

CITY OF TRUSSVILLE

PLANNING AND ZONING BOARD

DECEMBER 2021 & JANUARY 2022 MINUTES

The Planning and Zoning Board of the City of Trussville met for a **workshop** session on **Thursday, December 9, 2021** at 6 pm at Trussville City Hall.

Those members present were as follows:

Chairman Darrell Skipper
Vice Chairman Jim Meads
Mr. Brett Isom
Mr. Wayne Sullivan – City Engineer & board member
Mr. Ralph Robson
Mr. Steve Turner

Also present were: Mr. Dan Weinrib, City Clerk & Recording Secretary
 Fire Inspector Jesse Clifton
 Mr. J.R. Malchus – Inspection Services *Ex Officio*

Those absent: Mr. Ryan Dawkins
 Councilor Ben Short
 Mr. Kris Reeves
 Police representative

Chairman Skipper convened the workshop promptly at 6 pm. The Board members had already received the drafted agenda and supporting documentation for its scheduled December 13th regular session. The Board reviewed the agenda. To varying degrees of length, discussions ensued on the only proposed annexation, three proposed subdivisions and three proposed rezoning items.

Chairman Skipper informed the Board and the public about a proposed county rezoning matter on Service Road near the Misty Ridge neighborhood. Vice Chairman Meads and Inspections Chief Malchus attended the hearing at the Jefferson County Courthouse. The county planning & zoning board unanimously recommended rejection of the petitioner's application, seeking I-1 (Industrial) for a proposed RV sales and service business. The subject properties remain Agricultural and R-1 Single Family Residential.

The workshop ended around 7:30 pm.

The Planning and Zoning Board of the City of Trussville met in **regular session** on **Monday, December 13, 2021 at 6 pm** at Trussville City Hall, with Jim Meads presiding.

Those members present were as follows:

Vice Chairman Jim Meads
Mr. Ryan Dawkins
Mr. Brett Isom
Mr. Ralph Robson
Councilor Ben Short
Mr. Wayne Sullivan – City Engineer
Mr. Steve Turner

Those absent: Chairman Darrell Skipper
 Mr. Kris Reeves

Also present were: City Clerk & Recording Secretary Dan Weinrib
 Fire Inspector Jesse Clifton *Ex Officio*
 Inspections Services Officer J.R. Malchus *Ex Officio*
 Police Sgt. Chuck Bradford *Ex Officio*

Vice Chairman Meads convened the regular session just after 6 pm, then proceeded with the agenda.

The Board reviewed the drafted November 2021 minutes. Robson moved and Turner seconded the motion to accepted them without changes or corrections. **UNANIMOUS**

Under annexations, the Board considered the proposed annexation of 118 Pamela Drive, a residence located at a corner lot. No discussion occurred. Malchus and Clifton confirmed that the property complied with all city annexation requirements. Robson moved and Sullivan seconded the motion to give the City Council a favorable recommendation for annexation. **UNANIMOUS**

Under subdivisions, Meads took up the proposed Resurvey of Lot 1 & Lot 8 of Hamilton Place & Hamilton Place Sector 2. Brian Hatcher represented the property owners. Vice Chairman Meads opened the public hearing. Bob Parker (119 Dew Drive) asked about the purpose of the resurvey. Board member Sullivan answered to his satisfaction. Cheryl Hamilton (513 Birch Street) asked about a natural buffer. Hatcher answered that the plat included a 25-foot buffer at the back end of the property. Upon Board questioning, Hatcher confirmed that street paving is scheduled to start December 20th. Hatcher acknowledged that there will be no city signatures on the final plat until the completion of all street paving. Since nobody else spoke up, Meads closed the public hearing. Turner moved and Robson seconded the motion for approval of the proposed plat. **UNANIMOUS**

Meads then took up the proposed 4.91-acre resurvey of John & Dana Williams' property on Liles Lane. Nobody showed up so Malchus spoke up on the owners' behalf. The Williams intend to build a new home. The bank wanted a resurvey for its construction loan since it did need to encumber the Williams' entire 53+ acres. Meads opened the public hearing then promptly closed it when nobody in attendance spoke up. Robson moved and Sullivan seconded the motion to approve a final plat, subject to the surveyor's draft showing the entire property as well as the resurveyed acreage. **UNANIMOUS**

Meads then took up the proposed Carlile Family Estates subdivision. Attorney Trip Galloway spoke up on behalf of the applicants. The proposed subdivision, which features flagged lots, would settle the Carlile's legal dispute with the Adams and the City, dating back to 2016. Board members Turner and Sullivan asked about easements and received satisfactory answers. Galloway that the south end of the easements crossed over another jurisdiction. Meads opened the public hearing. Cindy H. Jones (8740 Will Keith Road) spoke up against the proposed "rezoning" on the grounds that home construction in the unincorporated area requires at least 10 acres and that she did not receive adequate ("at least 15 days") advanced notice of this meeting. Board member Turner immediately answered that this was a subdivision matter, not a rezoning one. Board member Sullivan correctly pointed out that the City's agricultural zoning only requires at least one-acre for residential construction. City Clerk Weinrib asked her to state the date on her notification letter ("December 3, 2021") He then correctly pointed out to her that subdivision notification letters require only ten days, not 15. She was visibly miffed. Since nobody else spoke up, Meads closed the public hearing. Short moved and Turner seconded the motion for approval of the proposed final plat, with the condition prohibiting manufactured or mobile homes. **UNANIMOUS**

Under rezoning, Meads took up the proposed rezoning of 6670 Green Drive property to **IN-2 Institutional** from **R-1 Single Family Residential**. Brian Hatcher represented the owner. Hatcher presented plans for a stand-alone 14,400-square foot St. Vincent's Ascension Emergency Department. Hatcher would line up its entrance with Norrell Drive. There would be a helipad. Hatcher mentioned that Skipper Consulting's traffic study showed that at peak traffic times, there would only be 8-12 cars per hour using its entrance/exit.

Meads opened the public hearing. Cheryl Hamilton (513 Birch Street) asked whether this proposed ER was different than the one proposed on US Highway 11. ("Yes. The other belongs to Grandview.") She later asked about buffers for the rezoning, which in fact are already spelled out in the zoning ordinance. Thomas Cox (96 Woodland Circle) spoke up against the proposal. He views the trees and vegetation as noise protection from highway traffic. With 23 kids living on his street, he and his neighbors do not want to live next to a freestanding ER. Later on, he asked about easement access for two undeveloped lots east of the subject property. Matt Davidson (117 Woodland Circle) also opposed the rezoning for identical reasons. At one point he challenged Meads whether he had kids and grandkids then asked as a follow-up whether he would want them living next to any free-standing ER. Meads exercised remarkable restraint, considering his family's recent tragic losses, and calmly answered his question. He then countered Davidson with his own question, whether Davidson would want his children or grandchildren to live at the corner of Green Drive and North Chalkville Road. Davidson demurred, avoiding giving any direct answer. Davidson also asked about possible future developments of adjoining lots as well as about recorded easements which go along the southern border of the subject property. Hatcher answered that he anticipates no future developments of those lots. He pointed out the slope along the southern edge of the property. Board member Dawkins asked a question as to when ambulance vehicles would bring traumas to that location, as opposed to a hospital. Neither Hatcher or Hal Piper of St. Vincents Ascension could answer that question knowledgeably. Richard "Rick" Self (6006 Enclave Place) asked about ambulance routes to that location. He opposed the proposed rezoning. Another resident, who never identified himself on the sign-in sheet, asked how the ER would affect nearby property values. He also wanted to know why St. Vincent's/Ascension wanted an ER on Green Drive when they already have one on Happy Hollow Road.

Piper promptly answered that the Happy Hollow Road location was an after-hours non-emergency clinic. That same individual wanted to know about the traffic report. Sullivan answered that the county already has plans to widen that stretch of North Chalkville Road to four lanes. Jerry Clements (6670 Green Drive) spoke in favor of his wife's attempt to rezone the property. He pointed out that decades ago, her father secured air access to land or take off his helicopter from that very property and that the approved flight path would over the quarry, not the neighborhood. Since nobody else spoke up, Meads closed the public hearing.

Turner moved and Sullivan seconded the motion to recommend rezoning as submitted.
UNANIMOUS, except Councilor Short, who abstained

Next, Meads took up the joint applications from property owners Alexti Global LLC & Angela Stafford to rezone the undeveloped eight parcels located at the Sutton Avenue stub to **R-2 Single Family** from **A-1 Agricultural**. Barry Harwell spoke on behalf of the owners.

Meads opened the public hearing. Gunny Kerry (117 Pinebluff Trail) asked whether townhouses would be permitted in this proposed area ("No") Mary Ann Davis (210 Honeybee Circle) expressed concern about – and wish for – a buffer. Board member Sullivan responded that buffers are not required between residential subdivisions/neighborhoods. traffic impact on children and young families on her street. She spoke for rezoning. Kathy Tubbs (124 Pinebluff Trail) wanted to know whether her subdivision's covenants would be binding on this new development. ("No") Carolyn Matthews (105 Pinebluff Trail) wanted to know the neighborhood's impact on city schools enrollment, particularly Magnolia Elementary. Councilor Short answered that the school system can and do make zoning adjustments as needed. He also stated that Magnolia still has capacity for enrolling more students. Mark Pate (203 Honeybee Circle) asked about the proposed density of houses and whether there would be a dedicated construction entrance. ("The density would be identical to Honeybee Circle" *Also, the realtor is working on an arrangement with the owner of a Roper Road property to grant a construction access easement.*) Since nobody else spoke up, Meads closed the public hearing.

Robson moved and Dawkins seconded the motion to recommend rezoning as submitted.
UNANIMOUS

Next, Meads took up the rezoning application by Glendale Farms Development LLC rezone various newly annexed parcels to **PUD Planned Urban Development District** from **A-1 Agricultural, as well as I-1 + I-2 Industrial**. Steve Mordecai of Southpace Properties spoke on behalf of his project and gave a summary presentation, including the master plan layout. He mentioned the traffic impact study, dedicated space for a proposed elementary school, water services and a planned four-lane bridge connecting the neighborhood to US Highway 11. Inspections Chief Malchus then explained to the Board that Planning & Zoning will still need to review a proposed master development plan and planning criteria at a subsequent meeting for follow-up referral & recommendation to the City Council as part of the rezoning proposal.

Meads opened the public hearing. Laura White (8046 Carrington Drive) expressed her opposition to the proposal. She questioned what were the true advantages of a PUD versus industrial or another designation. (Meads answered "more city control") She expressed her preference for a concrete mixing plant, rather than a PUD next door to her. Richard Healey (address unknown) expressed opposition based on his concern for environmental impact from construction. Robert Wingard (8035 Carrington Drive) wanted a buffer at the southwest corner of the proposed rezoning area. He said he had no problems about the PUD as long as traffic and water issues were adequately addressed. Richard "Rick" Self (6006 Enclave Place) opposes rezoning to PUD, preferring R-1 instead. He definitely does not want a concrete mixing plant or any other form of industry. Ben Horton (8382 Sydney Drive) wanted to know if a bridge to US Highway 11 is part of the master plan ("Yes") He expressed concern for the proposal's impact on city infrastructure and school capacities. Stephen White (8046 Carrington Drive) asked about the driveway next door to his home (8036 Carrington Drive – the late Leland Whatley's address), then asked the Board if they would consider another zoning other than PUD ("Only if the applicant wants it," Sullivan answered.) David Marco asked the Board whether Glendale could de-annex if it does not get its PUD rezoning request. (Councilor Short answered how after getting the question clarified) Jim Henry (5879 Carrington Lane) asked how the City notifies residents about proposed rezoning. (City Clerk Weinrib answered) Kim Jackson (2147 Lakeview Trace) asked a question about the rezoning change process. David Biddy (5184 Missy Lane, Carrington HOA President) also commented. Since nobody else spoke up, Meads closed the public hearing.

The Board briefly deliberated. Turner moved and Robson seconded the motion to recommend rezoning as submitted, conditioned upon the subsequent review & approval of a master development plan agreement and planning criteria. **UNANIMOUS, except Councilor Short, who abstained**

Under Miscellaneous, the Board reviewed and accepted its proposed 2022 meetings calendar. Also, Dan Dollar (7289 Wind Song Drive) reiterated his opposition to the road plan for Trussville Ridge, next to his neighborhood. Meads reminded him that the Trussville Ridge rezoning is now a matter for the City Council. Dollar gave City Clerk Weinrib his updated and longer list of supporters to his petition.

With no further business, Meads adjourned the meeting around 8:30 pm.

The Planning and Zoning Board of the City of Trussville met for a **workshop** session on **Thursday, January 6, 2022** at 6 pm at Trussville City Hall.

Those members present were as follows:

Chairman Darrell Skipper
Vice Chairman Jim Meads
Mr. Wayne Sullivan – City Engineer & board member
Mr. Ralph Robson
Mr. Steve Turner
Mr. Kris Reeves
Councilor Ben Short

Also present were: Mr. Dan Weinrib, City Clerk & Recording Secretary
 Fire Inspector Jesse Clifton
 Mr. J.R. Malchus – Inspection Services *Ex Officio*

Those absent: Mr. Brett Isom
 Mr. Ryan Dawkins
 Police representative

Chairman Skipper convened the workshop promptly at 6 pm. The Board members had already received the drafted agenda and supporting documentation regarding the only new item (proposed Longmeadow Phase E subdivision, zoned PUD) for its scheduled January 10th regular session. The Board refused to consider it because it deviated from the original master plan. More specifically, the land for the proposed subdivision had already been set aside as common space in the master plan. Chairman Skipper announced there would be no regular session that Monday. There was much rejoicing.