

CITY OF TRUSSVILLE
PLANNING AND ZONING BOARD

NOVEMBER 11, 2019

The Planning and Zoning Board of the City of Trussville met for a workshop session on Thursday, 7, 2019 at 6:00 p.m. at Trussville City Hall.

Those members present were as follows:

Mr. Brett Isom
Mr. Jim Meads
Mr. Darrell Skipper
City Clerk Lynn Porter

Absent: Mr. Ryan Dawkins
Mr. Bill Lowery
Mr. Ralph Robson
Councilman Jef Freeman

The workshop was convened and the Board members received the agenda and supporting documentation for the Planning and Zoning Board meeting to be held on Monday, November 11, 2019. The Board reviewed the agenda and the applications to be considered at the meeting.

There being no further business, the workshop was adjourned.

The Planning and Zoning Board of the City of Trussville, Alabama met in regular session on Monday, November 11, 2019 at Trussville City Hall at 6:00 p.m. Chairman Jim Meads presided over the meeting, and City Clerk Lynn Porter served as recording secretary.

Chairman Meads called the meeting to order, and the following members answered present to roll call:

Mr. Ryan Dawkins
Mr. Brett Isom
Mr. Bill Lowery
Mr. Jim Meads
Mr. Ralph Robson
Mr. Darrell Skipper
City Clerk Lynn Porter

Absent: Councilman Jef Freeman

Chairman Meads welcomed all veterans tonight. He introduced the minutes of the October 14, 2019 meeting for approval. Bill Lowery moved the minutes be approved, seconded by Darrell Skipper, and the motion carried.

Chairman Meads stated he was nominated and elected Chairman last month when he was out of town. He stated he appreciated the vote of confidence, but having served only a year, he stated he did not feel equipped to take this position at this time. He asked for nominations for the Chairman position.

Bill Lowery nominated Darrell Skipper as Chairman and Jim Meads as Vice-Chairman. This was seconded by Ralph Robson, and the vote was unanimous.

The gavel was passed to Darrell Skipper. Chairman Skipper stated Jane Bailey served as chairman for quite a while, and he appreciated all she did. He stated he would like to do things a little differently. He stated he would like for staff to present, then the applicant, and then audience comments. He stated this Board is made up of volunteers, who meet two nights per month. He stated the Board is advisory to the City Council on zoning matters, and has powers on subdivision approval.

Mr. JR Malchus presented Mountain Top, Phase 4. This is changing the size of two lots to make them larger.

Mr. Joey Miller, MTM Engineers, 2500 South Lake Drive, Hoover, stated Lot 5B will be 25 feet wider to make it 150' wide and two acres in area. Lot 7B will be made longer making it 1.25 acres.

A public hearing was opened, and there being no comment, the hearing was closed. Jim Meads moved this plat be approved, seconded by Ralph Robson, and the vote was unanimous.

Mr. Malchus presented the Christopher Jones Subdivision on Kirby Lane. This is two lots each having frontage on Kirby Lane. Wayne Sullivan stated this was okay.

A public hearing was opened, and there being no comment, the hearing was closed. Jim Meads moved this plat be approved, seconded by Ralph Robson, and the vote was unanimous.

Mr. Malchus presented Happy Hollow Preserve. This is three lots on Happy Hollow Road.

Mr. Joel Hoomes, Wynwood Road, stated the zoning and size of this property would allow four lots, but he has chosen to ask for only three.

Brett Isom asked the zoning and was told R-2.

Wayne Sullivan stated it meets development regulations.

A public hearing was opened and there being no comment, the hearing was closed. Ralph Robson moved this plat be approved, seconded by Bill Lowery and the vote was unanimous.

Chairman Skipper turned the gavel over to the vic-chair as he has a conflict on the next item.

Mr. Malchus stated Halcyon is located off of Hawkridge Road.

Mr. Bob Salmon, Martin Engineering, stated this is zoned R-G and contains 69 lots. A traffic study has been provided. He stated this is the preliminary plan, and he would submit the utility design later.

Ralph Robson asked how the number of lots shown here compares with the number of lots in the original layout by a prior developer? Lynn Porter stated she was not sure, but this layout includes four additional acres, and they appear the numbers are similar.

Bob Salmon stated this is 17.5 acres.

Jim Meads stated what is shown on the map exceeds the subdivision regulations based on input from the Fire Marshall. He stated he would like to look at this in relation to the subdivision regulations. *design needs for city largest fire truck*

A public hearing was opened and Mr. Rich Ankle, 600 Mermont Drive, stated he was concerned about traffic with 70 more cars per day, cutting trees near Mermont and concerned about the dam.

Mr. David Frost, 635 Mermont Drive, stated when this was rezoned, they were talking about 28 lots that were larger. He stated he feels that this affects the value of their property. He asked

about the common area between this development and Trinity Industries, and asked for a 100' common area buffer. He stated he was concerned about blasting. The ridge is rock. He stated he did not know how the roads and utilities could be put in. There was damage to some houses in the construction of Hawkridge. He stated if there is blasting, he would like for a seismograph to be required. He stated they fear dam failure if there is blasting. He asked about work on Sundays and noise. This will create a load on our schools. He stated this is the seventh subdivision proposed on this land. He stated he did not like being told there would be a big houses and then come back small.

Ralph Robson stated he has a conflict on this matter, and that leaves only five members left to vote.

Wayne Sullivan stated he has not seen the profiles, and asked that approval be delayed until he gets these plans.

Jim Meads apologized explaining that we are one member short, one is absent, and two have conflicts.

Bob Salmon stated all they are asking for is that they are in compliance with the zoning regulations, subdivision regulations, and the Fire Marshall. He stated their only concern is the short window before the mating season for bats comes around.

Mr. Bob Donelson, 627 Mermont Circle, stated they need a buffer or they can reach out and touch their neighbors. He would like to see a tree buffer.

Mr. Chuck Gooden, 629 Mermont Circle, stated this is pretty steep. He stated he does not want drainage on his lot.

A resident stated their subdivision is used as a cut through to get to Chalkville Road. This will cause more traffic through their neighborhood. There are six school buses that come by his house every day to avoid the back up on Hawkridge.

Ms. Ann Frost, 635 Mermont, stated she approved of the direction this is going and is grateful they are working with us. She stated she heard all of the trees will not be cut. She would like specifics on what will be cleared. She asked would people be allowed to build behind the easement line or would this be common area?

The public hearing was closed.

Bob Salmon stated on Lots 34-48, there will not be building behind the easement. He stated they will pick up the low area in Mermont. A great deal of the tree canopy is on the backs of the lots in Mermont. They will reforest any areas that must be cleared to get slopes. The site grading and utilities have been worked out. The only reason to not have this with the plans tonight, is the conflict between the subdivision regulations and the Fire Marshall. The traffic study indicates that there is only one place that they can locate their entrance and meet sight distance. The traffic study indicated the average speed to be 39 miles per hour in this 25 miles per hour zone. He stated he had no knowledge of any prior developer. The state has blasting codes, but they anticipate ripping most of this to avoid blasting near the dam.

Jim Meads asked would Mr. Salmon be able to submit the remainder of the plans to Wayne Sullivan before the next meeting, and he said yes.

Mr. Salmon stated they would like to begin clearing soon because of the grey bat that the Corps will not let them disturb. He stated they can look at a common area for the slope if that is what is wanted to be maintained by the HOA.

Ralph Robson stated the school buses cutting through bothers him. Why would buses not use the overpass rather than crossing the railroad tracks?

Jim Meads stated there are several items, buffer, concerns for the dam and blasting.

Bob Salmon stated the geotechnical study is not complete. They do not anticipate blasting. They should be able to rip it and it will be more manageable to grade. That is their goal and intent. He asked could they get a special meeting in two weeks to reconsider this?

Jim Meads stated we will have to get back to you on this.

Bill Lowery moved this matter be carried over until the proper number of voting members are available, seconded by Ryan Dawkins, and the motion carried with Darrell Skipper and Ralph Robson abstaining.

The gavel was passed back to Chairman Skipper.

JR Malchus presented the Bedford Subdivision, explaining that this is swapping property so that each lot lies totally on one side of the road.

Jerry Tortorigi, 304 Lake Street, stated the owners will swap property with some money to Ms. Isbell involved since the areas are not equal. He stated the existing structures on their property will be removed.

Wayne Sullivan stated the road was paved last year and utilities are there.

A public hearing was opened and there being no comment, the hearing was closed. Jim Meads moved this plat be approved, seconded by Ralph Robson and the vote was unanimous.

JR Malchus told the Board he was recently approached by a business in the interstate sign area who wished to erect a 35' sign. Our ordinance will not allow a sign less than 80'. He asked would the Board consider a modification since a 35' sign would be less obtrusive than an 80' sign.

Darrell Skipper stated he was in favor of lower, but did not want to change the ordinance each time there was a request.

Ryan Dawkins stated he did not like the exception for a pole sign to begin with.

Ralph Robson stated he saw this as a problem

Darrell Skipper asked did the owner just not want to put up an 80' sign?

JR replied, he is willing to, but he only needs 35' to be seen.

This matter is carried over for one month.

Darrell Skipper stated the city hired a consultant to work on our subdivision regulations, but the work that was done was not what was needed. He suggested appointing a committee of Board members and staff to work on this. Darrell Skipper, Jim Meads, Brett Isom, Wayne Sullivan, JR Malchus and Lynn Porter will make up this committee. We will take the regulations and decide what needs to be modified. *Jim Meads will chair*

Discussion followed on the State Fire Marshall and whether his decision or adoption of certain sections of the building code placed a duty on municipalities.

No other business coming before the Board, a motion was made to adjourn.

Respectfully submitted,

Lynn B. Porter
City Clerk