



Tuscaloosa Neighborhoods Together

notes on TUSCALOOSA PLANNING AND ZONING COMMISSION April 21, 2008

*(***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.***)*

Each item states in which Council District the subject property is located. For reference to district maps, please see: <http://www.tuscaloosaneighborhoods.org/Resources/Maps.html>

Present:

Commissioners: Vince Dooley ("VD" - arrived during agenda item No. S-23-08), Bobby Howard ("BH"), Robert Reynolds ("RR"), Steven Rumsey ("SR"), Joe Romanek ("JR"), Gary Phillips ("GP"), Joe Duncan ("JD") and Aaron Christian ("AC")

City Staff: Joe Robinson ("JRob") (TDOT), Jimbo Woodson ("JW") (Legal), Bill Snowden ("BS"), John McConnell ("JMc") and Cecil Lancaster ("CL") (Planning & Zoning)

NOTES FROM PRE-MEETING

RR: Myrtlewood buffer zone. We hate it when people show up and the developer hasn't met with the neighbors. Hopefully they're going to come tonight arm in arm.

JMc: do you have the buffer zone guidelines?

BH: do we have a standard buffer zone?

RR: no.

BH: We have to do it manually every time.

JMc: The new landscaping ordinance will help and the area plans and overlays will too.

JW: The land development permit process and landscaping ordinance will go a long way.

JMc: Erosion control - task force - a lot of this will be helped too. Maybe we shouldn't be approving subdivisions on land that's too sloped. Some UA professors are going to give the Planning and Zoning Commission a 101 course to give them a foundation to make good decisions. Subdivision regulations say steep slopes should be avoided but what is too steep?

JW: Heads Up. Over a couple of developments city staff got too involved between the developer and the neighborhood. If the developer wants to talk to the neighborhood - fine, but the City won't be suggesting land swaps, etc.

SR: Reality is the City can't step up and buy every piece of property that becomes controversial.

RR: like the Hinton property.

JW (city attorney): **Developers don't have to talk to neighborhoods if they don't want to.**

RR: Need to encourage developers to talk to the neighbors.

AC: Yes.

SR: No good deed goes unpunished.

RR: The deal last month with the Publix on 69 South was amazing.

SR: It was.

AC to SR: package for residential units downtown?

JMc: just on the back burner.

SR: a gated community needs adequate parking inside the gate.

RR: Weaver called me. He wants to tear down and build back. He needs parking.

JMc: Falls under existing provision that allows 1 per bedroom. He doesn't understand this.

RR: If you have 20 one bedroom units then going to have 22 parking places. Is that enough?

SR: If everyone had that - no problem. Problem is 3 bedrooms without enough parking spaces. The likelihood of 1 bedroom units is low. Too much cost in building them.

AC to BS: what's our intent? Residential downtown?

BS: Yes. We want 24/7 downtown.

AC: Where are they going to park?

BS: That's market driven. Investors will take that into consideration

JR: Asked Jimbo Woodson to go over Robert's Rules of procedure.

SR: (still on other topic) Some retailers will leave - don't want cars there all day.

BH: also will have parking deck.

BS: City is also looking into leasing out spaces in the deck.

JRob: Will have 445 spaces in the deck.

BS: parking in the deck is free.

SR: Why not charge?

JW: Has made them a 'cheat sheet' on Roberts' Rules of Order. Advises Chair to comment on time because once debate is closed, it's closed.

JMc: What about doing it how the City Council does it - have the clerk announce agenda items?

JMc: The timer doesn't apply to staff or engineers (developers' consultants); only to the public.

SR: Looks to me like the public should have same time.

RR: Should pause timer for questions and answers as is done in appellate court.

GP: When we ask to end debate or call for question the audience won't realize that is cutting off their comment.

(Pre-meeting over)

ZONING

Z-15-08: O.C. and Willie Lou Tyree petition to rezone property located at 1915 – 18th Avenue from R-3 to BN. (Council District 2)

100' x 100' lot; zoned R3; on Queen City Avenue. (Cross-reference Zoning petition Z-11-08 from February 2008 when 11 parcels were similarly rezoned.) The owner has no specific plans for the property but believes, as the developers in February apparently did, that the rezoning will offer better marketability for the lot. AC asked JRob if the City should abandon some unused R-O-W there. He replied they would look at it. There was no opposition.

Approved.

PRELIMINARY SUBDIVISION PLATS

S-23-08: HALLMAN SUBDIVISION, consisting of nine lots located on the south side of Grandview Drive and north of Cherokee Estates Section Two. (Out of City)

North of Tierce Patton Road on the lake. It was tabled last month so the developers could meet with the neighbors. The engineer (consultant) advised that they have talked to them. (Vince Dooley arrived.) They are going to make the lots subject to existing restrictive covenants except for lot 9. Lot 9 is 86 acres! Lot 9 will be subdivided later. JMc: by platting this as a lot they're avoiding the Master Plan requirements.

Engineer: they have no plan for these lots at this time.

RR: Lot 9 abuts the other lots across the street though so can't you put something in that requires covenants on that part of 9 which is adjacent to them?

GP: I don't think there's a problem here; it's not buildable. (Of course that's what I thought of the lot where Bryant Bank now stands; if you can afford the dirt it's buildable.)

Engineer: we'll treat it like an easement on the final plat.

A member of the public whose name I did not catch said that he was satisfied until he heard about Lot 9. AC asked if what RR proposed was agreeable and the neighbor said yes.

Approved with the condition that the front of lot 9 be covered by the same covenants as the lots across the street.

S-29-08: RESURVEY OF LOTS 3, 4, & 5, OF BLOCK 15, TUSCALOOSA & CASTLE HILL REAL ESTATE & MANUFACTURING COMPANY, consisting of one lot located on the west side of 12th Avenue and north of its intersection with Paul W. Bryant Drive. (Council District 4)

S-30-08: THE GARDEN DISTRICT CONDOMINIUMS, consisting of 24 condominium units located on the west side of 12th Avenue and north of its intersection with Paul W. Bryant Drive. (Council District 4)

These are companion cases. This is across Bryant Drive from Calvary Baptist Church. The purpose is to remove lot lines for the companion condo case. It will be a 24-unit elevated condo. They have already gotten a land development permit just to level the soil which had to be undercut and brought back to grade. There will be parking on the first level. It will have 50 spaces. It will be 10 two-bedroom units and 14 one-bedroom units. It will have an interior courtyard on the second floor which will meet the "green" or "open space" requirement. The second residential floor will have a balcony looking over the concrete courtyard on the first residential level. There will be no roof over the courtyard area. The Chimes is done the same way. No opposition.

Approved.

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S-31-08: THE LOFTS AT BRYANT DRIVE, consisting of 13 condominium units located on the north side of Paul W. Bryant Drive between 14th and 15th Avenues. The Planning Commission will also review elevations and building details for this project, which is located in an historic district buffer zone. (Council District 4)

North side of Bryant across from Myrtlewood Historic Neighborhood. Next to the mosque.

GP: The entrance is onto Bryant, have they taken into account the Bryant Drive improvements?

JMc: yes.

JR: We want to stay consistent and this isn't.

SR: buffering

Developer: Yes, between the building and Bryant Drive.

SR: people don't want to see cars.

Dev: Your package contains specific landscape plan. There will be a high-end iron and stone fence plus lush plantings. These are very high-end units so it will be in line.

RR: Consider a berm?

Dev: yes - also for sale-ability.

RR to JW: we've been shown drawings. How do we make sure this occurs?

JW: You're approving what is presented so you're ok.

RR: The drawing shows grass.

Dev: HVAC on the roof. Dumpster will be closed off. Building is 48' tall. Has a roof-top deck that won't be visible from the street like an atrium. We've met with the Historic District and they're here. We're changing our lighting for them and putting in more brick pavers.

LaDonnah Roberts, President of Myrtlewood: the developer has satisfied the neighborhood's concerns. She read a prepared statement to that effect.

RR: Down-directed lighting.

GP: Gas lights is a specific "look" and the parking lot lights will wash out the gas lanterns.

Dev: addresses that

SR: Building looks nice.

RR: moves to approve with condition that the look in the materials presented is part of the project and that the requests of the neighborhood association be honored.

Approved. RR thanked the developer and the neighborhood association for working together.

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S-32-08: BUTTRAM DIVISION, consisting of two lots located on the north side of Stripling Drive and east of its intersection with 36th Avenue East. (Council District 6)

There are two residences on the property and they want to separate them so one can be sold. The property is being divided in funny shapes. The explanation is that the owner gardens on one part of the property and wants to keep that for himself to continue gardening. There was some discussion of a sewer line and easement that runs across the property. I'm not clear on whether that was a problem but it must not have been because they voted to ...

Approved.

S-33-08: HALL DIVISION, consisting of two lots located on the northwest corner of U.S. Highway 82 East and Garden Parkway. (Council District 7)

This is Melanie Baird's family's property. They just subdivided a different lot. There was a bit of discussion of access to the property and the possibility of a joint access agreement. GP acted angry because they "won't tell" what is going there. RR: his concern is that the access to the lot needs to be on Garden Parkway rather than McFarland. JRob said it needs to be further back. RR asked if they need to defer this. JMc said those concerns would be addressed in the land development process (does he mean permitting?)

Continued.

ANNEXATIONS

AN-2008-04: Approximately 1.44 acres located south of University Boulevard East and north of Kyle Court. (Council District 5)

Cottondale. This is across the street from a jumbled collection of single and two-story apartments. The only connection to the city is a City-owned R-O-W along University Blvd. This made BH ask if they can annex University Blvd and Highway 11 West.
Approved.

AN-2008-05: Approximately 0.35 acres located near the intersection of Virginia Drive and 44th Avenue East. (Council District 5)

Just north of Hillsdale Subdivision. There is a home on the property that a person wants to buy under the City's home loan program but it must be in the city to qualify. GP asked to waive the garbage and school bus service. JMc said environmental services already said it wasn't a problem. BS asked to continue.
Continued.

STREET VACATION

V-03-08: This is a portion of 4th Street between 19th and 20th Avenues. Behind ST Bunn's office. It is mostly an unimproved alley R-O-W. Phillip Weaver is the owner.

Approved.

AMENDMENT TO THE ZONING ORDINANCE

Amending ARTICLE III. RESIDENTIAL DISTRICT REGULATIONS, regarding maximum dwelling unit density and residential occupancy restrictions.

Purpose is to provide design flexibility, reduce need for multi-use zones and just common sense. JMc shows two different apartment complexes. (1) can have up to 5 unrelated and 12 dwelling units per acre. (2) is in RMF1 - 25 dwelling units per acre and up to 3 unrelated.

Lately have seen developments with hybrid combinations of 1, 2, 3, 4 & 5 bedroom units so some developments are having to have different zones within the development.

The new category would be called "Unified Multi-Family Development" or UMFD. It requires a minimum of 2 acres and permits a combination of single family/two family/apartments and town homes. Up to 5 bedrooms per unit but the total number of bedrooms won't exceed the maximum permitted bedrooms per acre. Total occupancy won't exceed the number of bedrooms allowed. Currently those maximums are:

R4 - 45 Bedrooms/acre

R4S - 48 BR/Acre

RMF1 - 75 BR/Acre

BN (in a PUD) - 75 BR/Acre

RR: not giving up height restrictions, etc? All existing zoning restrictions will apply.

JMc: I think this is all positive. It's a very simple way to deal with new type of development.

Approved.

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Amend ARTICLE IX. OFF-STREET PARKING AND LOADING to adjust minimum parking requirements in residential and commercial districts.

Current allows or requires 2 spaces per dwelling unit or 1 per bedroom, whichever is greater, plus 7%. The proposal is to take away the minimum and change to 1/br + 7% rounded to the next higher number.

SR: should the spaces be allocated or should it be a free-for-all?

University of Georgia and University of Florida have this. Florida State has 1/br with no additional percentage.

GP: married couples living in one bedroom units might be a problem.

SR: The transition from single family homes to student-occupied is the problem.

Families had one or two cars. Students all have cars so there is not enough parking.

JMc: this takes away the penalty on one-bedroom units.

Approved.

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OTHER BUSINESS

1. Report of the Sidewalk Subcommittee.

Joe Robinson: They have had two meetings. They looked at where they think sidewalks are needed based on traffic. They looked at maps and drew them in and came up with recommendations. Current regulations require streets to be 27' to 32' wide. (There is a PowerPoint presentation, but the print is too small and I can't read it.)

Level 1 street will be 27' wide and will have a 4' sidewalk on both sides with a 4' grass strip between the sidewalk and the road. The sidewalks must be built before the final plat is signed. Grass addresses an environmental concern: it filters run-off.

Level 2 street will be one with 21 or more homes on The street. It will be 25' wide which will help slow traffic. It will have a 4' sidewalk on one side and a minimum 3' grass strip. The sidewalk will be built before final plat or before certificate of occupancy. If it is after the final plat, The final grade must be established. (They said they are doing that now.)

Level 3 street will have 20 or fewer homes and no sidewalk is required. The street will be 25' wide asphalt with curb and gutter.

Collectors and above will be required to have sidewalks before the final plat and a 6' grass strip.

They encourage sidewalks to connect different subdivisions or shopping areas. They want to encourage walking. They took a map of a subdivision (I don't know which one) and drew in where the sidewalks would be under this plan. They also did Acadian Place which is a subdivision where the sidewalks didn't get built even though they were on the plans. They also mapped The Townes of North River.

This plan hasn't been advertised so they can't vote on it tonight. RR: not sure it is a good idea to reduce the grass strip from 4 to 3'. His n'hood ass'n planted 40 oak trees and to do that you have to have a certain size hole. The trees required a 4' hole so that all trees would grow consistently. JRob: In most cases there is a 50' R-O-W. RR: we are narrowing The street; don't need to narrow the grass strip. SR: not seeing front yards anymore. Pushing houses right up to the street, but there is no problem with that. JW: this should push houses further from the street. RR: great report. Thank you.

2. Discuss alternative arrangements for future meetings of the Planning and Zoning

Commission.

The mayor is getting a lot of complaints about how long these meetings are lasting. They talk about dividing the meetings according to content, i.e., rezonings and text amendments in week 1 of a month and subdivisions in week 3 of the same month. Could do that because these different topics have different quorum requirements. RR: asked what the workflow is now because in his work (representing banks) he is seeing development slowing and the end of the Go Zone money. JMc: that trend is probably going to continue until the election. We can wait to institute changes. RR: If we can continue to push neighborhoods and developers to meet we can eliminate a lot of time we spend now. VD: we can do it on a per agenda basis. GP: what is a heavy agenda? JMc: how late is too late? GP: let staff recommend whether the meeting should be split. BH: what about notification? Is there time? JMc: Send out legal notice a week and a half before and it goes in the paper the Sunday of the week before. GP: y'all have best judgment. JMc: Mayor doesn't want full daytime meeting because of the public, but routine subdivisions... VD: consider companion cases. SR: for the next year we're gonna be ok. GP: Let's hope not. SR: I hope not, but... Asks an engineer in the audience what he thinks... AC: when would the second meeting be? JMc: probably two weeks apart. SR: let's play it by ear. I want to improve communication between the different boards. He gave the example of the Meador Drive petition for a variance at the Zoning Board of Adjustments "where they debated whether it was a student neighborhood when only 4 of 50 houses are owner-occupied." (Refer to the February 2008 Zoning Board of Adjustments meeting notes, petition Nos. ZBA-9-08 and ZBA-10-08.)

3. Discuss creation of new Buffer Zone for properties located on the southeast corner of Queen City Avenue and University Boulevard.

Your reporter left before this.