

# Planning Commission Agenda

October 26, 2023

Council Auditorium

City Hall

103 North Perry Street

## **PLANNING COMMISSION MEMBERS**

James Reid, *Chairman*

Garrett Smith, *Vice-Chairman*

Ann Clemons

Frank Cook

Reggie Dunn

Buddy Hardwich

Reginald Hawkins

Crews Reaves

Leslie Stone

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**Land Use Division**

**Warren Adams**

**Executive Secretary**

- I. Chairman’s Message
- II. Approval of Minutes from the September 28, 2023 meeting

**October 26, 2023**

<b><u>Item</u></b>	<b><u>File No.</u></b>	<b><u>Petitioner</u></b>	<b><u>Location</u></b>	<b><u>Request</u></b>	<b><u>Page</u></b>
1.	RZ-2023-015	Flowers & White Engineering	Fischer Road	Rezoning	1
2.	RZ-2023-021	S & S Eagles LLC	Mobile Highway & West South Blvd.	Rezoning	2
3.	RZ-2023-022	Pilgreen & Bostick Engineering	Perry Hill Road & Elmdale Road	Rezoning	3
4.	RZ-2023-023	“ “	Brooks Road	Rezoning	4

**Other Business**

Clarion Associates      Zoning Ordinance Update      Public Engagement – Module 1

***The next Planning Commission meeting is on  
November 9, 2023***

1. RZ-2023-015 **PRESENTED BY:** Flowers & White Engineering

**REPRESENTING:** C L Properties, LLC

**SUBJECT:** Request to rezone three (3) parcels of land containing 33.9 acres located on the west side of Fischer Road, approximately 500 ft. south of Mobile Highway (aka 250 Fischer Road) from an AGR-1 (Residential Agriculture) Zoning District to an R-99-p (Mobile Home Park) Zoning District.

**REMARKS:** The intended use for this property is to re-establish the travel trailer park. This property used to be a KOA Campground, which has been closed for more than 1 year so it lost its grandfather clause and must be rezoned to re-establish. R-99-p is the only district that outright allows a travel trailer park. The adjacent property has AGR-1 (Residential Agriculture) zoning to the north, east and south; and I-65 to the west.

The Envision Montgomery 2040 Comprehensive Plan recommends Flex Commercial and Residential Medium Intensity.

*This request was delayed by the applicant at the August 24, 2023 meeting.*

**Planning Department Comment(s):** The Planning Department does not object to the proposed rezoning request. The proposed rezoning request is consistent with the Envision Montgomery 2040 Comprehensive Plan. Planning Department recommends that the Planning Commission puts a “Q” on the rezoning so that the property can only be used as a travel trailer park only and not a mobile home park/trailer park subdivision.

**CITY COUNCIL DISTRICT: Police Jurisdiction**

**COUNTY COMMISSION DISTRICT: 2**

**PLEASE NOTE:**

If there are any department comments relevant to the approval by the Planning Commission, they would be included on this agenda.

All requests are subject to the Zoning Ordinance and/or Subdivision Regulations, and all department comments/requirements must be complied with prior to being released for permitting.

3A

## FLEX COMMERCIAL (FC)

The Flex Commercial classification comprises the mix of retail, service, and other commercial development along major streets and highway corridors. The classification targets existing strip centers, "Big-box" stores, drive-thru restaurants, and/or similar auto-oriented commercial uses along major thoroughfares. Flex loosens the use requirements along these corridors to encourage redevelopment or re-use of existing buildings and combat vacancy through incorporation of office and light industrial uses. The Flex classification increases permissible density and height restrictions with an emphasis on high quality design of buildings, grounds, and landscape. Flex districts seek to limit access through consolidated intersections and improve pedestrian connectivity between and across parcels.

### INTENT

- ★ Concentrate larger, more intensive uses near major thoroughfares or intersections with development "stepping-down" when approaching residential neighborhoods.
- ★ Reduce surface parking and encourage shared parking between complementary uses.
- ★ Encourage new development to address the streetscape and allow for pedestrian activity along the street frontage while remaining primarily auto-oriented.
- ★ Redirect parking between the building and street towards the side or behind buildings.
- ★ Reduce access points for individual developments and encourage shared access points to improve pedestrian and vehicular safety.

### PRIMARY USES

- ★ Commercial (small and large format)
- ★ Office
- ★ Light Industrial
- ★ Warehousing / Fulfillment

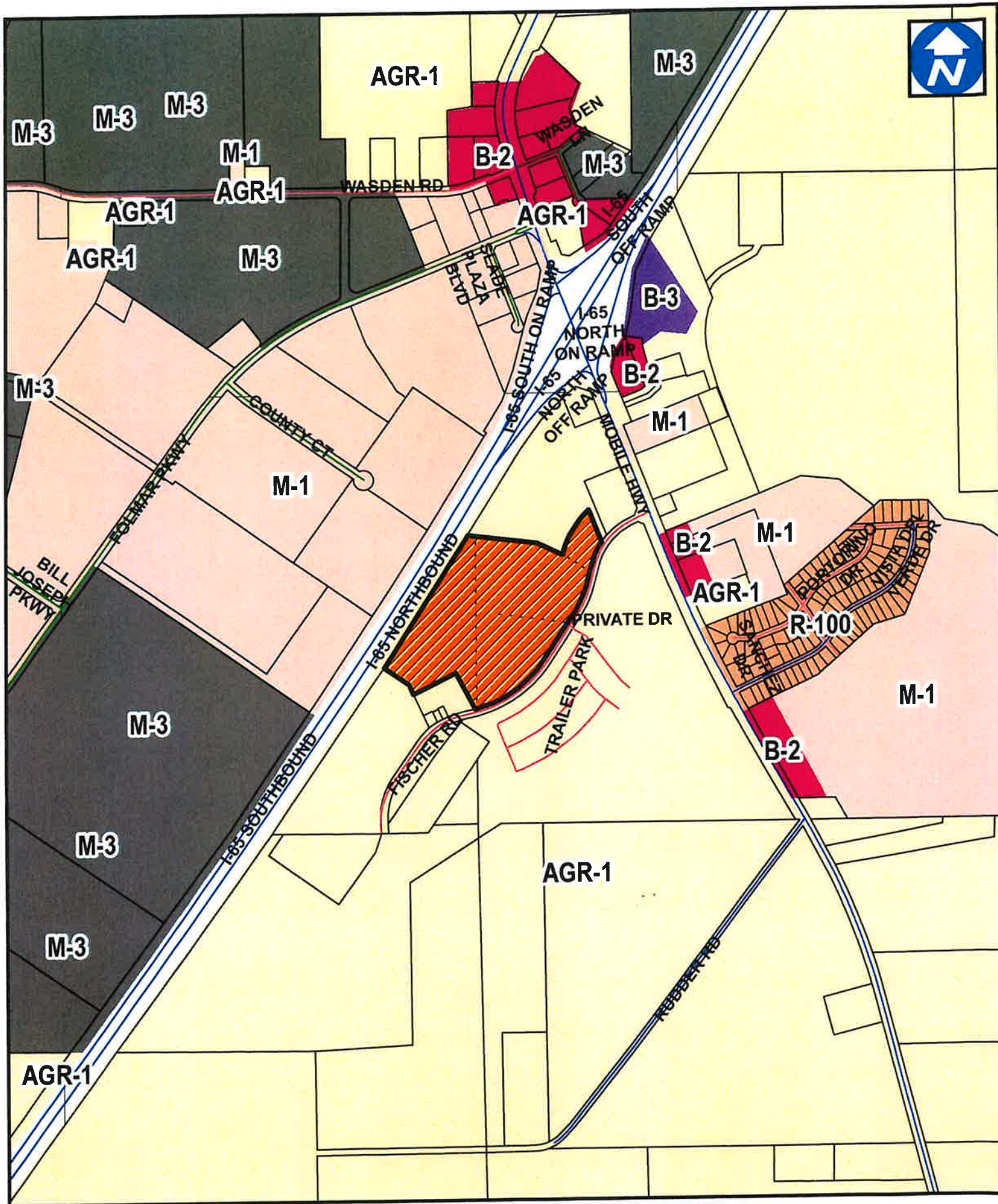
### SECONDARY USES

- ★ Civic / Institutional
- ★ Multi-family Residential
- ★ Parks and Open Space



### BUILDING BLOCKS

<b>Height Range</b>	1 - 3 stories	<b>Transportation</b>	Potential walking or biking, transit, automobile
<b>Building Form</b>	Mix of large and small footprint buildings that may be occupied by single or multiple tenants, attached or freestanding	<b>Parking</b>	Shared parking areas located in off-street parking lots.
<b>Building Setback</b>	20 - 50 feet	<b>Open Spaces</b>	Increased landscaping and "green infrastructure" elements, plazas, parks
<b>Streets</b>	Along primary corridors with shared access drives connecting individual developments		



Site 

1 inch = 1,000 feet

Item 3B



Site 

1 inch = 400 feet

Item 3C

2. RZ-2023-021 **PRESENTED BY:** S & S Eagles LLC

**REPRESENTING:** Same

**SUBJECT:** Request to rezone five (5) lots located on the northeast corner of Mobile Highway and West South Boulevard from a B-3 (Commercial) Zoning District to an M-1 (Light Industrial) Zoning District.

**REMARKS:** The intended use for this property is *an inland port for truck trailer (drop and pick-up zone)*. The existing hotel and restaurant will remain as-is. The adjacent property has M-1 (Light Industrial) zoning to the west, south and east; and B-3 (Commercial) zoning to the north.

The Envision Montgomery 2040 Comprehensive Plan recommends *Community Commercial*.

**Department of Planning Comment(s):** The Planning Department objects to the proposed rezoning request. The proposed rezoning request is not consistent with the Envision Montgomery 2040 Comprehensive Plan for community commercial (small format commercial, office, multi-family residential and civic/institutional).

**CITY COUNCIL DISTRICT: 4**

**PLEASE NOTE:**

If there are any department comments relevant to the approval by the Planning Commission, they would be included on this agenda.

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## COMMUNITY COMMERCIAL (CC)

Smaller-scale commercial development located near the edges of commercial corridors or as standalone clusters near major intersections and highway interchanges. These areas have smaller commercial footprints than those within Flex Commercial while providing necessary services to nearby employment centers, multi-family and single-family neighborhoods. Community Commercial primarily includes auto-oriented development patterns but should allow for various forms of connectivity to employment centers and residential neighborhoods.

### INTENT

- ★ Promote design for various modes of transportation (walk, bicycle, automobile, transit) with connectivity to neighboring employment centers and neighborhoods.
- ★ Emphasize strategic redevelopment opportunities for smaller, key intersections and highway corridors.
- ★ Improve pedestrian and vehicular connectivity between residential neighborhoods and non-residential areas.
- ★ Reduce access points for individual developments and encourage shared access points to improve pedestrian and vehicular safety.

### PRIMARY USES

- ★ Small-format Commercial
- ★ Office

### SECONDARY USES

- ★ Multi-family Residential
- ★ Civic / Institutional

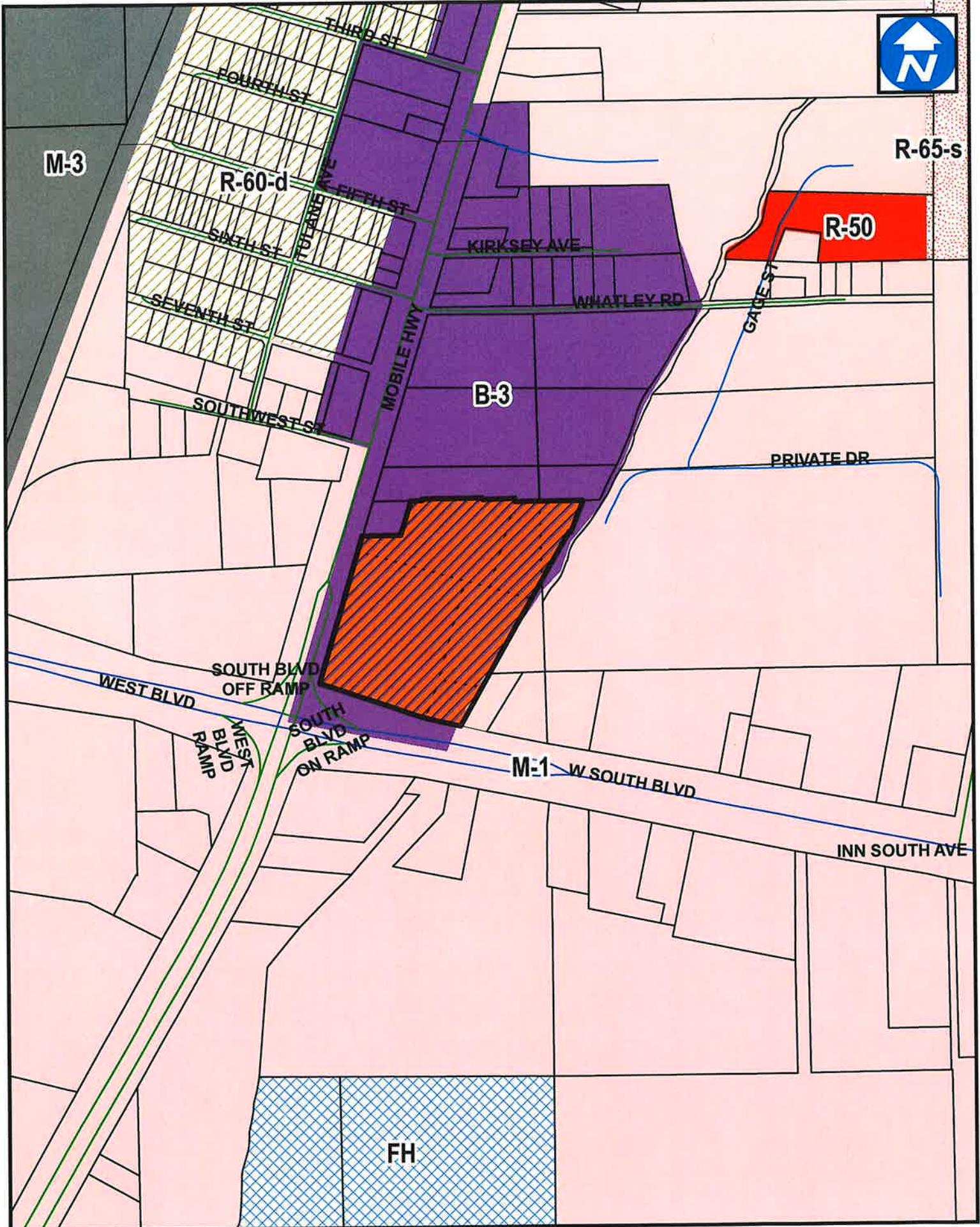


### BUILDING BLOCKS

Height Range	1 - 2 stories
Building Form	Small footprint buildings that may be occupied by a single or multiple tenants, attached or freestanding
Building Setback	30 - 50 feet
Streets	Along primary corridors with shared access points connecting individual developments

Transportation	Potential for walking and biking, transit, automobile
Parking	Shared parking areas located in off-street parking lots.
Open Spaces	Increased landscaping and "green infrastructure" elements, plazas, parks





Site 

1 inch = 400 feet  
Item \_\_\_\_\_



Site 

1 inch = 200 feet

Item \_\_\_\_\_

3. RZ-2023-022 **PRESENTED BY:** Pilgreen and Bostick Engineering

**REPRESENTING:** Sara Beasley

**SUBJECT:** Request to rezone one (1) lot located on the southwest corner of Perry Hill Road and Elmdale Road from an R-75-m (Multi-Family Residential) Zoning District to a B-2 (Commercial) Zoning District.

**REMARKS:** The intended use for this property is for the expansion of Pickwick Antiques. The adjacent property has B-2 (Commercial) to the south; B-4 (Commercial) to the east; and R-75-m (Multi-Family Residential) to the north and west.

The Envision Montgomery 2040 Comprehensive Plan recommends Flex Commercial.

**Department of Planning Comment(s):** The Planning Department does not object to the proposed rezoning request. The proposed rezoning request is consistent with the Envision Montgomery 2040 Comprehensive Plan for Flex Commercial for this corner location only.

**CITY COUNCIL DISTRICT:** 7

**PLEASE NOTE:**

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## FLEX COMMERCIAL (FC)

The Flex Commercial classification comprises the mix of retail, service, and other commercial development along major streets and highway corridors. The classification targets existing strip centers, "Big-box" stores, drive-thru restaurants, and/or similar auto-oriented commercial uses along major thoroughfares. Flex loosens the use requirements along these corridors to encourage redevelopment or re-use of existing buildings and combat vacancy through incorporation of office and light industrial uses. The Flex classification increases permissible density and height restrictions with an emphasis on high quality design of buildings, grounds, and landscape. Flex districts seek to limit access through consolidated intersections and improve pedestrian connectivity between and across parcels.

### INTENT

- ★ Concentrate larger, more intensive uses near major thoroughfares or intersections with development "stepping-down" when approaching residential neighborhoods.
- ★ Reduce surface parking and encourage shared parking between complementary uses.
- ★ Encourage new development to address the streetscape and allow for pedestrian activity along the street frontage while remaining primarily auto-oriented.
- ★ Redirect parking between the building and street towards the side or behind buildings.
- ★ Reduce access points for individual developments and encourage shared access points to improve pedestrian and vehicular safety.

### PRIMARY USES

- ★ Commercial (small and large format)
- ★ Office
- ★ Light Industrial
- ★ Warehousing / Fulfillment

### SECONDARY USES

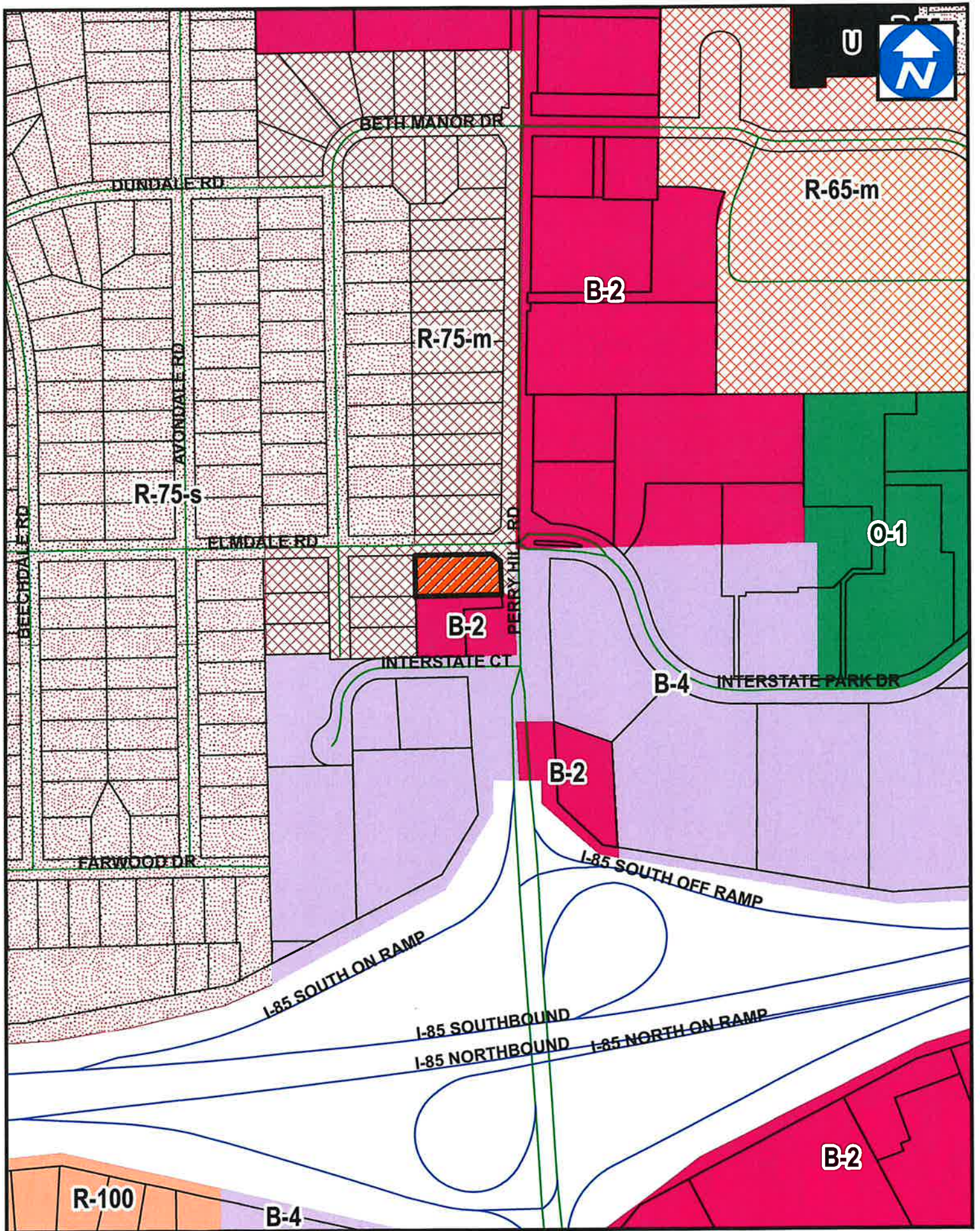
- ★ Civic / Institutional
- ★ Multi-family Residential
- ★ Parks and Open Space



### BUILDING BLOCKS

<b>Height Range</b>	1 - 3 stories
<b>Building Form</b>	Mix of large and small footprint buildings that may be occupied by single or multiple tenants, attached or freestanding
<b>Building Setback</b>	20 - 50 feet
<b>Streets</b>	Along primary corridors with shared access drives connecting individual developments

<b>Transportation</b>	Potential walking or biking, transit, automobile
<b>Parking</b>	Shared parking areas located in off-street parking lots.
<b>Open Spaces</b>	Increased landscaping and "green infrastructure" elements, plazas, parks



Site 

1 inch = 300 feet

Item \_\_\_\_\_



Site 

1 inch = 100 feet

Item \_\_\_\_\_

4. RZ-2023-023 **PRESENTED BY:** Pilgreen and Bostick Engineering

**REPRESENTING:** EEM, LLC

**SUBJECT:** Request to rezone property on the west side of Brooks Road, approximately 1,000 ft. north of Wetumpka Highway, from R-50 (Single-Family Residential), FH (Flood Hazard), and AGR-2 (General Agriculture) Zoning Districts to an M-1 (Light Industrial) Zoning District.

**REMARKS:** The intended use for this property is for tractor trailer storage. The adjacent property has M-1 (Light Industrial) and FH (Flood Hazard) to the north; R-50 (Single-Family Residential) to the east and west; and R-50 (Single-Family Residential), AGR-2 (General Agriculture) and FH (Flood Hazard) to the south.

The Envision Montgomery 2040 Comprehensive Plan recommends Potential Open Space.

**Department of Planning Comment(s):** The Planning Department objects to the proposed rezoning request. The proposed rezoning request is not consistent with the Envision Montgomery 2040 Comprehensive Plan. The majority of the subject property is in a flood zone. Also, the subject property backs up and is adjacent to existing residential homes on Sanders Lane and Hayden Drive.

**CITY COUNCIL DISTRICT: 2**

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## INSTITUTIONAL / CIVIC (IN)

Land and buildings occupied by municipal and other governmental agencies for the exercise of their functions, such as major libraries, airports, public schools and public safety facilities. Semi-public uses such as hospitals and other major institutions such as large church facilities are included. These sites often have a development pattern that is unique to each area and may differ significantly from their surroundings. Small-scale institutional uses may be incorporated into the surrounding context in residential or commercial areas.

### INTENT

- ★ Encourage integration of institutional uses with adjacent neighborhoods, urban areas, commercial corridors, and open spaces.
- ★ Provide appropriate connectivity to nearby uses through sidewalks, paths and streets.



## OPEN SPACE / RECREATION (OS)

Public and private parks, recreational open space or undeveloped natural areas that are permanently protected from development by the city, state, county, or some other authority. This classification also includes golf courses that function as open space.

### INTENT

- ★ Ensure parks and public recreational amenities are available to all neighborhoods.
- ★ Conserve environmentally sensitive land.
- ★ Develop a connected open space system through trail connections between natural areas and designated parks, public or private.



## POTENTIAL OPEN SPACE (PO)

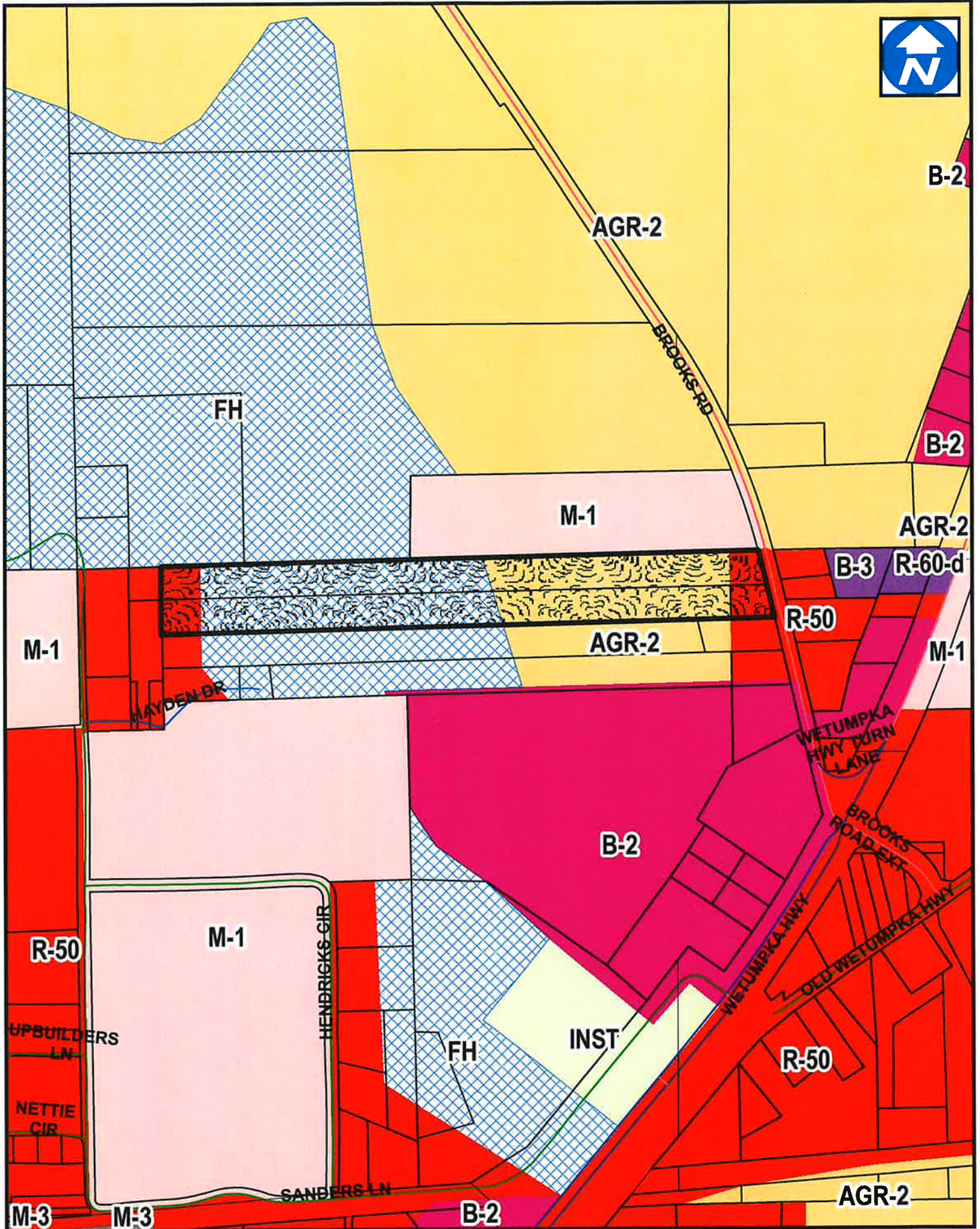
Potential Open Space is undeveloped land that is not currently preserved but should be considered for conservation. These areas often exhibit potential for flooding or are deemed inappropriate for development due to significant physical or environmental limitations. In some cases, these lands also serve as buffers to separate areas that may have the potential to become conflicting land uses.

### INTENT

- ★ Consider formal conservation of environmentally sensitive land through various means.
- ★ Minimize development in designated areas based on existing natural features.
- ★ Develop a connected open space system through trail connections between natural areas and designated parks, public or private.
- ★ Promote buffering of incompatible land uses using natural features such as greenways, waterways, and wooded areas.

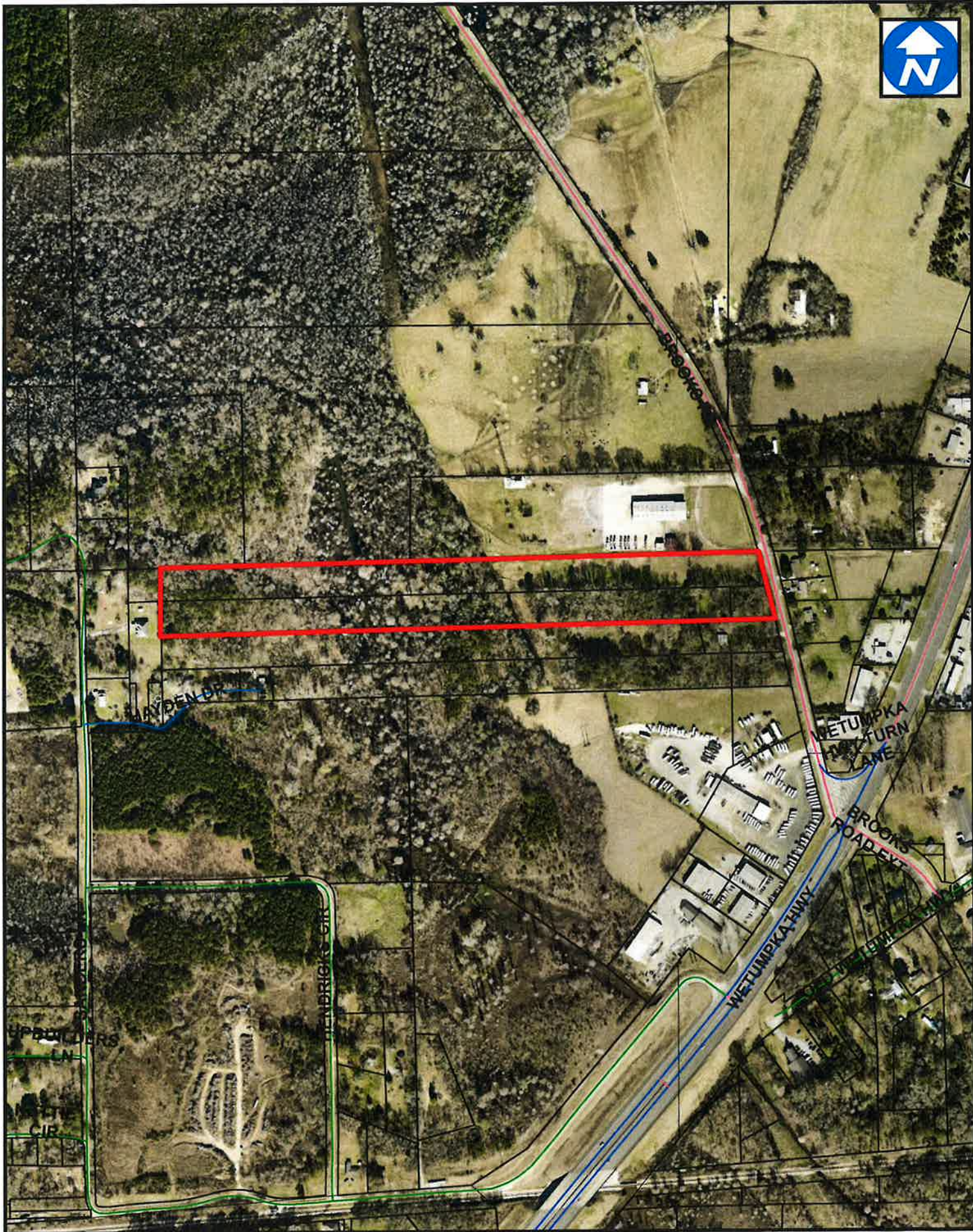






Site 

1 inch = 500 feet  
Item \_\_\_\_\_



Site 

1 inch = 500 feet

Item \_\_\_\_\_