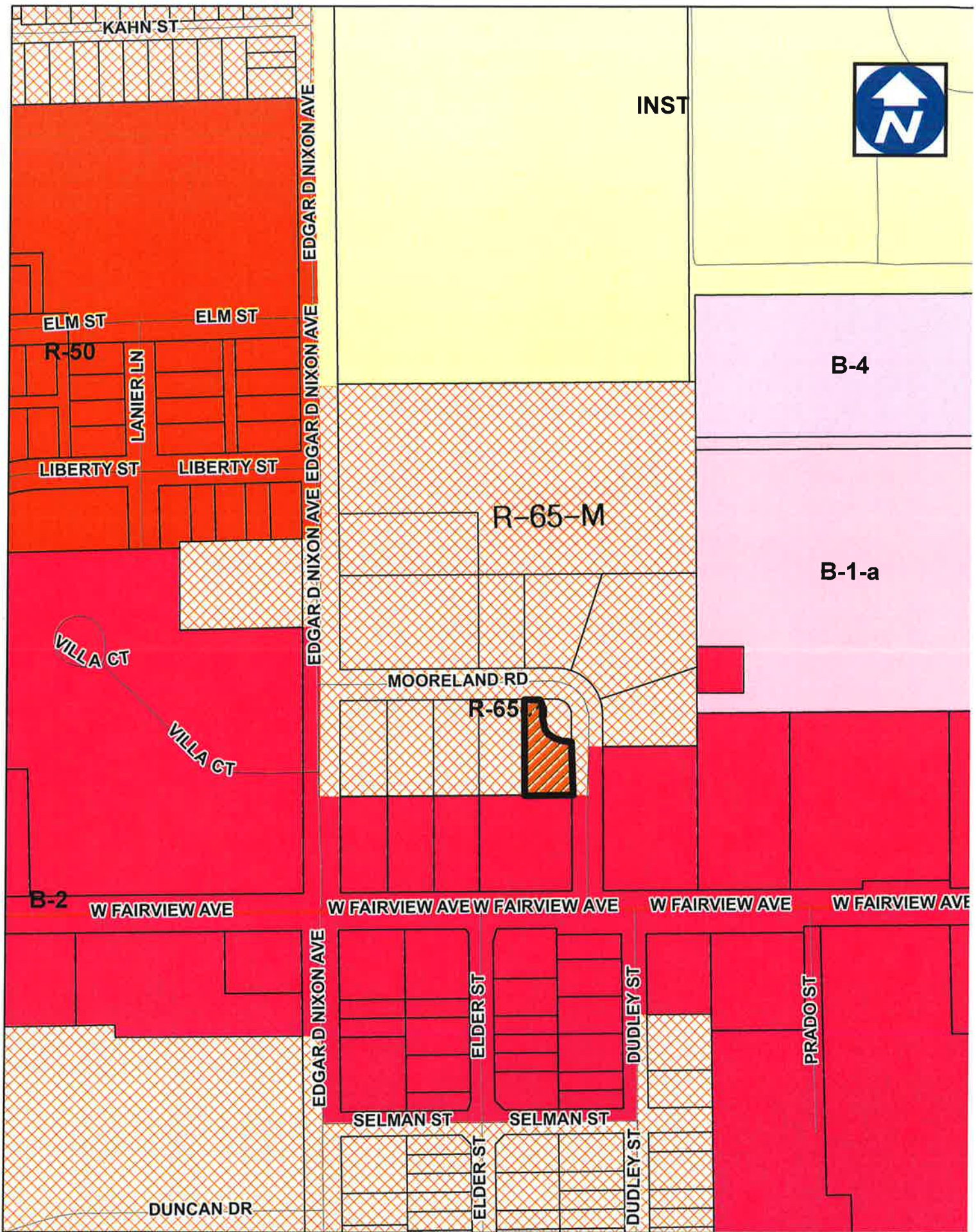
FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

ACTION TAKEN: _____



PLATS
1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. 6A

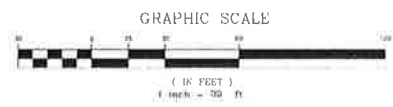
Mooreland Road Street Stabilization 1

A
N

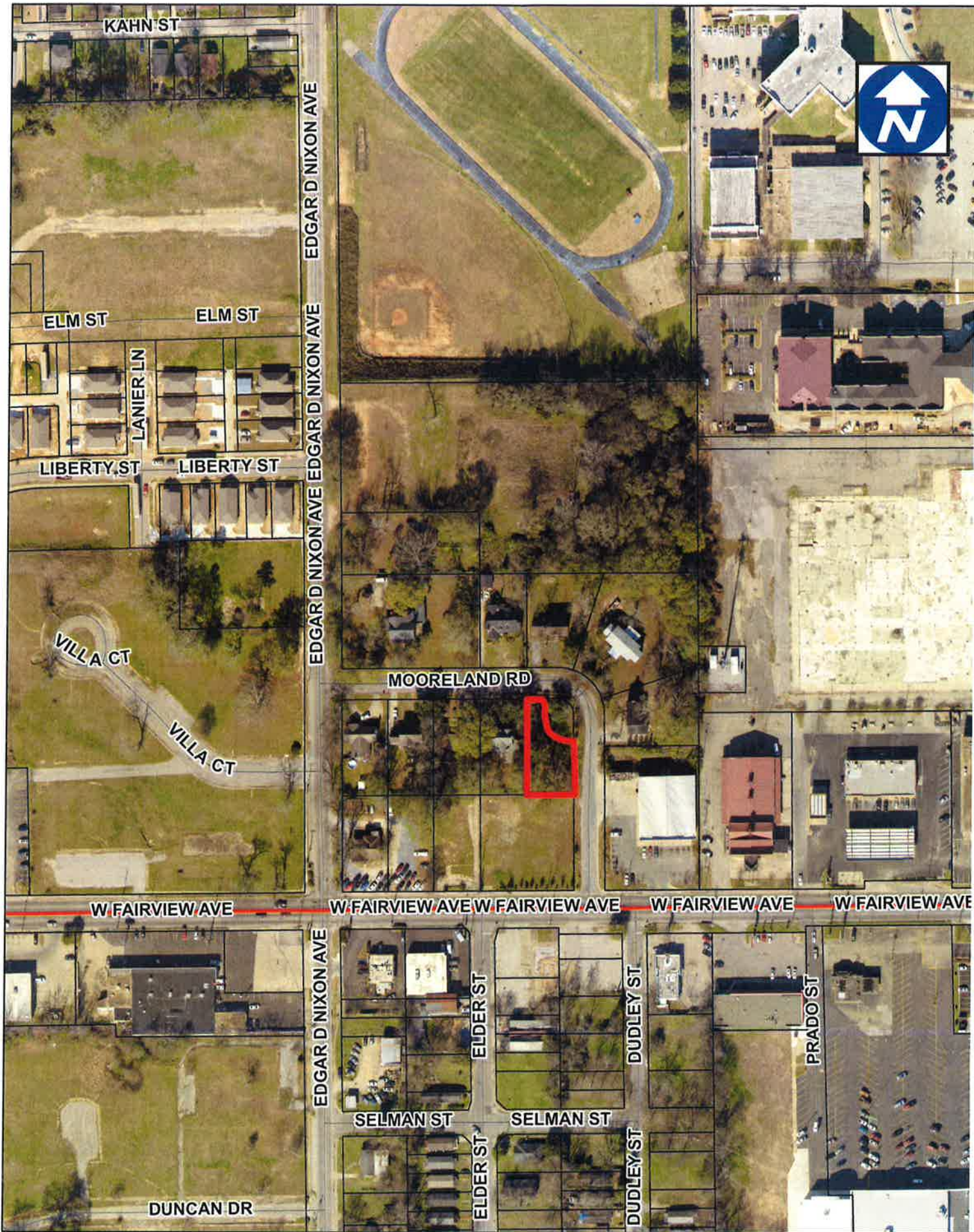


Edgar D Nixon Avenue

West Fairview Avenue



6B



PLATS

1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. 60

7. 8982 **PRESENTED BY:** Goodwyn, Mills & Cawood

REPRESENTING: Ruston R. Wood

SUBJECT: Request final approval of Rosemont Estates Plat No. 11 located at 2062 Myrtlewood Drive in an R-125 (Single-Family Residential) Zoning District.

REMARKS: This plat replats one (1) lot and a portion of another lot into one (1) lot for residential use. Lot 18-A has approximately 151.86 ft. of frontage along Myrtlewood Drive and a depth of 212.22 ft. 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.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

ACTION TAKEN: _____

INST

R-65-s

ROSEMONT CT



MYRTLEWOOD DR

MYRTLEWOOD DR

MYRTLEWOOD DR

R-125

R-125

MYRTLEWOOD DR

MYRTLEWOOD DR

MYRTLEWOOD DR

MYRTLEWOOD DR

ROSEMONT

ALLENDALE RD

ALLENDALE RD

PLATS

1 inch = 200 feet

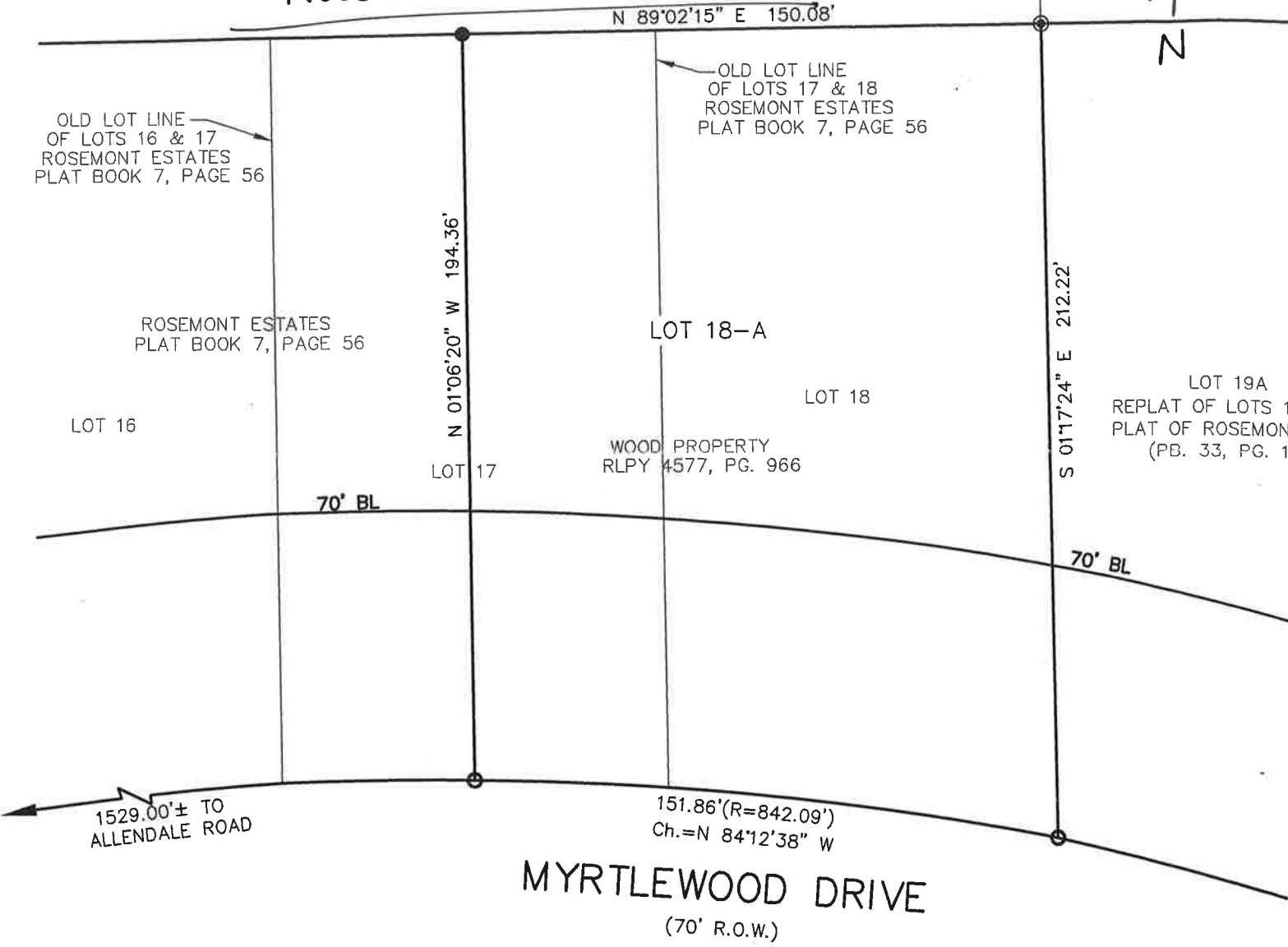
SUBJECT PROPERTY



ITEM NO.

7A

Rosemont Estates 11



STATE OF ALABAMA
MONTGOMERY COUNTY

The undersigned, Ruston R. Wood, owner of the property shown above, hereby joins in, executes and signs the foregoing Surveyor's Certificate, Plat and Map, or adopts and approves said instrument on this the _____ day of _____, 2018.

Ruston R. Wood, Owner

STATE OF ALABAMA
MONTGOMERY COUNTY

I, a Notary Public in and for said County in said State, hereby certify that Ruston R. Wood, is signed to the foregoing instrument and who is known acknowledged before me on this day that, being informed of the contents of the instrument, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2018.

NOTARY PUBLIC
My Commission Expires: _____

STATE OF ALABAMA
MONTGOMERY COUNTY

This Plat was submitted to the City Planning Commission of Montgomery, Alabama, on October 25, 2018 and is approved according to the Code of Alabama 11-52-32.

Thomas M. Tyson, Jr.
Executive Secretary

Date

REC
7B
SEI



ROSEMONT CT



MYRTLEWOOD DR

MYRTLEWOOD DR

MYRTLEWOOD DR

MYRTLEWOOD DR

MYRTLEWOOD DR

MYRTLEWOOD DR

ROSEMONT

MYRTLEWOOD DR

ALLENDALE RD

ALLENDALE RD

PLATS
1 inch = 200 feet

SUBJECT PROPERTY



ITEM NO. 7C

8. 8984 **PRESENTED BY:** Jeffcoat Engineers & Surveying

REPRESENTING: Michael Vaughan

SUBJECT: Request final approval of Vaughan West Subdivision Plat No. 1 located on the east side of Cantelou Road, approximately 1,050 ft. north of Cantelou Loop, in an AGR-1 (Residential Agriculture) Zoning District.

REMARKS: This plat creates eight (8) lots for residential use. The lots range in size from 2.0 acres to 10.0 acres. These lots will be accessed by a 60 ft. wide private access and utility easement. This plat is in compliance with the Zoning Ordinance and Subdivision Regulations for this district.

CITY COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION DISTRICT: 2

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.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

ACTION TAKEN: _____



CANTELOU RD



AGR-1

FH

HAW BRANCH WAY

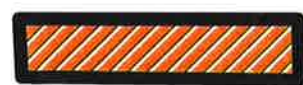
CANTELOU LOOP

CANTELOU RD

SELMA HWY

PLATS
1 inch = 800 feet

SUBJECT PROPERTY



ITEM NO. 8A

VAUGHAN WEST SUBDIVISION PLAT NO. 1

LYING IN THE S 1/2 OF SECTION 4, T-15-N, R-16-E, MONTGOMERY COUNTY, ALABAMA

LEGEND:

- IPS — IRON PIN SET (1/2" REBAR & RED PLASTIC ID CAP READING "JEFFCOAT 9587")
- IPF — IRON PIN FOUND
- ✕✕ — FENCE LINE
- △ — CALCULATED POINT
- P.O.B. — POINT OF BEGINNING
- P.O.C. — POINT OF COMMENCEMENT
- R.O.W. — RIGHT OF WAY
- CH₂ — CHORD
- () — PLAT OR DEED CALL
- C.T. — CRIMP TOP PIPE
- O.T. — OPEN TOP PIPE

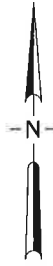
BASIS OF BEARING:
THE SOUTH LINE OF THIS SURVEY HAS BEEN ROTATED TO MATCH THE SAME LINE SHOWN IN RLPY 1944, PAGE 219

SOURCE OF INFORMATION:

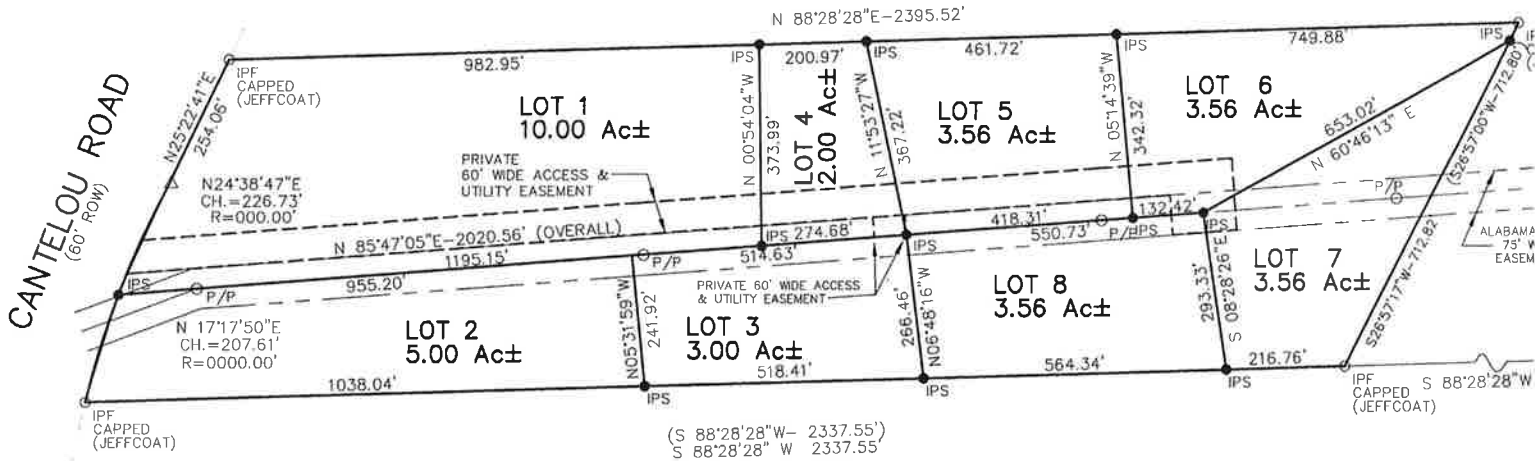
- RLPY 1944, PAGE 219
- RLPY 1816, PAGE 241
- RLPY 1429, PAGE 120

SPECIAL NOTES:

1. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X" ACCORDING TO THE FEMA FLOOD MAP 01101C0187H, DATED 2/14/14.



SCALE: 1" = 200'



STATE OF ALABAMA
COUNTY OF MONTGOMERY

I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

This the 24TH day of SEPTEMBER, 2018.

G. GUTHRIE JEFFCOAT, JR., P. E. & L. S.
AL. REG. 9587

State of Alabama
Montgomery County

I, MIKE VAUGHAN, as owner, shown on this plat, do hereby join in and sign the foregoing Surveyor's Certificate and adopt this Plat as true and correct, this _____ day of _____, 2018.

MIKE VAUGHAN, owner

State of Alabama
County of Montgomery

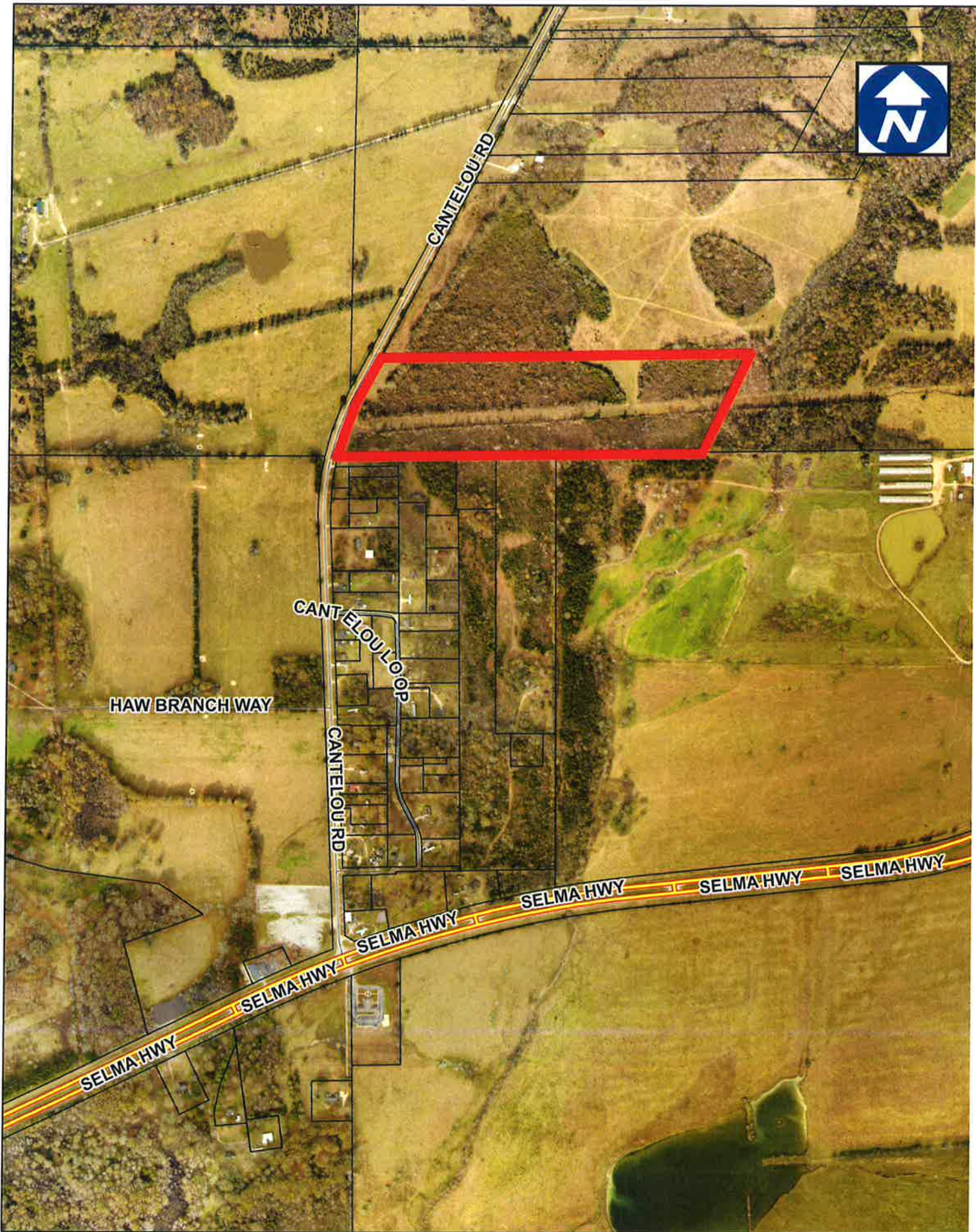
I, _____ the un-
authorized, a Notary Public in and for the said State
hereby certify that MIKE VAUGHAN, whose name is
the foregoing Surveyor's Certificate and Plat and w/ to
me, acknowledged before me on this day that b
informed of the contents of said Certificate and Plt
owner and with full authority, executed the same w

Given under my hand and official seal this the ____
_____, 2018.

NOTARY PUBLIC

My Commission Expires: _____

88



PLATS
1 inch = 800 feet

SUBJECT PROPERTY



ITEM NO. 8C

9. DP-1989-110 **PRESENTED BY:** Wilfredo Navidad

REPRESENTING: Blessed Pine

SUBJECT: Public hearing for a development plan for a portable building to be located at 7025 Atlanta Highway in a B-2 (Commercial) Zoning District.

REMARKS: The petitioner has submitted plans to place a 10 ft. x 18 ft. (180 sq. ft.) portable storage building in the existing parking lot for pine straw sales. All applicable requirements will be met.

CITY COUNCIL DISTRICT: 1

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.

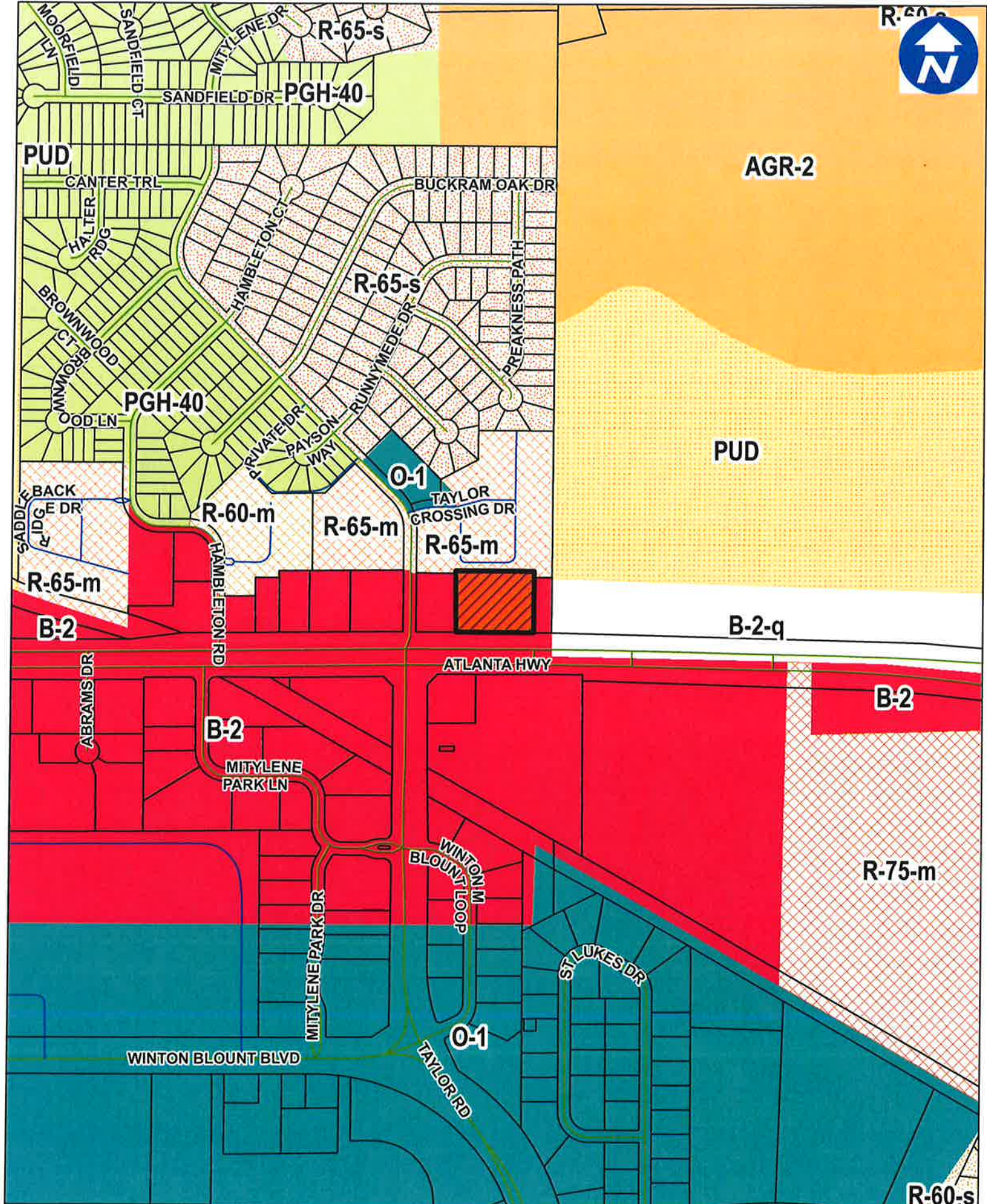
FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

URBAN FORESTRY: No objections.

COMMENTS: _____

ACTION TAKEN: _____



DEVELOPMENT SITE

1 inch = 500 feet

SUBJECT PROPERTY



ITEM NO. 9A



TAYLOR CROSSING DR

Proposed 10'x18'
storage building

ATLANTA HWY

TAYLOR RD

Site 

1 inch = 100 feet
Item 9B

10. Street Renaming **PRESENTED BY:** Barbara McGuff & Cindy Heffelfinger

REPRESENTING: Same

SUBJECT: Request recommendation to rename Morningview Street to Morningview Drive.

REMARKS: This street was developed, platted and recorded as Morningview Street. Many of the long-time residents have always known this street to be Morningview Drive and the street signs even had "Drive". Once our office was made aware of the error, we notified all property owners to change their records to Morningview Street, which led to them seeking to officially rename the street to Morningview Drive. The city directories we have in the office date back to 1980 and all have "Drive" as the suffix.

The property owners along this street have been polled and we have received 74% approval, whereas 65% is required to seek a recommendation from the Planning Commission. City Council has final authority on street renamings.

CITY COUNCIL DISTRICT: 2

DEPARTMENT COMMENTS

ENGINEERING DEPARTMENT: No objections.

TRAFFIC ENGINEERING: No objections.

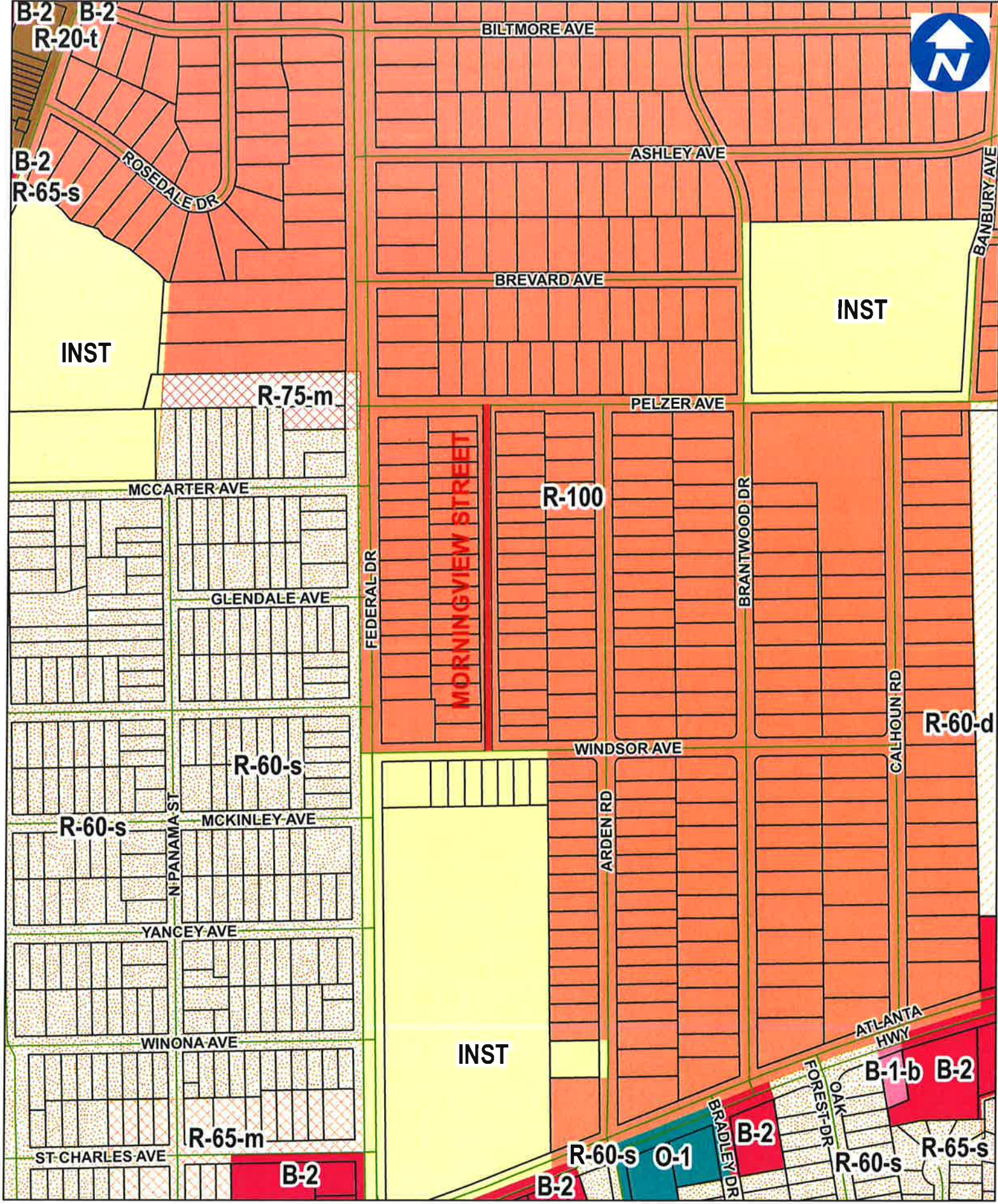
FIRE DEPARTMENT: No objections.

WATER AND SEWER: No objections.

COUNTY HEALTH DEPARTMENT: No objections.

COMMENTS: _____

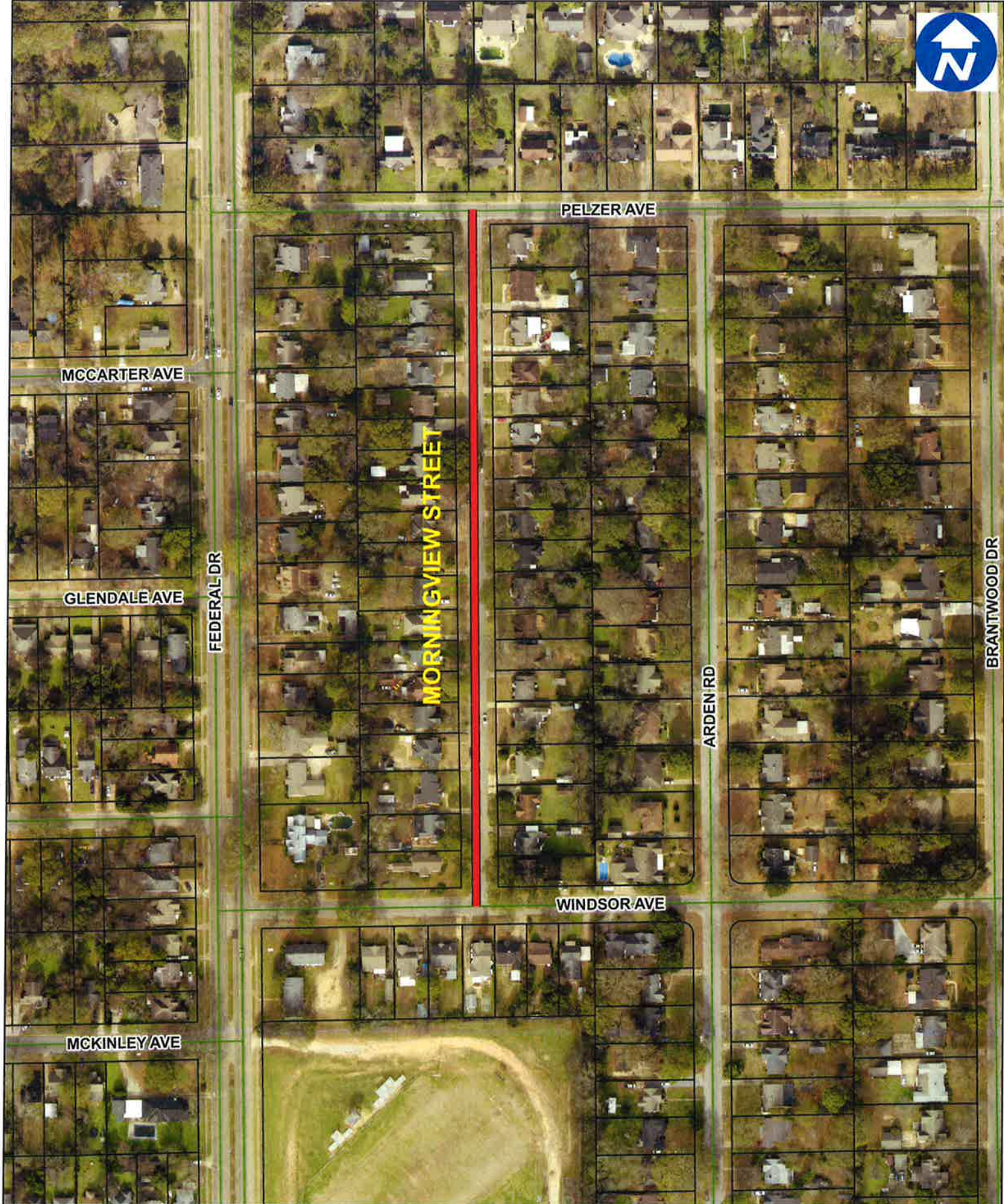
ACTION TAKEN: _____



Site ———

Propose to rename
Morningview "Street" to
Morningview "Drive"

1 inch = 400 feet
Item 10A



Site 

Propose to rename Morningview "Street" to Morningview "Drive"

1 inch = 200 feet
Item 10B