

CITY OF TRUSSVILLE
PLANNING & ZONING BOARD
APRIL 2022 MINUTES

The Trussville Planning & Zoning Board met for a **workshop** session on **Thursday, April 7, 2022** at 6 pm at Trussville City Hall.

Those members present:	Chairman Darrell Skipper Vice Chairman Jim Meads Ryan Dawkins Brett Isom Councilor Ben Short Wayne Sullivan – City Engineer & board member Steve Turner Ralph Robson Kris Reeves
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Also present:	City Clerk & Recording Secretary Dan Weinrib Building Inspections Chief J.R. Malchus Fire Marshal Jesse Clifton
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Those absent:	Steve Turner Police Representative
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Chairman Skipper convened the workshop promptly at 6 pm. The Board members had already received the drafted agenda and supporting documentation for its scheduled April 11th regular session. They reviewed the sole annexation and re-survey applications, as well as proposed rezonings from Glendale Farms LLC and Little Goose Development LLC; subsequently, they decided to keep all proposals on its agenda. Jerry Howard of Harris Doyle sought informal guidance from the Board regarding Longmeadow Phase E. The Board seemed open to the idea of changing the commons area from a lake to a walking trail, with limited parking at both trail heads. At the northerly end, the Board indicated willingness to consider a small meeting space, which could also be a small exercise gym, located at the dead end. Chairman Skipper further advised Howard to be certain to have the Longmeadow Homeowners Association's endorsement of any & all submitted proposals in writing.

The workshop ended around 7:05 pm

The Trussville Planning & Zoning Board met in **regular session** on **Monday, April 11, 2022** at 6 pm at Trussville City Hall.

Those members present:	Chairman Darrell Skipper Vice Chairman Jim Meads Ryan Dawkins Brett Isom Kris Reeves Ralph Robson Councilor Ben Short Wayne Sullivan – City Engineer & board member Steve Turner
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Also present:	City Clerk & Recording Secretary Dan Weinrib Building Inspections Chief J.R. Malchus Fire Marshal Jesse Clifton
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Those absent:	Police Representative
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Chairman Skipper convened the workshop promptly at 6 pm, explained the role of Planning & Zoning to the audience, then proceeded with the agenda. The Board reviewed minutes from March 2022 workshop and regular session. Robson moved and Turner seconded the motion for approval as presented.
UNANIMOUS

Under subdivisions, owner Edna Clark & applicant Ray Weygand of Weygand Surveyors sought Board approval of a re-survey. Her residence consisted of three lots and part of an undeveloped vacated street. The proposed re-survey would consolidate the legal description as just one lot. Clark explained it

was necessary for sewer services. There were no comments from the public or Board. Sullivan moved and Robson seconded the motion for its approval. **UNANIMOUS**

Under annexations, owner/applicant Mark Quinn sought the Board's recommendation for annexation of his undeveloped lot at 7432 Roper Road. It's currently zoned R-6 (mobile or single-family). There was no public feedback or Board discussion. Meads moved and Dawkins seconded the motion to recommend annexation to the City Council, contingent upon the owner also applying for R-1 Single Family rezoning. **UNANIMOUS** *Within seconds of approval, Quinn handed his completed zoning application to the city clerk.*

Under rezoning, the Board once again took up Glendale Farms LLC's application for PUD zoning. Doug Neil and Steve Mordecai were in attendance. Upon recognition from Skipper, Neill gave a short summary presentation of the latest Glendale Farms master plan. It featured all recommended revisions, as enumerated in the February 2022 PZ minutes. The western corner of the property had dedicated space for 24 brownstone residences. The maximum total of residences within this master plan was 419, no longer 429. Neill briefly did a product presentation of the entire variety of townhouses, brownstones, cottages and single-family residences. He estimated the current price points ranging between \$325,000 and \$550,000.

Chairman Skipper summarized the recommended revisions approved by the Board back in February 2022. Neil and Mordecai confirmed their acceptance and adaptation of their plans based on those recommendations.

During Board question time, Short went over the applicant's revised PUD document, revised as of March 16th. He proceeded to point out various discrepancies between the latest PUD document and the latest master plan. The master plan states 3.9 acres of commercial space while the PUD states 5.3 acres; the master plan has 4.0 acres for the bridge site while the PUD document states 1.6 acres; the master plan states 4.4 maximum PR-2 dwelling units per acre density while the PUD document states 4.7 maximum per acre; and the master plan states that green space comprises 107.1 acres & 43% of the proposed PUD while the PUD document states 102.8 acres & 41%.

Short also pointed out contradictions within the Development Criteria for the Planned Commercial District. Section C-1 states a "Maximum height shall be limited to three stories" whereas Section C-3 states "When a building is more than 330 feet from a residential district boundary, said building may exceed three stories in height up to a maximum of six stories in height if the council determines in its sole discretion that..."

Short sought and obtained the applicants' concession to amend the sign regulations, showing that all signs in Glendale Farms shall obtain approval from the city design review committee. Short also sought clarification & correction regarding Trussville Utilities providing gas and water services, not Spire & Birmingham Water Works respectively.

Short requested, just like in previous meetings, that Glendale Farms correct its contradictions between its master plan and support documents. Mordecai and Neill agreed to do so.

Turner asked how will the road be laid out to the brownstone development? *Answer: They had no proposed layout available but there will be a layout.*

Skipper remarked that he did not want any dumpsters within the commercial or brownstones areas visible from Carrington Drive. *Answer: Dumpster shields or screens can be added*

Reeves asked why there were two commercial zones instead of one. *Answer: In order to leave the stream undisturbed*

Short asked about the status of the bridge agreement. *Answer: It's still in the hands of attorneys, getting drafted*

Isom asked about the size of the school property. *Answer: It can hold 1000 students with the construction of a second floor and retaining walls.*

Skipper then opened the public hearing on the proposed PUD rezoning.

Carrington Lakes Homeowners Association President Ron Hill (8548 Highland Trace) voiced his & his association's opposition to the proposal, based on the proposed volume of high or higher-density residences. They want mandated construction of both proposed pass-through roads between Carrington Drive and the new bridge connection when half of the lots receive certificates of occupancy.

Alex Dowell (418 Linden Street) expressed his opposition, based on concern for construction impact on creek flows and natural areas. He wants environmental protections.

Local realtor Bonnie Hicks (5284 Lakeside Terrace) expressed her & her daughter's opposition, because of the potential traffic impact. Daughter lives at 4005 Overlook Circle.

Overlook Crest Homeowners Association President Benjamin Horton (8382 Sydney Drive) expressed his opposition, based on traffic impact and safety concerns. He says he is not anti-growth but is deeply concerned about uncontrolled growth. When asked by Vice Chair Meads about assigning neighborhoods to elementary schools, Horton suggested a new elementary school on Deerfoot Parkway. Chairman Skipper chimed in that about 281 Carrington kids would be reassigned to a proposed fourth such school. Member Reeves added that there will be 215 new residences when Trussville Ridge is completely built, implying that the community must also factor in additional students from there.

Laura White (8046 Carrington Drive) asked the Board, "Do you believe PUD (zoning) is the best use of this property?" Member Sullivan answered that PUD allows for better control of green spaces and waterways. She then asked whether there is a timeline or time frame for completing the entire development. Chairman Skipper answered that it is market-driven, rather than calendar-driven. She then asked about a railroad bridge for Carrington Drive, to which both Skipper and Meads answered that the terrain does not lend itself for a bridge, unlike the location for the proposed bridge. She also asked about the location of the school. The Board and developer answered that they changed the location of the school from the original proposal because of traffic impact. It made more sense to locate the school close to a multi-laned bridge.

Richard Henley (5601 Ridgeview Drive) asked Glendale Farms would be on septic. *Answer: No, it would be sewer, developed on-site.*

Chuck Browning (5990 Valley Way) expressed his concern about the lack of buffers bordering "the cheaper homes" Mordecai answered there would be a 15-foot right-of-way and 5-foot landscape buffer. Browning expressed his happiness about the proposed bridge for public safety reasons. He had survived a heart attack and his ambulance crossed the rail tracks, just ahead of a train, whistling in the distance.

Rick Self (6006 Enclave Place) had questions about road access off Carrington through the Glendale Farms development.

Amanda Klemko (5173 Missy Lane) expressed her opposition due to smaller higher-density houses getting built before the bigger ones. She then read aloud a friend/neighbor's entire statement against rezoning.

Cheryl Hamilton Gault (513 Birch Street) asked about control of green space. Sullivan and Skipper responded that the green space boundaries stated in the masterplan are binding upon passage of a PUD zoning ordinance.

Grady Morrison (6033 Enclave Place) expressed his opposition. He does not want the donation of land for a new school to mask the taking of green space. For him, the development will first contribute to school overcrowding. He prefers to see the Beard descendants donate the entire land for a new school.

James Henry (5875 Carrington Lane) asked whether Joyce Smith's email went out to the entire PZ Board. Councilor Short confirmed that it did. However, she had the wrong email address for Chairman Skipper so Short forwarded it to him on Henry's behalf.

Since nobody else spoke up, Skipper then closed the public hearing.

The Board deliberated. Meads reiterated to the public how PUD zoning operates within the city. He also discussed the timing of the three phases. Doug Neil confirmed that Harris Doyle would do the residential construction. Neil thanks the Board and community for their input. He recited the various marketing points of Glendale Farms. Skipper asked for details on the three phases, which Neil explained. Assuming current market conditions continued, Neil estimated four to five years to build out all Glendale Farms residences and five to six years for a new neighborhood school. "So...80 units a year" Skipper surmised.

Meads introduced a motion for a favorable rezoning recommendation, with the following stipulations:

- The townhouses across the roadway from the planned commercial are removed from the master plan in favor of additional commercial or cluster home developments
- Access driveways and parking areas to cluster houses will be considered private driveways and as such will not be maintained by the City. Additionally, access driveways and parking areas within townhome areas will be considered as private property and as such will not be maintained by the City.
- Lots D16 & D17 will be required to have a 25-foot undisturbed buffer along Carrington Drive

- There shall be a 25-foot undisturbed buffer separating Lots D1 through D7 from the adjacent Carrington Drive residential lots (Dockery, etc.)
- Provide 25-foot undisturbed buffer between current residential property and Lots C20-C21-C22
- Access closest to US-11 and the railroad shall be a right-turn only for entering and exiting, with a median strip placed on Carrington Drive at that intersection to control traffic.
- There shall be no construction access from Carrington Drive
- The bridge crossing over the railroad shall be constructed first and provide access for further construction from there.
- All dwelling units will be marketed to individuals
- There shall be installed improvements on US-11 at Carrington Drive and Glendale Farms (left and right turn lanes) access points, including a traffic signal at Carrington Drive. Traffic signalization on U.S. Highway 11 and Glendale Farms will be installed when allowed by the Alabama Department of Transportation.
- *Townhouses* will have no more than four units per building
- There shall be a 12-foot landscaped buffer between commercial and residential zones
- The developer shall be responsible for stabilizing graded areas in the commercial area(s)
- All residential architectural plans shown at the start of the public hearing be incorporated into the PUD document
- All edits from Councilor Ben Short get incorporated into the Glendale Farms zoning paperwork
- Glendale Farms LLC is responsible for all road improvements at both US Highway 11 intersections, as permitted by ALDOT and recommended from the traffic study report
- Glendale Farms agrees to all road improvements, regardless of funding sources (private, public, or both)

Meads moved and Turner seconded the motion for approval, with all above stipulations. **By a 5-4 roll call vote, the Board majority gave a negative (unfavorable) rezoning recommendation to the City Council. (AYES – Skipper, Meads, Sullivan, Turner; NAYS – Dawkins, Isom, Reeves, Robson, Short)**

The Board then took up Little Goose Development LLC's application for Q-RG (Qualified Residential Garden) zoning of undeveloped land north of Husky Parkway, owned by Northpark Baptist Church and zoned IN-1 (Institutional) Ethan Frazier and Nick Kennemur of Little Goose Development LLC are the applicant developers. During Board question time, they answered that there would be a landscaped buffer around the entire neighborhood, including the east side facing Heritage School. They intend to assist Northpark Church in developing a family-friendly park for both church members and neighborhood residents. They also intend to build a sidewalk along Husky Parkway, along the property frontage of the proposed garden residential development. They also intend to have a minimum of 75-foot frontage for Garden Home districts. There would be an average of 2.75 residential units per acre on the 21.8-acre site, with a 2200-3000 square foot range. Prices would range between upper \$400k to lower \$500k. Depending on location, the houses would have front or sideloaded garages.

Chairman Skipper then opened the public hearing for the proposed rezoning. Northpark minister Steve Hall (5234 Peppertree Lane) and longtime Deerfoot Baptist deacon Dianne Kovacich (7754 Arrowhead Lane) spoke in favor. Since nobody else spoke up, Skipper then closed the public hearing.

Turner introduced a motion for favorable rezoning recommendation with these stipulations:

- Minimum 75-foot frontage on residential lots
- Minimum 2200 square foot residences
- A natural buffer averaging four feet bordering the subject rezoned property, akin to Longmeadow
- Developer agreeing to build a sidewalk along Husky Parkway within the boundaries of the residential garden property.

Turner moved and Meads seconded the motion, with all stipulations, for approval. **UNANIMOUS**

The Board then took up Little Goose Development LLC's application for C-2 (Commercial) and RT (Townhouse Residential) on property south of Husky Parkway, owned by Deerfoot Baptist Church and zoned IN-1 (Institutional) Frazier and Kennemur showed their intended plans. There would be two commercial buildings with parking facing Husky Parkway. They applied for C-2 since it would allow preferred commercial, retail and a small restaurant. They indicated willingness to compromise on commercial zoning. Their townhouse subdivisions would be located between the commercial front and the Deerfoot Baptist Church and cemetery campus. They told the Board that when they propose any subdivision(s), only the spine street would be a public street; all others would be private. They showed renderings of their intended housing units, to assure the Board of high-quality construction materials. They told the Board that they had to make the 22-foot-wide housing units in order to make their financial numbers work. Ordinance Code Section 32.4 sets the minimum lot width is 28 feet. They also intend to organize a

homeowners association, which would be responsible for all private side streets, alleyways, building exteriors, roofs, landscaping and care of all common parts.

Chairman Skipper then opened the public hearing for the proposed rezoning. Once again, Northpark minister Steve Hall (5234 Peppertree Lane) and longtime Deerfoot Baptist deacon Dianne Kovacich (7754 Arrowhead Lane) spoke in favor. Since nobody else spoke up, Skipper then closed the public hearing.

The Board then deliberated, starting with the commercial part. Discussion ensued. The Board and applicants mutually agreed to C-1 (Commercial) with the stipulated prohibition on animal hospitals. They then discussed the residential part. Reeves and Short commented that they are uncomfortable with townhouses in general, yet neither hates the applicants' proposed products.

Turner moved and Sullivan seconded the motion for approval of C-1 & RT rezoning with the stipulated prohibition on animal hospitals in the C-1 zone. Various Board members openly asked whether they could recommend townhouse zoning with proposed housing that did not meet the minimum-required lot width. Chairman Skipper recommended that the Board and applicants first obtain a legal opinion from the city attorney prior to the City Council taking up any recommendation. Everybody agreed. **By a 5-4 roll call vote, the Board majority gave a positive (favorable) rezoning recommendation to the City Council. (AYES – Reeves, Dawkins, Sullivan, Turner, Meads; NAYS – Short, Robson, Isom, Skipper)**

With no further business to discuss, Skipper adjourned the meeting around 9:30 pm.