

# Planning Commission Agenda

June 22, 2017

Council Auditorium

City Hall

103 North Perry Street

## **PLANNING COMMISSION MEMBERS**

Kippy Tate, *Chairman*

Buddy Hardwich, *Vice-Chairman*

Ann Clemons

Frank Cook

Jerome Moore

Patrick Moss

Crews Reaves

Pickett Reese

James Reid

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

- I. Chairman's Message
- II. Executive Secretary's Report
- III. Approval of Minutes from the May 25, 2017 meeting

**June 22, 2017**

<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.	8905	Pilgreen Engineering	Wares Ferry Road	Plat	1
2.	8906	“ “	Russborough Trace	Plat	2
3.	DP-2017-026	Ken Upchurch	Perry Hill Road	DP	3
4.	DP-2004-092	J. M. Garrett & Son	Platt Place	DP	4
5.	DP-2017-027	David Robinson	Berry Chase Place	DP	5
6.	8904	Professional Engineering	Lockwood Lane*	Plat	6
7.	RZ-2017-014	Development Department	Caroline Street	Rezoning	7

*The next Planning Commission meeting is on  
July 27, 2017*

1. 8905 **PRESENTED BY:** Pilgreen Engineering

**REPRESENTING:** David Foshee

**SUBJECT:** Request final approval of David Foshee Plat No. 1 located approximately 755 ft. south of Wares Ferry Road and approximately 2,400 ft. east of Dozier Road in an AGR-2 (General Agriculture) Zoning District.

**REMARKS:** This plat creates one (1) lot for residential use. Lot 1 (3 acres) has access by a 20 ft. wide private access easement which runs south off Wares Ferry Road. The lot will have the 200 ft. of frontage at the building line for the lot. This lot is only 3 acres, whereas 5 acres are required; however this is all the property the owner has. A dwelling has been demolished in order to rebuild a new dwelling. This plat is not in compliance with the Zoning Ordinance and Subdivision Regulations for this district due to the acreage of the lot.

**CITY COUNCIL DISTRICT:** Police Jurisdiction

**COUNTY COMMISSION 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.

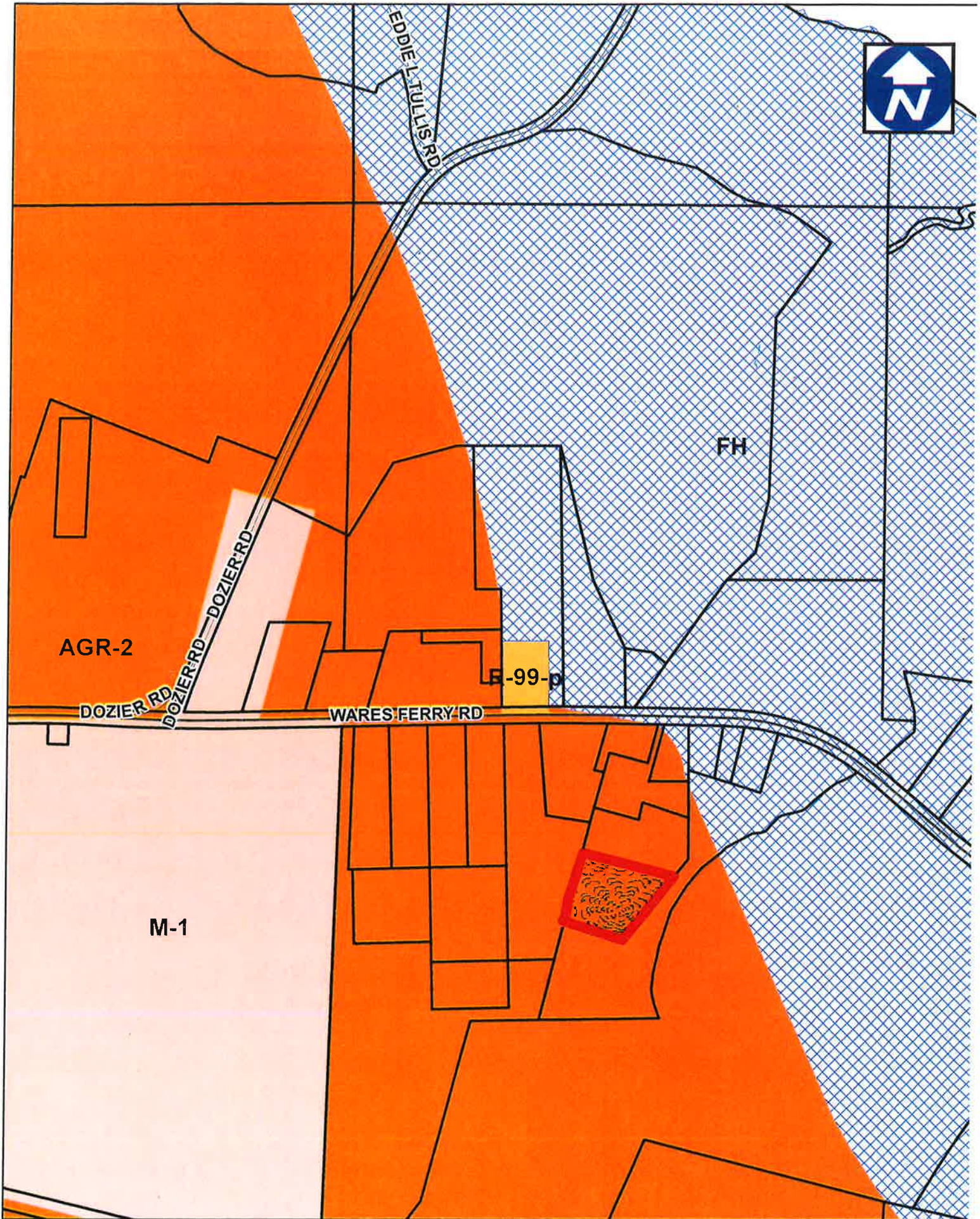
**WATER AND SEWER:** No objections.

**COUNTY HEALTH DEPARTMENT:** No objections.

*COMMENTS:* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





**PLATS**  
1 inch = 600 feet

SUBJECT PROPERTY

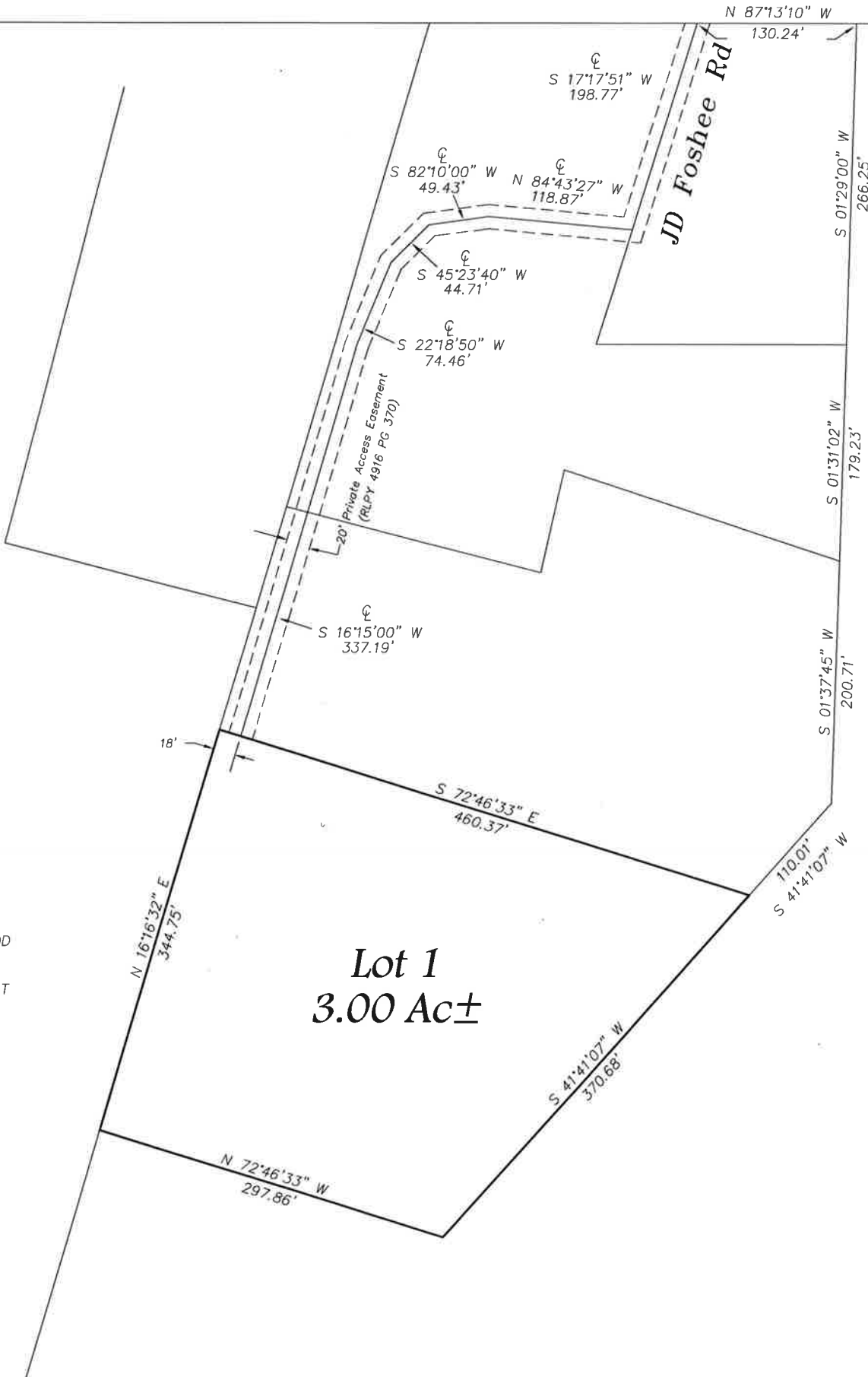


ITEM NO. 1A



David Foshee #1

Wares Ferry Road  
(80' row)



1101C0117 J  
1-07-2015  
- 100 YEAR FLOOD  
  
174.2 FEET  
OOR - 176.2 FEET

IB





**PLATS**  
1 inch = 400 feet

SUBJECT PROPERTY



ITEM NO.

10



2. 8906 **PRESENTED BY:** Pilgreen Engineering

**REPRESENTING:** Stoneybrooke, LLC

**SUBJECT:** Request final approval of Stoneybrooke Plat No. 9 located along Russborough Trace, approximately 240 ft. north of Treviso Place, in a PUD (Planned Unit Development) Zoning District.

**REMARKS:** This plat creates 36 lots for residential development. The lots average a width of 50 ft. and a depth of 122 ft. The lots will be developed with the following guidelines:

<u>Lot width</u>	<u>Side yard</u>	<u>Front yard</u>	<u>Rear yard</u>
50 ft.	0 ft.	20 ft.	20 ft.
<i>10 ft. between structures</i>			

Russborough Trace will be extended west and north and connect to the existing stub-out of Russborough Trace. 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.

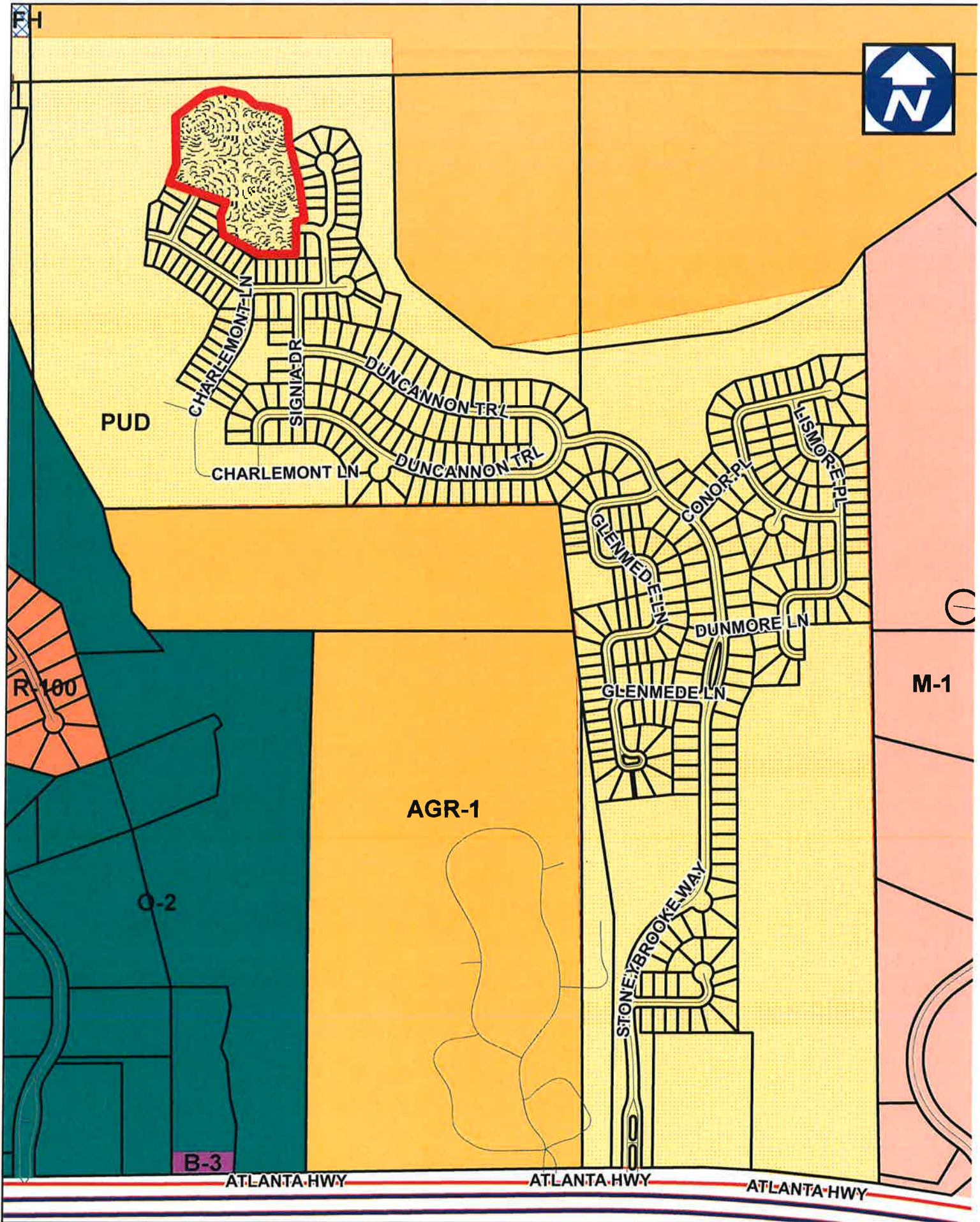
**FIRE DEPARTMENT:** No objections.

**WATER AND SEWER:** No objections.

**COUNTY HEALTH DEPARTMENT:** No objections.

**COMMENTS:** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



**PLATS**  
1 inch = 600 feet

SUBJECT PROPERTY



ITEM NO. 2A



28/

# Stoneybrooke Plat No. 9

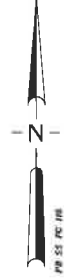
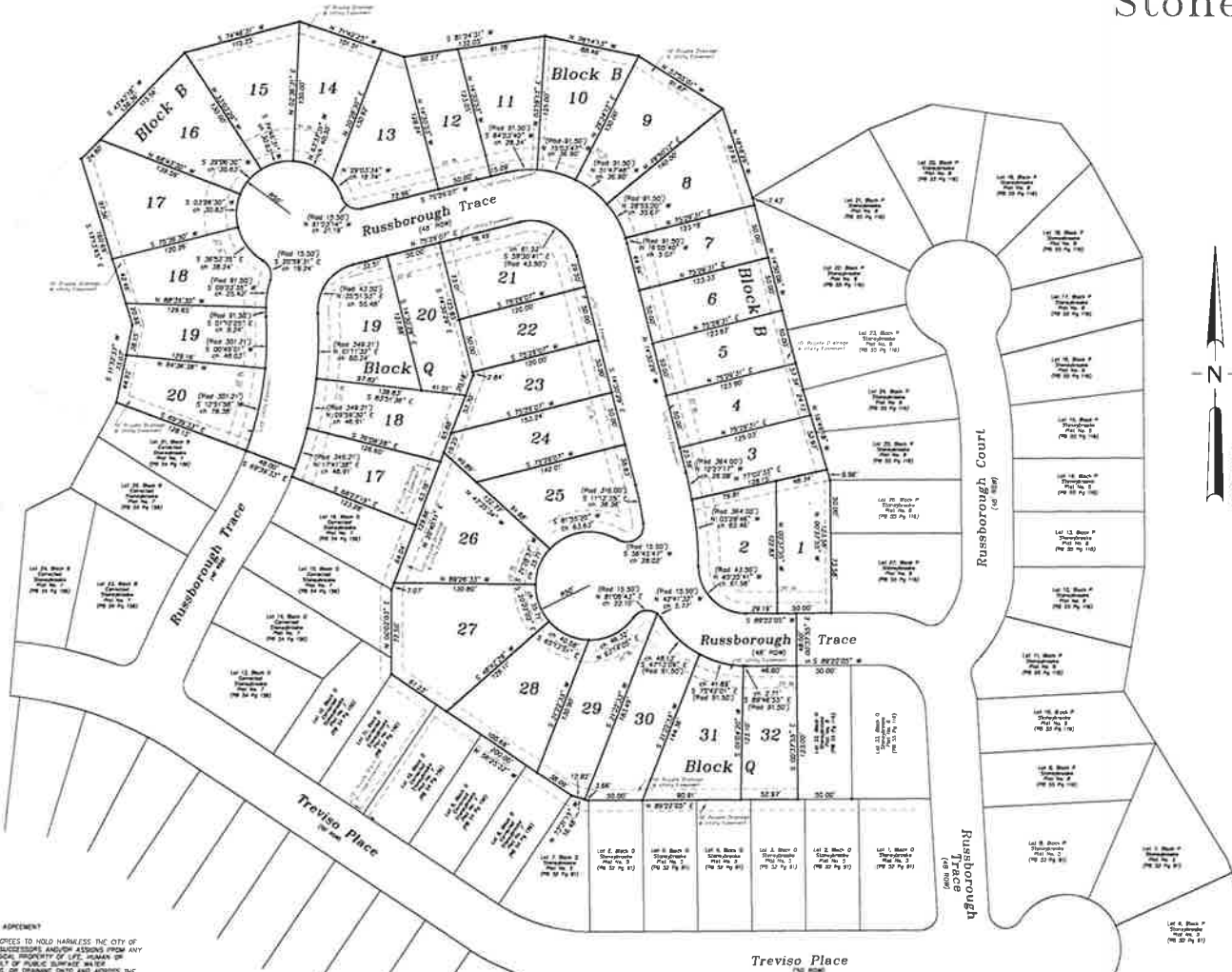
LOCATED IN  
SOUTHEAST QUARTER OF SECTION 11  
TOWNSHIP 16 NORTH RANGE 13 EAST  
MONTGOMERY COUNTY, ALABAMA  
CONTAINING 7.80 ACES

Pilgreen Engineering, Inc.

MONTGOMERY ALABAMA  
MAY 2017 1" = 50'

Drawn By	Office Check	Field Check	Field Staked	Base No.	Job No.
MTB	MTB	-	-	-	17-514

FUTURE



State of Alabama )  
Montgomery County )  
I, Marlin T. Blain, a registered land surveyor of Montgomery, Alabama, hereby certify that the property shown on this map is true and correct, that all corners are marked with iron pins or equivalent monuments and that they actually exist. I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the standards of practice for surveying in the State of Alabama to the best of my knowledge, information and belief.  
According to my survey this the 23rd day of May, 2017.



This plat was submitted to the city planning commissioner of Montgomery, Alabama, on \_\_\_\_\_ and is approved according to the Code of Alabama 11-52-32

By: Thomas M. Tyson, Jr.  
Executive Secretary

This plat has been submitted to and approved by the Montgomery County Engineer for recording in the Office of the Judge of Probate of Montgomery County, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

By: George E. Seane  
Montgomery County Engineer

State of Alabama )  
Montgomery County )

The undersigned, Stoneybrooke LLC, an Alabama limited liability company, owner of the property shown above, hereby binds its, executes and signs the foregoing Surveyor's Certificate, Plat, Map and Declaration of Intention, Certificate, Certificate and Returns and returns and approves this said instrument on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Stoneybrooke, LLC  
an Alabama Limited Liability Company

By: James M. Ruffalo III  
The Manager

State of Alabama )  
Montgomery County )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James M. Ruffalo III, whose name as manager of Stoneybrooke, LLC in the limited liability company's records is a manager of Stoneybrooke, LLC, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day this being planned at the county of the instrument, he or her or her or her company and with full authority executed the same instrument and as the act of said limited liability company.  
Given under my hand and official seal on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public \_\_\_\_\_ My Commission Expires \_\_\_\_\_

### SPLITLINE AND HOLD HARMLESS AGREEMENT

STONEYBROOKE, LLC HEREBY AGREES TO HOLD HARMLESS THE CITY OF MONTGOMERY, ALABAMA, THEIR SUCCESSORS AND/OR AGENTS AGAINST ANY CLAIM OF DAMAGES, COMPENSATION OR OTHERWISE, ON THE PART OF ANYONE, ARISING OUT OF OR RESULTING FROM INJURY TO A PERSON, OCCURRING AS A RESULT OF PUBLIC SURFACE WATER DRAINAGE, INCLUDING DRAINING OF STORMWATER INTO AND ACROSS THE LANDS OF THE OWNERS OF THE APPOINTMENTS PROPERTY, AND TO REMEDIATION OF ANY DAMAGE AND LOSS, DAMAGE OR COST THAT SAID CITY OF STONEY MAY HAVE INCURRED BY ANY LIQUORATION WORKS FROM SAID INJURIES. THE UNDERSIGNED HEREBY AGREES AND UNDERSTANDS THAT THIS AGREEMENT INTENT IS AND SHALL CONSTITUTE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING UPON IT, ITS SUCCESSORS AND/OR AGENTS.

(LEGAL DESCRIPTION)

THE UNDERSIGNED FURTHER AGREES TO PROTECT THE SAID CITY OF MONTGOMERY, ALABAMA, THEIR SUCCESSORS AND/OR AGENTS AGAINST ANY CLAIM OF DAMAGES, COMPENSATION OR OTHERWISE, ON THE PART OF ANYONE, ARISING OUT OF OR RESULTING FROM INJURY TO A PERSON, OCCURRING AS A RESULT OF PUBLIC SURFACE WATER DRAINAGE, INCLUDING DRAINING OF STORMWATER INTO AND ACROSS THE LANDS OF THE OWNERS OF THE APPOINTMENTS PROPERTY, AND TO REMEDIATION OF ANY DAMAGE AND LOSS, DAMAGE OR COST THAT SAID CITY OF STONEY MAY HAVE INCURRED BY ANY LIQUORATION WORKS FROM SAID INJURIES. THE UNDERSIGNED HEREBY AGREES AND UNDERSTANDS THAT THIS AGREEMENT INTENT IS AND SHALL CONSTITUTE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING UPON IT, ITS SUCCESSORS AND/OR AGENTS.

Stoneybrooke, LLC  
of Alabama Limited liability Company.

By: James M. Ruffalo III  
The Manager

### NOTES

1. STREETS SHOWN HEREON, IF NOT PREVIOUSLY DEDICATED, ARE HEREBY YENDED FOR PUBLIC USE.
2. ALL EASEMENTS OR RIGHTS-OF-WAY, EXCEPT UTILITY, PRIVATE EASEMENTS OR EASEMENTS FOR SANITARY PURPOSES, RIGHTS SHOWN HEREON ARE HEREBY DEDICATED TO THE MUNICIPALITY OF MONTGOMERY, ALABAMA AND/OR THE COUNTY OF MONTGOMERY, ALABAMA FOR PUBLIC USE. EASEMENTS INCLUDE THE RIGHT OF ROADS AND CORRIDORS, BY THE CITY AND/OR COUNTY EMPLOYEES FOR MAINTENANCE OF THE PROJECTS INCLUDING IN THIS CASEMENTS. NO PERMANENT STRUCTURE MAY BE BUILT ON THE EASEMENTS SHOWN.
3. EASEMENTS FOR SANITARY SEWER AND WATER MAINS, IF NOT PREVIOUSLY DEDICATED ARE HEREBY DEDICATED TO THE WATER WORKS AND SEWER BOARD OF THE CITY OF MONTGOMERY, ALABAMA. SUCCESSORS OF ASSESSOR FOR RECORDS AND EXPRESS IN THE INSTALLATION AND MAINTENANCE OF SANITARY SEWER AND WATER MAINS AND NEW INSTALLATIONS. NO PERMANENT STRUCTURE MAY BE BUILT ON ANY PART OF THESE EASEMENTS. DIMENSIONS ON CURVES ARE CHORD MEASUREMENTS UNLESS OTHERWISE NOTED.
4. ALL LOTS WITHIN THIS PLAT REQUIRE BACKFLOW PREVENTION ON WATER SERVICE LINES AS PER THE MONTGOMERY WATER WORKS AND SANITARY SEWER BOARD REQUIREMENTS.







**PLATS**  
1 inch = 400 feet

SUBJECT PROPERTY



ITEM NO. 2C



3. DP-2017-026 **PRESENTED BY:** Ken Upchurch

**REPRESENTING:** CCU, LLC

**SUBJECT:** Public hearing for a development plan for a new building to be located on the west side of Perry Hill Road, approximately 400 ft. north of Windsor Hill Boulevard, in an O-1-Q (Office-Qualified) Zoning District.

**REMARKS:** The petitioner has submitted plans to construct a 5,052 sq. ft. building with a 625 sq. ft. canopy. There are 33 paved parking spaces indicated on the site plan and one (1) access drive to Windsor Hill Court. All applicable requirements will be met.

**Planning Controls Comment(s):** There is no signage or refuse container indicated or approved.

**CITY COUNCIL DISTRICT:** 7

**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.

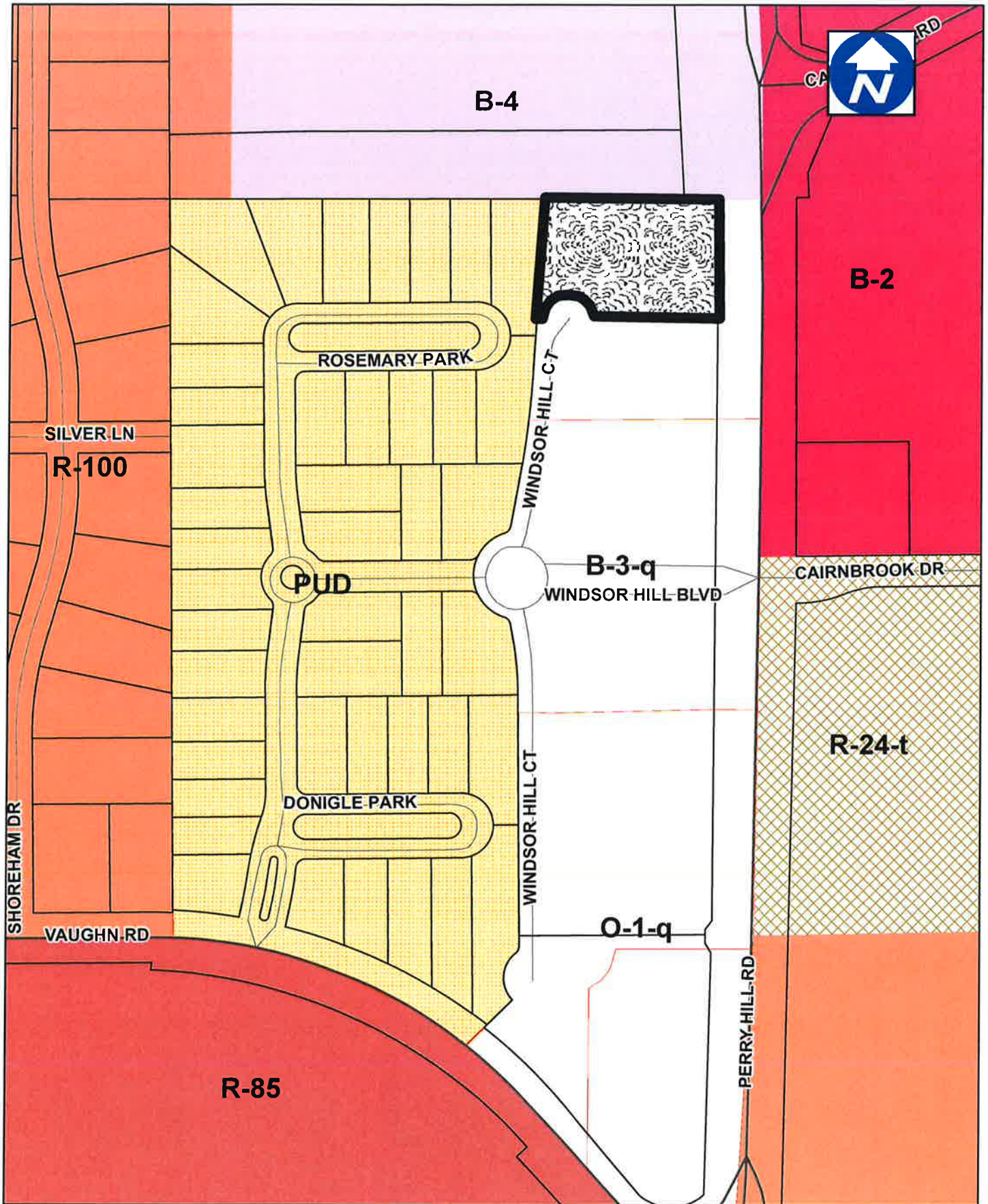
**FIRE DEPARTMENT:** No objections.

**WATER AND SEWER:** No objections.

**URBAN FORESTRY:** No objections.

**COMMENTS:** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



**DEVELOPMENT SITE**  
1 inch = 200 feet

**SUBJECT PROPERTY**

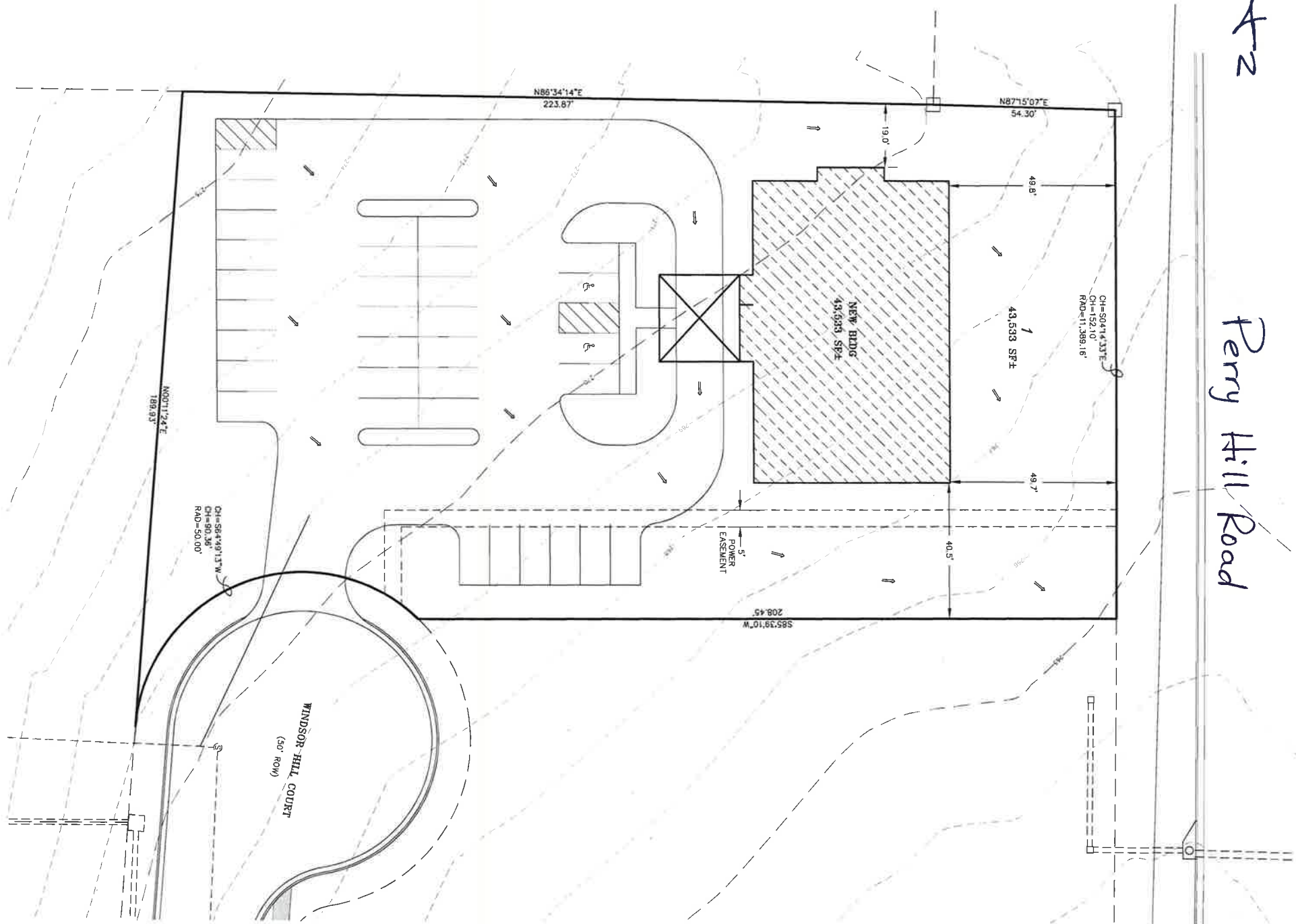


**ITEM NO.** 3A



A-2

Perry Hill Road



3B





**DEVELOPMENT SITE**  
1 inch = 200 feet

**SUBJECT PROPERTY**

**ITEM NO.** 30



4. DP-2004-092 **PRESENTED BY:** J. M. Garrett & Son

**REPRESENTING:** Carlson Office Building

**SUBJECT:** Public hearing for a development plan for a new building to be located at 1724 Platt Place in an O-1 (Office) Zoning District.

**REMARKS:** The petitioner has submitted plans to construct a 3,460 sq. ft. building. There are 17 paved parking spaces indicated on the site plan and one (1) access drive to Platt Place. 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.

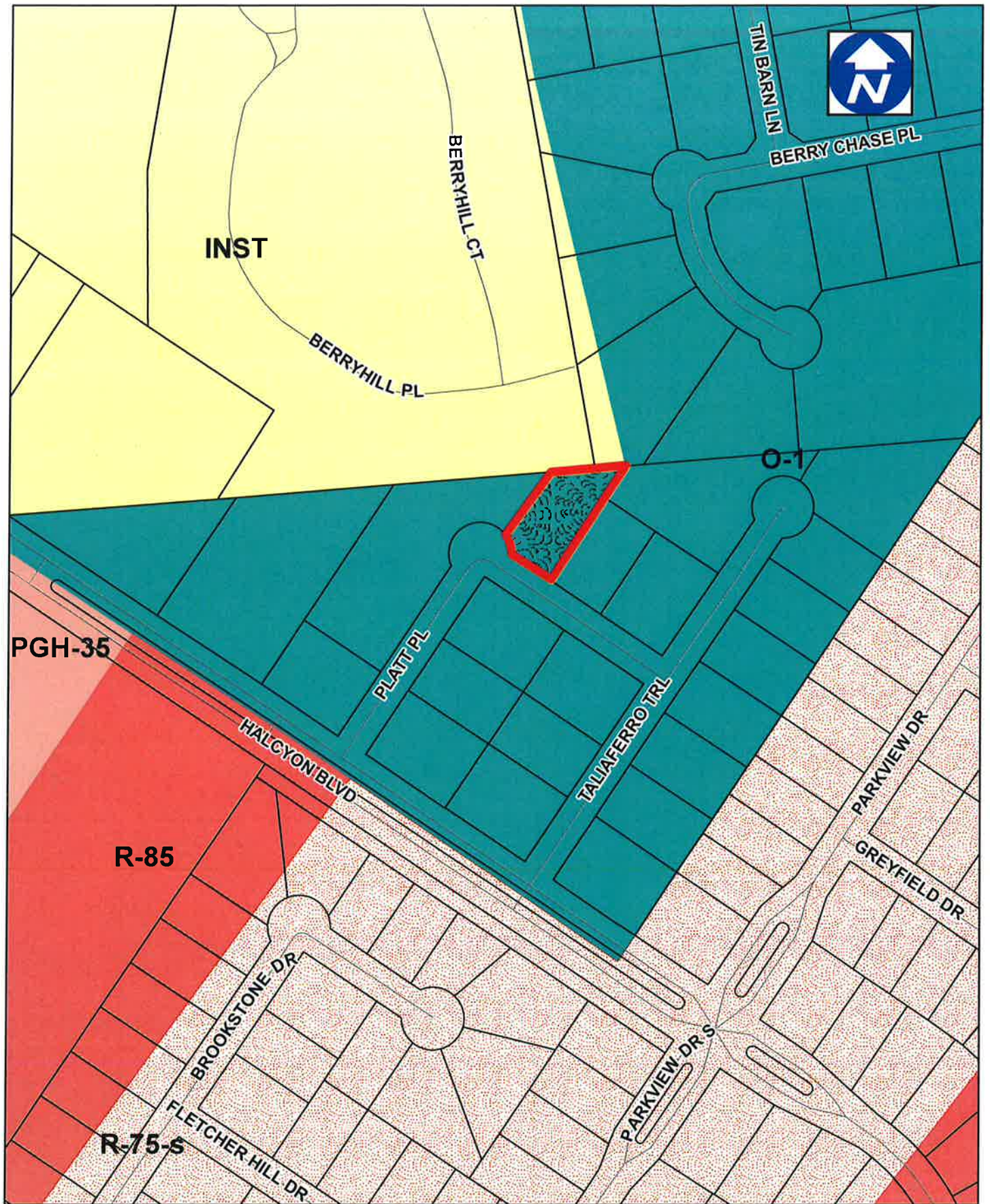
**FIRE DEPARTMENT:** No objections.

**WATER AND SEWER:** No objections.

**URBAN FORESTRY:** No objections.

**COMMENTS:** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



**DEVELOPMENT SITE**

1 inch = 200 feet

**SUBJECT PROPERTY**

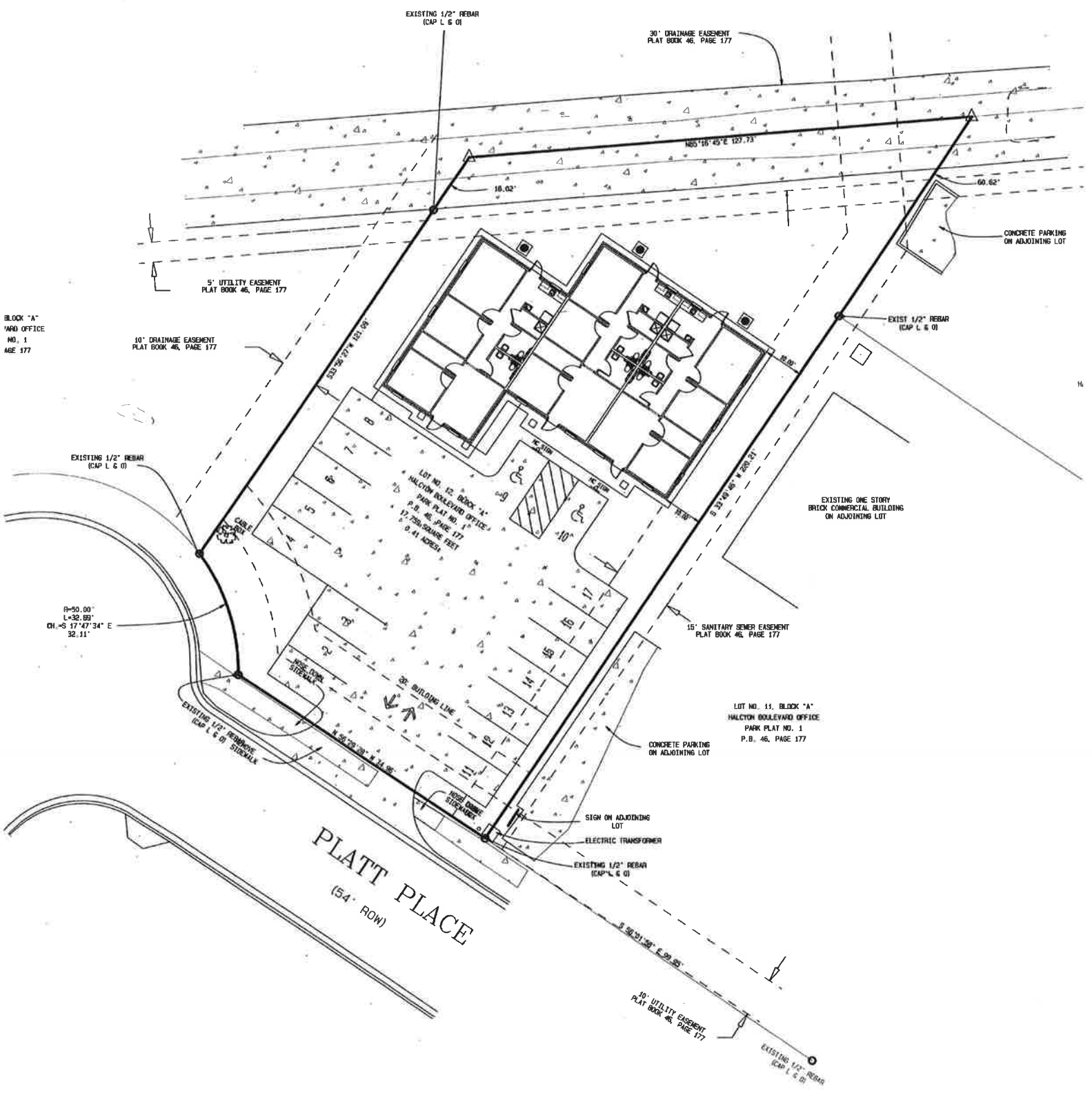


**ITEM NO.**

4A



4  
N



BLOCK "A"  
'ARD OFFICE  
NO. 1  
AGE 177

5' UTILITY EASEMENT  
PLAT BOOK 46, PAGE 177

10' DRAINAGE EASEMENT  
PLAT BOOK 46, PAGE 177

30' DRAINAGE EASEMENT  
PLAT BOOK 46, PAGE 177

EXIST 1/2" REBAR  
(CAP L & O)

EXISTING 1/2" REBAR  
(CAP L & O)

$\theta=50.00^\circ$   
 $L=32.09'$   
 $CH=S 17^\circ 47' 34" E$   
 $32.11'$

EXISTING 1/2" REBAR  
(CAP L & O)

PLATT PLACE  
(54' ROW)

15' SANITARY SEWER EASEMENT  
PLAT BOOK 46, PAGE 177

LOT NO. 11, BLOCK "A"  
HALCYON BOULEVARD OFFICE  
PARK PLAT NO. 1  
P.B. 46, PAGE 177

CONCRETE PARKING  
ON ADJOINING LOT

SIGN ON ADJOINING  
LOT

ELECTRIC TRANSFORMER

EXISTING 1/2" REBAR  
(CAP L & O)

10' UTILITY EASEMENT  
PLAT BOOK 46, PAGE 177

EXISTING 1/2" REBAR  
(CAP L & O)

CONCRETE PARKING  
ON ADJOINING LOT

EXISTING ONE STORY  
BRICK COMMERCIAL BUILDING  
ON ADJOINING LOT



4B





**DEVELOPMENT SITE**  
1 inch = 200 feet

**SUBJECT PROPERTY**



**ITEM NO.** 4C



5. DP-2017-027 **PRESENTED BY:** David Robinson

**REPRESENTING:** Sonny Davis Construction

**SUBJECT:** Public hearing for a development plan for a new building to be located at 2021 Berry Chase Place in an O-1 (Office) Zoning District.

**REMARKS:** The petitioner has submitted plans to construct 4,390 sq. ft. building with a 152 sq. ft. canopy. There are 22 paved parking spaces indicated on the site plan and one (1) access drive to Berry Chase Place. All applicable requirements will be met.

**Planning Controls Comment(s):** There is no signage or refuse container indicated or approved.

**CITY COUNCIL DISTRICT:**

**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.

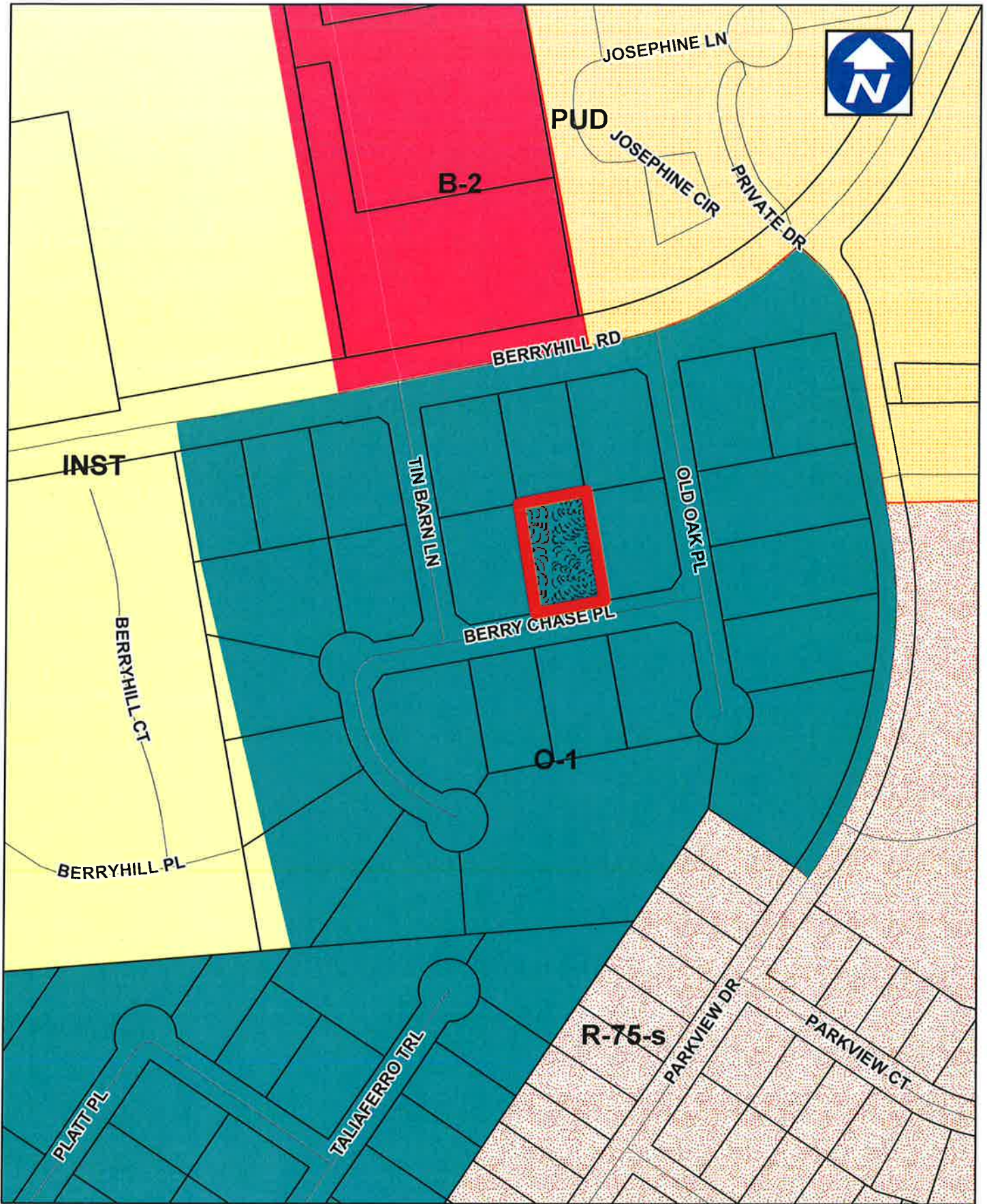
**FIRE DEPARTMENT:** No objections.

**WATER AND SEWER:** No objections.

**URBAN FORESTRY:** No objections.

**COMMENTS:** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



**DEVELOPMENT SITE**  
1 inch = 200 feet

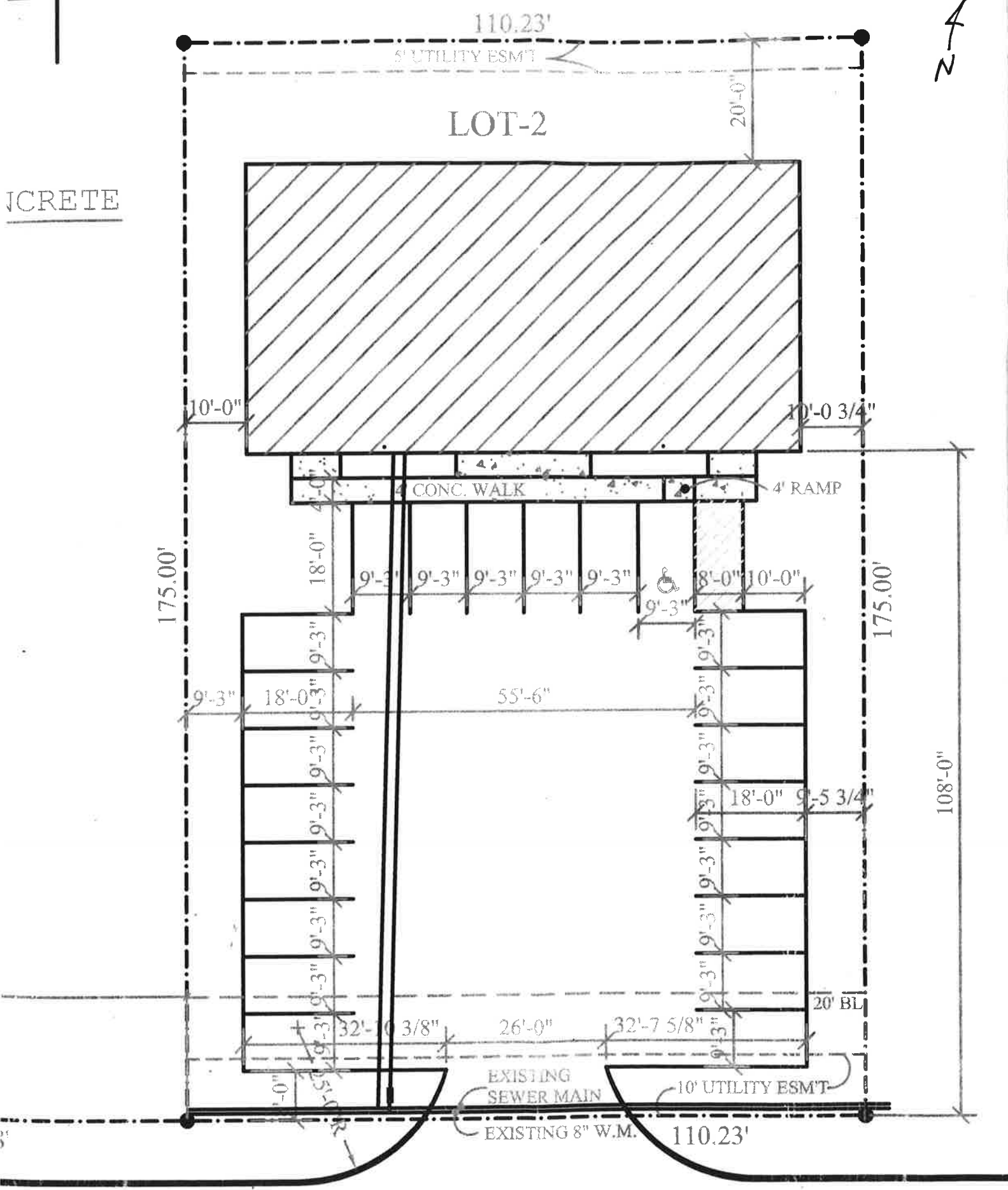
**SUBJECT PROPERTY**



**ITEM NO.** 5A



CONCRETE



BERRY CHASE PLACE

5B





**DEVELOPMENT SITE**  
1 inch = 200 feet

**SUBJECT PROPERTY**



**ITEM NO.** 5C



6. 8904 **PRESENTED BY:** Professional Engineering Consultants

**REPRESENTING:** Leigh McKee

**SUBJECT:** Request final approval of Leigh McKee Plat No. 1. Located at 3700 and 3704 Lockwood Lane\* in a PUD (Planned Unit Development) Zoning District.

**REMARKS:** This plat replats two (2) lots into one (1) lot for residential use. Lot A (0.33 acres) has 112 ft. of frontage along Lockwood Lane\* and a depth of 127 ft.

<u><b>Front yard</b></u>	<u><b>Rear yard</b></u>	<u><b>Side yards</b></u>
15 ft.	25 ft.	0 ft. & 10 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.

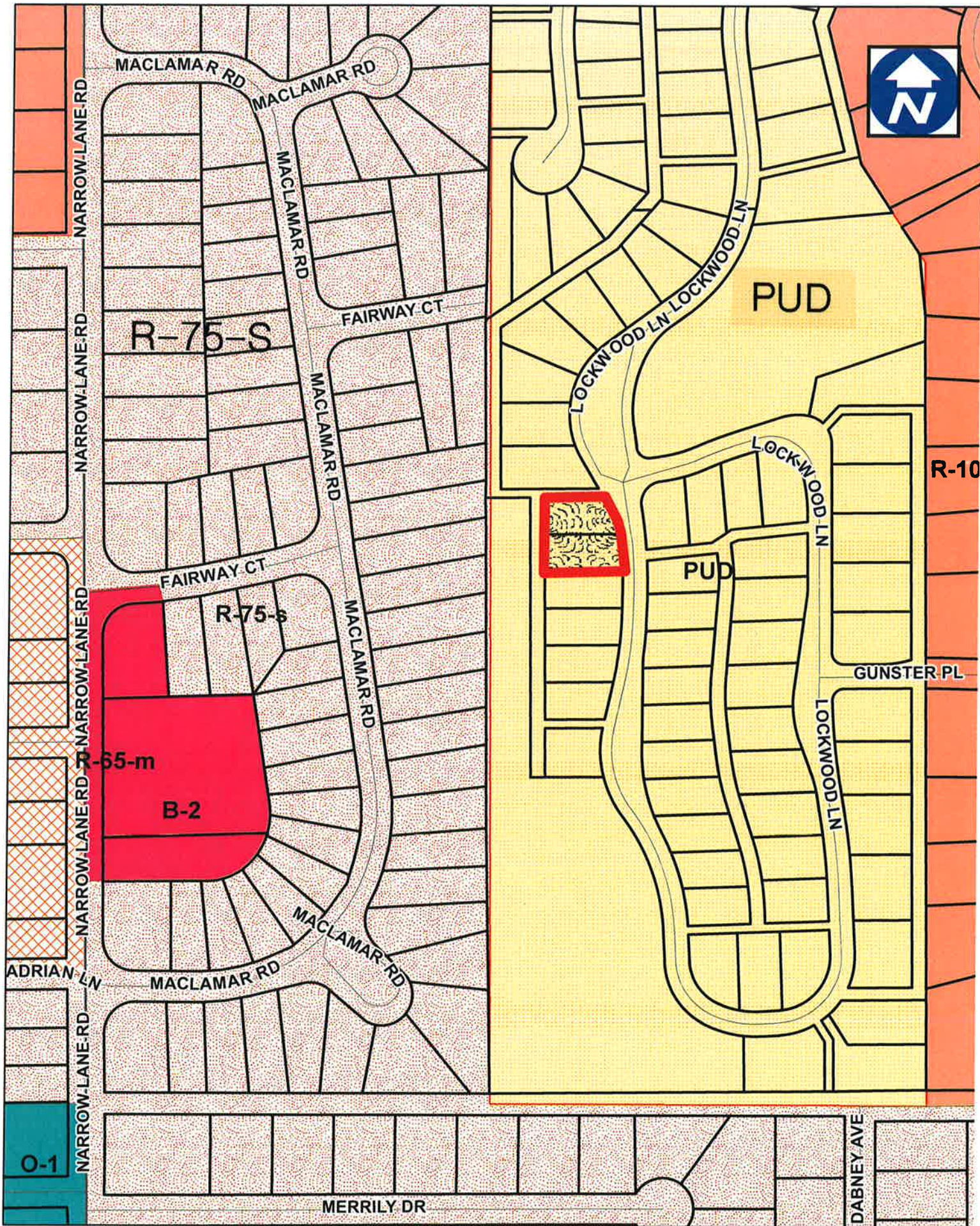
**WATER AND SEWER:** No objections.

**COUNTY HEALTH DEPARTMENT:** No objections.

*COMMENTS:* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





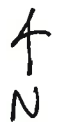
**PLATS**  
1 inch = 200 feet

SUBJECT PROPERTY

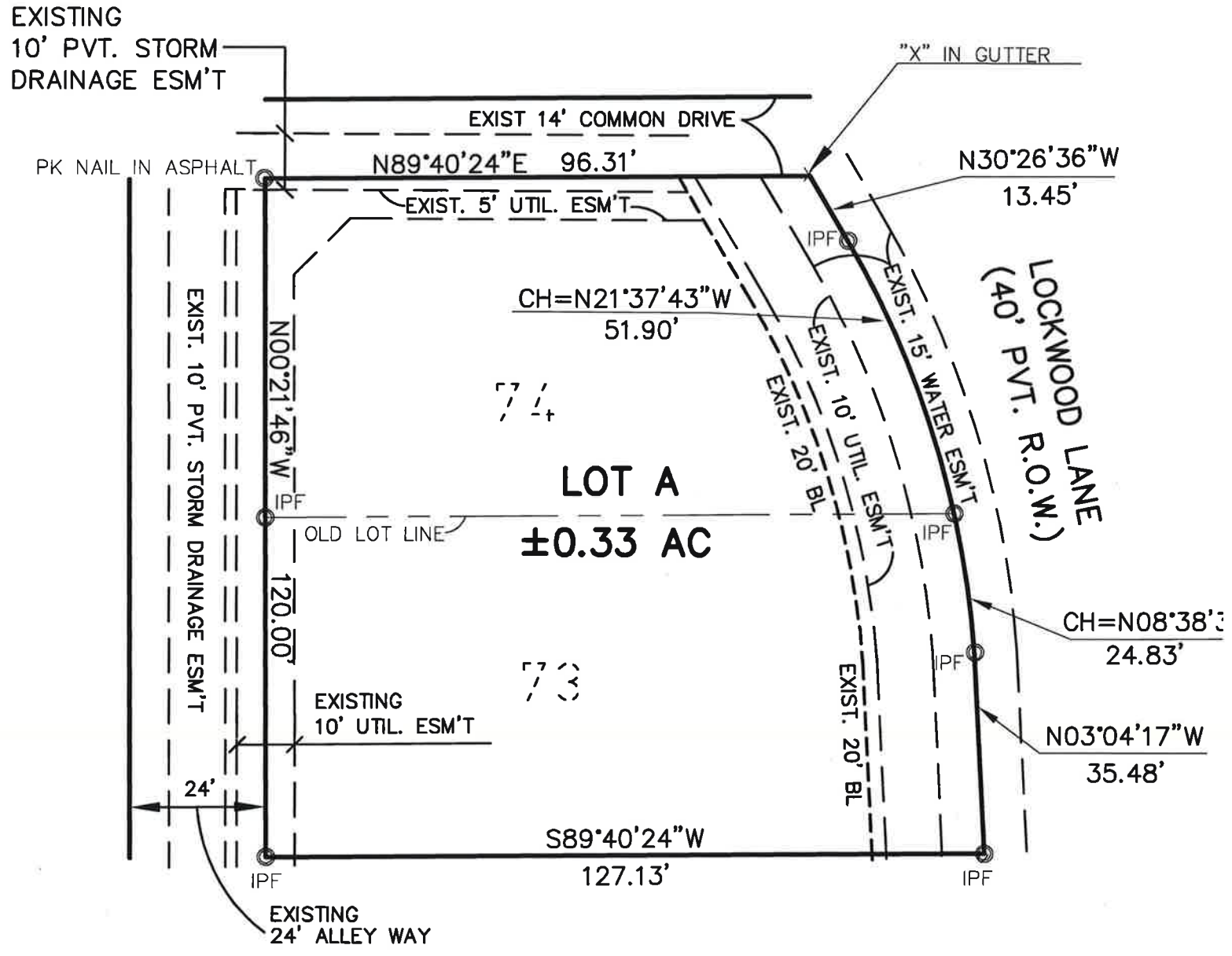


ITEM NO. 6A



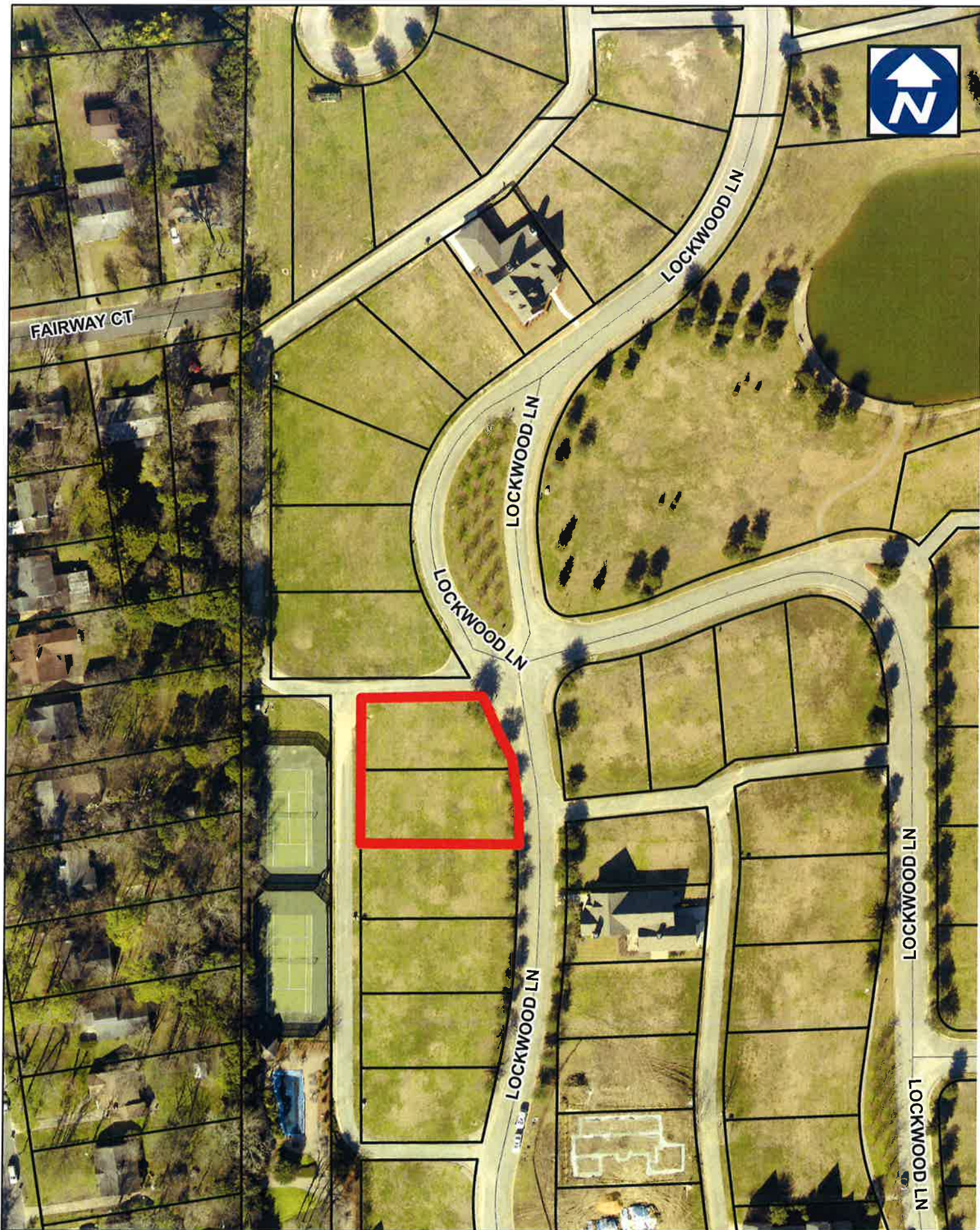


Leigh McKee #1



LB





FAIRWAY CT

LOCKWOOD LN

LOCKWOOD LN

LOCKWOOD LN

LOCKWOOD LN

LOCKWOOD LN

LOCKWOOD LN

**PLATS**  
1 inch = 100 feet

SUBJECT PROPERTY



ITEM NO. 60



7. RZ-2017-014 **PRESENTED BY:** Development Department

**REPRESENTING:** City of Montgomery

**SUBJECT:** Request to rezone one (1) parcel of land located on the west side of Caroline Street (414 Caroline Street), approximately 250 ft. south of Clayton Street, from a T4-R (General Urban Restricted) SmartCode Zoning District to a T4-O (General Urban Open) SmartCode Zoning District.

**REMARKS:** The adjacent property has T4-O (General Urban Open) zoning to the north and east, and T4-R (General Urban Restricted) zoning to the south and west. The intended use for this property if rezoned is for commercial development use. The Land Use Plan recommends central business use.

**CITY COUNCIL DISTRICT:** 7

**Long Range Planning:** No objection.

### **DEPARTMENT COMMENTS**

**ENGINEERING DEPARTMENT:** No objections.

**TRAFFIC ENGINEERING:** No objections.

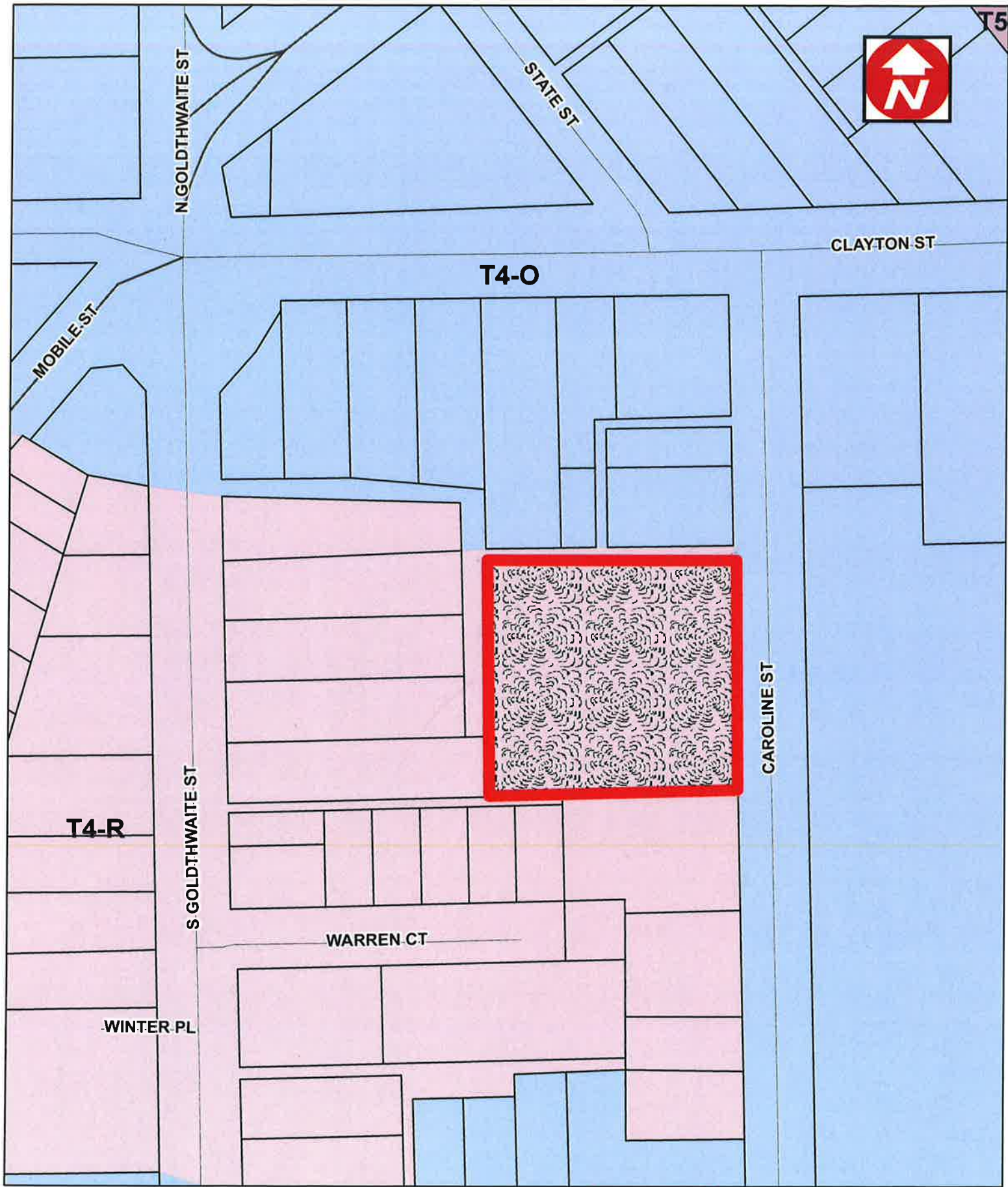
**FIRE DEPARTMENT:** No objections.

**WATER AND SEWER:** No objections.

**COUNTY HEALTH DEPARTMENT:** No objections.

**COMMENTS:** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



**REZONING REQUEST**

SUBJECT PROPERTY



FILE NO. RZ-2017-014

1 inch = 100 feet

FROM T4-R TO T4-O

ITEM NO. 7A



414 Caroline Street  
Site Plan  
For Conceptual Purposes Only

71B







**REZONING REQUEST**

SUBJECT PROPERTY



FILE NO. R2-2017-014

1 inch = 100 feet

FROM T4-R TO T4-0

ITEM NO. 7C