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PLANNING & ZONING COMMISSION MINUTES

December 14, 2023

The Gardendale Planning & Zoning Commission met on Thursday Night, December 14, 2023, at 6:00 P.M. at Gardendale City Hall located at 925 Main Street.

Chairman Jack Fields called the meeting to order, and Bill Casaday gave the invocation.

Members present were Ronald Barnett, Richard Bradley, Bill Casaday, Alvin Currington, Jack Fields, William Noble, Mike Osburn and Robbin Phillips. Bob Moore was absent.

Building Superintendent Blake Castleberry was present.

Secretary Regina Graham was present.

Minutes of the November 28, 2023, meeting was distributed. A motion was made by Robbin Phillips and seconded by Alvin Currington to dispense with the reading and approve-as presented-with any corrections to be made at the next meeting. Vote was unanimous; motion carried.

CORRESPONDENCE

NONE

OLD BUSINESS

NONE

NEW BUSINESS

This item was moved from the second item on the agenda to the first item the request was of **PHILLIP DAN BURGETT IDAN & CHARLOTTE BURGETT, PROPERTY OWNERS** for a "*favorable recommendation to City Council*" to **REZONE** from R-1 [Single-Family Residential District] to RT-4 [Townhouse Residential District] for a townhome development. Parcel ID #14 00 12 3 002 005.000. **[SITE ADDRESS: 220 PAYNE ROAD]**.

A list of property owners within 500' was called, and the following was recorded:

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|---------------------------|----------|---|----------|
| Dan & Charlotte Burgett | -Present | Paul Richard Roberts | -Absent |
| Covenant Woods Gardendale | -Absent | Sam T. Thompson | -Absent |
| William & Trina Smith | -Present | Kayla Hallmark & Josh Wood | -Present |
| William Allen | -Present | Betty B Thompson Family Revocable Trust | -Absent |
| Kristal & Dustin Norman | -Absent | Regionald & Sharon Mardis | -Absent |
| John Brett Rowell | -Absent | Paula Ann Swan & Thomas Raymond Snodgrass | -Absent |
| James Valentine | -Present | Jefferson Co. Right-of-Way | -Absent |
| Trevor Burrow | -Absent | Gao Ye | -Present |
| Kristine Wesley | -Absent | Keith & Elise Dasinger | -Present |
| Luther & Jana Perkins | -Present | Marilyn Putman | -Absent |
| James & Willa Campbell | -Present | Howard Wayne Counts | -Present |
| Wade Hutchins | -Absent | Gregory Easter | -Absent |
| Cela Properties, LLC | -Absent | Lloyd & Associates CPA AN | -Absent |
| Main Street Village, Inc. | -Absent | Pamela Carroll | -Absent |
| Shirley Richey | -Absent | Jacky & Donna Pair | -Present |
| Joshua Wood | -Absent | Jeffrey & Janice Coats | -Present |
| Gary Erwin | -Absent | Terrence Angel Dahlgren | -Present |

| | | | |
|--|----------|------------------------------------|----------|
| Michael Gray | -Present | Jefferson County Teachers | -Absent |
| Della Daugherty | -Absent | Siri Gramstad Allen | -Present |
| Jimmy Beard | -Absent | Patricia Norsworthy & Kylie Echols | -Absent |
| Stephen Von Hagel & Christopher Daniel | -Absent | Charlotte Dobbs Wolfe | -Absent |
| Ricky & Lynn Herring | -Present | Rick Kelley | -Absent |
| Brianna Burke | -Absent | Jennifer Marie Leake | -Absent |
| Jerry & Patsy Carrier | -Absent | Brenda Schaefer | -Absent |
| Austin & Brianna McAuley | -Absent | Larry & Constance Gafford | -Present |
| Billie Roberts | -Absent | Dillard & Cynneht Drummond | -Absent |
| David & Cassandra Fulton | -Absent | Johnny Osborn | -Absent |
| Caleb Townsend & Cory Grabany | -Present | Brent & Kayla Collins | -Present |
| Sharon & Mary Keener | -Present | Vickie Smith | -Absent |
| William Baker | -Absent | | |

The following were also present: Charles & Ashley Coburn – 1309 Perry Court; Chris & Carly Guy – 232 Payne Road; Linda Mewbourn – 1401 Woodward Circle; Sam Merritt – 249 Payne Road; Anna Smith – 340 Cliff Road; Ben Chambellan – 313 Cliff Road; Mary Jane & Robert Thompson – 316 Cliff Road; Christina Lawrence – 1405 Woodward Circle; Mike Renta – 350 Thompson Drive; Layne Walker - 340 Thompson Drive; Pam Fabian - 217 Payne Road; Stacey Thompson - 1319 Plateau Drive. Allen Jones as representative.

The City Engineer’s comments attached as “Exhibit A.” The Public Works Department concurred with the City Engineer. The Fire Department had no comments.

Chairman Jack Fields explained to the audience the order of the meeting. The requested party will come before the board to give their presentation first. Then, the board members will ask various questions for clarity, which will answer several questions. After that, we will go to the audience for questions/comments. He asked the audience not to bring up the same comments/concerns repeatedly because the board would understand.

Allen Jones came forward as the representative saying they were asking for a favorable recommendation to the city council to rezone 220 Payne Road to RT-4 [Townhouse Residential District]. Mr. Jones showed a PowerPoint presentation across a big screen that showed the following plan: ‘Site Summary’ - location of the site and approximate acreage 5.9. The density they are proposing is 24 units (4.25 units per acre). Open green space is more than 50%, less density than requested in the Comprehensive Land Use Plan adopted in year 2014. “Neighborhood Analysis” – Location: Centrally located in Gardendale along Payne Road adjacent to several rental properties, Gardendale Municipal Court, and North Jefferson Pediatric Dentistry. Roads: Payne Road is well-maintained. Sight distances leaving the property are well above required. Utilities: All utilities including sanitary sewer are available to the site. Topography: This is a flat area and conducive to the 55+ target demographic. He showed an aerial view of the property and the preliminary conceptual plat designed by Forty 4 Engineering Design. Development Over: We have designed four six-unit townhomes for a total of 24 units. A predominate portion of this property is greenspace. He showed the buffer adjoining the existing properties and discussed a walking trail (not shown on the preliminary plat) for the residents of this development. The maximum density is 40 lots. This is a prime site, but we do not want to inundate the property with too much housing but allow plenty of green space. We feel that the best land use for this is a townhome development. We plan to develop and market this with the aging population in mind with one of the demographics that we feel in most communities is poorly underserved from a new construction standpoint. We feel like this is a fantastic idea in this community. Gardendale lacks housing designed for the older generation. Currently, according to the latest census data, the population is growing 1.5% annually with 55+ age group approximately 29% of the population. 73% of Gardendale homebuyers look to stay in Gardendale – seniors make up a large percentage of those looking to move out – REDFIN 2023. Mr. Jones said there is not a lot of housing marketing toward the 55+ age group. Planned 55+ Community – Less Traffic at peak times; less children impacting area and schools; increased property value; and will not impose greater cost on city government. Will increase tax revenue in surrounding businesses. Designing the houses, we will utilize the National Association of Home Builders and the AARP guidelines for aging population construction. They have put together and utilized what is called universal design principles to help older people to get around in single level living. Not all these houses will be a single-story, some will be a 1 ½ story. Senior

specifications will be on the main level. No building plans have been finalized yet, but here are some different conceptual elevations they have been looking at with brick and Masonite siding, very low maintenance. Again, interior designs we will be using the AARP guidelines, wide doorways, different counter heights, grab bars in restrooms, etc.

Bill Casaday asked Mr. Jones how he would sell this product to the 55+ population. Mr. Jones replied by indirect marketing. There are no final plans, but you can market with wider doorways, etc. The real estate team would get it done when selected to market toward that demographic.

Alvin Currington asked the price point. Mr. Jones replied between \$240k to \$290k and range from 1,250 to 1,500 square feet. Some would be one levels and some 1 ½ story. Master bedrooms would be down low. Mr. Currington agreed with the need for more housing in Gardendale for the 55+ age group but had concerns about how townhomes would fit in with single-family residential, low-density housing. 28 units does not sound like a lot but when you have connected single roof structures that is a high-density development. My concern in making these decisions is based on how the proposed development fits in with the Land Use Plan. The Current Land Use Plan for this area clearly calls for low to medium density residential. If the board made a favorable recommendation to rezone it would need to be accompanied by a change in the Land Use Plan to high density residential for this property. He agreed that the city needed more development for seniors but was not convinced that this was the right location.

Ronald Barnett said that Mr. Jones mentioned grandparents and asked if there were any provisions for children in this development such as playgrounds since the grandparents will not have that.

Mr. Jones said that as of now there are no plans, but we have looked at walking trails.

Robbin Phillips said there was a 5,000 sq ft children's play area on the design plan.

Mike Osburn asked about how long the Burgetts have owned the property and if the property had been zoned R-1 [Single-Family Residential District] this whole time. Mr. Jones replied that he did not know.

Mr. Osburn said that it is a concern changing the Land Use Plan to high density residential with the surrounding area being medium to low density residential. He did not think that adding 24 units would create any kind of property issues or an impact on property values. He did not know if this was a very good fit with the location. He said there was a lot of concern with the large crowd here tonight, as well.

Mr. Jones said that the Land Use Plan allowed medium density, which is garden homes. With this proposed townhouse development and the amount of green space, there is less density than if they proposed an RG [Garden Home Residential District] zoning. We could get 16 to 18 units in a garden home development.

Mr. Osburn confirmed that Mr. Jones was proposing some single levels and some 1 ½ levels. How would that affect the exterior?

Mr. Jones replied that was possible and there were no final plans. He showed a photo and said that they could maintain that same roofline except with dormers and what not. A single level to the 1 ½ level with at least 1200 sq. ft. to 1480 sq ft.

Mr. Jones confirmed with Chairman Fields that he was the representative, the developer, and the builder of the proposed townhomes.

Chairman Fields asked Mr. Jones to repeat how many garden homes he could get on the property. Mr. Jones replied 14 to 18 garden homes utilizing most of the property.

Chairman Fields said there was a big drop on the far side of the property and Mr. Jones made a point that he was not putting as many townhome units as he could. Could you anyway because of that drop?

Mr. Jones replied that he could not build any more units without a ton of dirt.

Chairman Fields understood that any developer would like to put as many units on the property as possible. Mr. Jones agreed.

Chairman Fields appreciated the clarity that Mr. Jones was the developer. He understood that a marketing team had not been chosen at this time and the board if they had any further questions and then turned to the audience.

Will Smith, Cliff Road, said that this proposed development was in his backyard, and he had a lot of concerns. It is a neighborhood of single-family houses, not townhomes, and for many years was an agricultural dairy farm. He had to attend a public hearing 20 years ago when Perry Court developed. The board understood then that it was single-family residential homes, and he wants the property to be utilized that way, not townhomes or garden homes. Keep it the same as our neighborhood is now because we love it. This is going to mess up my neighborhood and I do not like that. Next problem is drainage issues. It is already a cliff back there. There are drainage problems in front of the property where the houses are now. I have built houses before for many years and I know what it is like. The 24 townhomes will turn into 48 townhomes.

Keith Dassinger, 1315 Perry Court, said that this proposed development will be in his rear/side yard. He has small children and is concerned about the increased individuals and traffic even though they are marking 55+. He is concerned about public safety for his children and increased paramedic/fire calls due to the age versus younger families. There will be increased traffic, too, with grandchildren and visitors. There are no sidewalks on Payne Road or in the neighborhood so any kind of pedestrian activity will be on the side of the road with increased traffic. There has been a recent vitalization to the neighborhood with young families who are remodeling homes that have been vacant for a while. He has lived in townhomes like this before with his wife and within one year they had four different tenants next door. Townhomes are not a good fit for the community. I am missing my child's Christmas program tonight to speak out for the future of our neighborhood.

Charles Coburn, 1309 Perry Court, said his property joins this proposed development. He asked the board to consider the people that they are serving and the residents who are going to have to deal with this. His children play outside every day on Perry Court, and he is concerned for their safety. He was also concerned about not knowing the type of people moving in next door and their visiting relatives. Please consider the residents when making your decision.

Chairman Fields said that he allowed the three property owners to discuss their concerns in great length because they are adjoining this proposed development. He asked the others in the audience to keep it brief so they could get several opinions before the board moved on.

Dale Pair, 209 Payne Road, said that he was concerned about his grandchildren playing in his front yard and the additional street traffic and lower property values.

Gao Ye, 232 Payne Road, said that single-family homes increase property values more which means Jefferson County will increase property taxes. A 55+ community is normally quiet, but what if you get a neighbor that is not? Jamestown Manor Drive is a townhome community in Gardendale and a lot of the homes are owned by investors. Gardendale does not want apartments. An apartment community has a significantly higher crime rate than single-family residential neighborhoods. What is the difference between high density residential and apartments? Nothing. He said that if one dwelling unit catches on fire in a high-density neighborhood, the whole neighborhood is on fire. Corporate investors like to

buy townhouses and rent them out and it does not matter what kind of language they speak, they speak money.

Chris, tenant at 232 Payne Road, said that he is a development manager for a moving company, Penske. Gardendale is growing and Mr. Jones had some good information in his presentation, but he would like to know the credibility of his sources and who they were.

A concerned citizen asked Mr. Jones to pull up the source he received regarding 42% less traffic for 55+.

Mr. Jones replied that it came from Metropolitan [inaudible] Engineers Trip Generation 7th Edition, Volume 2, Page 268 through 332.

A citizen said that the lack of knowing the credibility of the sources and who they are should be enough for the board to understand that they are not concrete in their plans, ideas, or safety of their community.

Luther Perkins, 1300 Colonial Avenue, said that Mr. Jones mentioned garden homes and townhomes. Neither appreciate much in value. I ask the board to consider the long-term growth in Gardendale and that its people would like quality over quantity. We want more good people in Gardendale that are going to help grow our community, which are typically people with single-family homes. Townhomes are poorly maintained and the ones that are maintained barely increase in value. This development does not fit the neighborhood or in the city at all. We need a higher standard of living in Gardendale. The average income in Gardendale is less than Fultondale because the average housing is less. Gardendale has too many apartments. Gardendale needs more homes and families and bigger communities to grow property, which will in turn increase the income and, by default, business as well.

Betty Gray asked, "What happens if the units do not sell? Are they rented?"

Mr. Jones anticipated that the units would sell. They cannot keep a property owner from renting their property.

Lynn Herring, 216 Marshal Drive, asked, "How can you guarantee that a 55+ is going to live there? If another age group buys, that brings another demographic." Mr. Jones said that real estate laws keep us from blocking any age group. They cannot guarantee but can only market toward that 55+ age group. Ms. Herring said that their neighborhood was already 55+.

A brief discussion was held regarding this rezoning request being for 24 townhomes only even though the land could fit more.

William Allen, Cliff Road, said we have several issues with this. Two stories would eliminate 55+. He asked if the property owners tried to sell this property to any of the surrounding neighbors. Mr. Burgett responded yes.

Chairman Fields thought the board understood the neighborhood's feelings on this. He asked the board if they had any additional comments.

William Noble commented that he thought Gardendale was a tremendous single-family residential community and should remain that. Established single-family residential communities that have been established for several years there is no reason to disturb that. If this were coming into his community, he would not be sitting on this board but with these people.

Chairman Fields reiterated that he heard the following: This was not a fit for the neighborhood, it was not compatible. The audience was concerned about various types of safety issues with a lot of people having young children. They were concerned about property values. They were concerned that this could become non-owner-occupied units that could be

rented out. Chairman Fields did not have a good feeling about the plan and there were still so many questions regarding what could happen.

Chairman Fields said that the city has a long-range master development plan, and it takes about a year to complete. There is a lengthy period of public hearings where any of you can look at the entire map of Gardendale. We try to focus on how certain areas could be best developed. That took place in year 2013. So, we have a master land use plan, and this development is not compatible.

A motion was then made by William Noble and seconded by Mike Osburn to deny the rezoning request. Vote to approve was unanimous; motion carried.

This item was moved to the second item on the agenda for lack of attendance request was that of LINDA POE for a *“favorable recommendation to the City Council”* to ANNEX approximately 2.77 acres. Parcel ID # 07 00 34 4 000 003.007. [SITE ADDRESS: 426 BEASLEY ROAD].

The property is zoned A-1 [Agricultural District] in the County. The Inspection Services Department recommends compatible City zoning to be A-1 [Agricultural District].

The city departments had no comments.

Linda Poe was present and wanted to be a citizen of Gardendale.

A motion was then made by Alvin Currington and seconded by Richard Bradley to forward a favorable recommendation to the City Council to approve the annexation. Vote to approve was unanimous; motion carried.

The next request was that of INSPECTION SERVICES DEPARTMENT for a *“FAVORABLE RECOMMENDATION TO THE CITY COUNCIL”* to AMEND ZONING ORDINANCE NO. 2013-02 TO ALLOW MOVING COMPANIES TO OPERATE AS CONDITIONAL USE IN C-2 & C-3.

Building Superintendent Blake Castleberry came forward to represent this amendment. Currently, moving companies are only allowed in industrial zoning districts. C-2 allows heavy equipment rental and he felt it made more sense to put moving companies in C-2 and C-3 as a Conditional Use.

Chairman Fields said that he noticed there were a couple of moving trucks at the old Swanson building on Main Street.

Mr. Castleberry agreed and said that was one of our pending projects. They are proposing to put it there, but it is not allowed in C-2.

A brief discussion was held that the moving company will be applying for Conditional Use approval in a C-2 zoning district.

Mr. Castleberry said that they did not want too many trucks on a small lot like we have seen before.

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Alvin Currington said that requests like this are temporary so we can resolve some of these issues we have right now. He said that Mr. Castleberry will come later, after we redo the city's Land Use Plan next year, to allow it in certain areas. But now he is trying to accommodate businesses that want to come and operate in Gardendale.

Chairman Fields asked if we were looking at other conditional use changes like the hotel situation.

Mr. Currington said yes and there were a few others that needed to be addressed with potential amendments to the zoning ordinance and the land use plan after the first of the year.

Mr. Castleberry said that they were getting multiple amendments together so there is not one every single month.

A motion was made by Alvin Currington and seconded by Bill Casaday *to forward a favorable recommendation to the City Council to amend Zoning Ordinance 2013-02.* Vote to approve was unanimous; motion carried.

With no further business to be considered, a motion was made by Richard Bradley and seconded by Mike Osburn to adjourn the meeting. Vote was unanimous; motion carried.

Meeting Adjourned!



CHAIRMAN JACK FIELDS

1/23/24

DATE