

Tuscaloosa Neighborhoods Together

notes on TUSCALOOSA PLANNING AND ZONING COMMISSION APRIL 16, 2007

*(**These are not official minutes. They are notes taken by a private citizen and are not to be used or relied on in any way as an official document.**)*

Present:

Commissioners: Joe Romanek, Vince Dooley, Robert Reynolds, Gary Phillips, Jimmy Warren, Aaron Christian, Joe Duncan & Steven Rumsey

City Staff: David Griffin(TDOT), Jimbo Woodson (Legal), Harold Skelton, Jessica James, Cecil Lancaster and John McConnell (Planning & Zoning)

ZONING

Z-6-07: Tyler Davis petitions to rezone approximately 10 acres located on the east side of 26th Avenue East between Parkside subdivision and Norwood Lane subdivision from R-1 to RMF-1. (Council District 6)

Last month the developer was told to provide a site plan and a traffic study. As soon as the petition was called, Traffic Engineer, David Griffin, said that he had met with the developer and the developer's engineer today and that the developer is willing to do a traffic study. He also said that he has no objection to rezoning so long as a traffic study is done before any construction. Then the commissioners asked the staff if they had seen the site plan that the developer gave them just now. They had not. Commissioner Phillips told the engineer (Joe Mullins) that the staff has to review the site plan as in any development and that it is not sufficient to produce it at the meeting and not provide to the staff beforehand. Mullins said he didn't know that. He said he can't get the traffic study and the site plan done in 30 days - in time for next month's meeting. (I don't understand that; I thought he had the site plan ready because he gave it to the commissioners. Maybe he just gave them a sketch or something.) Commissioner Reynolds explained that the staff reviews all the site plans prior to the hearing to make sure that they meet criteria. He also requested that the site plan that will be submitted address buffers between the project (apartments) and the neighboring residential area.

Continued.

Z-7-07: The Medallion Group petitions to rezone approximately 0.88 acres located on the east side of Prince Avenue, opposite its intersection with 23rd Street (Part of Lot 29 A.P. Lee Subdivision) from R-2 to R-4. (Council District 7)

Z-8-07: The Medallion Group petitions to rezone approximately 3.87 acres south of Hargrove Road East and west of 2nd Avenue East (north of and adjacent to Camellia Park subdivision and being part of lots 28, 29, and 33 A.P. Lee Subdivision) from R-2 and RMH to R-4. (Council District 7)

Z-9-07: The Medallion Group petitions to rezone approximately 13 acres located along the south side of Hargrove Road East and along the west side of 2nd Avenue East

(Part of lots 7, 8, 29, and 33 A.P. Lee Subdivision) from R-2, R-3, RMH and BN to R-4S.
(Council District 7)

S-12-07: CAMPUS EDGE APARTMENTS SUBDIVISION, consisting of one (1) lot located on the south side of Hargrove Road East, between Prince Avenue and 2nd Avenue East. (Council District 7)

This was the proposed apartment project on Hargrove Road where the trailer park is near Forrest Lake Drive. As everyone already knows, it did not receive approval from the P&Z Commission so I am not going to type out the full notes. FYI, the City Council had already approved the rezoning contingent on this Commission recommending approval, so that zoning approval is now moot and if the developer pursues this further, the City Council will have to consider the zoning request anew and take into consideration the Commission's recommendation that the zoning not be approved. Since the Planning and Zoning Commission is the final authority on subdivision petitions and they denied the subdivision petition for this project, the developer has two choices: (1) give up or (2) return to the Commission with a different subdivision plan. The developer has said that this project is only financially feasible at the density level they presented in the original plan. The reason that the project was turned down by the Commission was that it was too dense for the size of the property (636 beds on something like 17 acres) especially when the available roadways were taken into consideration. There was much concern expressed by the public about the hazardous traffic they felt would result. There was also a problem with the location of some of the buffers and fences. The developer asserted that there was no room on their property to place them, but some of the neighbors refused to have them placed on their own property. There was much discussion of whether there would be adequate parking and, although, the parking in the design met city code, most of the Commission was still concerned that it wouldn't be enough. While it seemed that all of the Commission liked the project, Commissioner Jimmy Warren summed up the problem with it as trying to "put 10 lb of dirt into a 5 lb bag."

Denied. (Note: the hearing on this one project took approximately 1½ hours.)

Z-11-07: Marlar Investments, Inc. petitions to rezone approximately 0.38 acres located on the south side of 13th Street East and east of Wood Square Shopping Center from R-4 and MG to BN. (Council District 5)

S-26-07: J & P CONSTRUCTION SUBDIVISION, consisting of two (2) lots located on the south side of 13th Street East and east of Wood Square Shopping Center. (Council District 5)

This is the gym at Wood Square that has been discussed before. They are back tonight to have a thin strip of land along the back of the property rezoned to match the zoning they received several months ago.

Approved.

RIVERFRONT DEVELOPMENT

RD-1-07: TUSCALOOSA RIVERFRONT DEVELOPMENT, a 7.3 acre parcel located at the northwest corner of Jack Warner Parkway and 21st Avenue.

Development consists of approximately 100,000 sq. ft. of building area on four (4) floors with approximately 23,000 sq. ft. of covered parking. The proposed building would have a four (4) story elevation as viewed immediately south from Jack Warner Parkway with parking below ground level from that view. The first floor is proposed to be occupied by a bank with floors two through four occupied by offices. The site plan also proposes a 4,000 sq. ft. branch bank near the southwest corner of the site near Jack Warner Parkway. (Council District 1)

S-24-07: TUSCALOOSA RIVERFRONT DEVELOPMENT, consisting of one (1) lot located at the northwest corner of Jack Warner Parkway and 21st Avenue. (Council District 1)

There was an extensive slide presentation by the architect for this project. There was no public comment.

Approved.

PLANNED UNIT DEVELOPMENT SUBDIVISION PLATS

P-13-06(1): NORTH RIVER PLACE, MASTER PLAN/PRELIMINARY PLAT (REVISED), The master plan consists of 46 lots with phase one consisting of 27 lots located on the west side of McWrights Ferry Road and immediately south of Oak Chase subdivision. (Council District 3)

This PUD has been previously approved. They are here for a revision to the plan. They are now marketing this development as a gated community with private streets and they have reduced the number of lots by one and changed the amenities in the open space. The gate will be open during the day and closed at night. This is done for marketing purposes. They waived the requirement of sidewalks.

Approved.

PRELIMINARY SUBDIVISION PLATS

~~S-22-07: A RESURVEY OF LOTS 1, 2 AND 3 BLOCK D ABERNATHY ADDITION TO TOWN OF ALBERTA, consisting of four (4) lots located at the northeast corner of 30th Avenue East and 7th Street East. (Council District 5) (CONTINUED FROM LAST MONTH)~~

Continued.

S-25-07: JAKE SUBDIVISION, consisting of four (4) lots located on the east side of Sally Hamner Road in the SW1/4 of the SE ¼ of Section 4, Township 20 South, Range 10 West. (Out of City)

No one was present for this petition so it was continued by the Commission.

S-27-07: RESURVEY OF LOT 8346 ENTERPRISE AVE NE YACHT CLUB BAY NO. 7, consisting of one (1) lot located on the south side of Enterprise Avenue NE within the Yacht Club Bay subdivision. (Council District 3)

No one was present for this petition so it was continued by the Commission.

S-28-07: RESURVEY OF LOTS 26 & 27 OF VIEW POINT, consisting of two (2) lots located on the south side of View Point Circle in the southwest quarter (SW ¼) of Section 32, Township 19 South, Range 10 West. (Out of City)

This was here last month. It is the case where the septic system served both the house and the shop which were to be subdivided from each other. Well, they had a separate septic system installed for the shop. The neighbors came again to argue against the subdivision and this time they brought an attorney who argued to the Commission that the subdivision covenants prohibited the lots from being subdivided and that if they approve this petition they will be creating an illegal use in the subdivision. The owner of the property was also there and he made many claims including that he was the best neighbor anyone in that neighborhood had ever had. He also claimed that he had never conducted a business in the shop. At any rate, the Commission denied the petition. This might be one that gets settled in court.

Denied.

AMENDMENT TO THE ZONING ORDINANCE

The Planning Commission will also consider an amendment to the Zoning Ordinance as follows:

Amend **ARTICLE IX. OFF-STREET PARKING AND LOADING** by adding a new **Section 24-125, Parking in Front Yards Prohibited.** *(See other attachment for draft ordinance.)*

Approved with Steve Rumsey voting No.