

**CITY OF TRUSSVILLE**  
**PLANNING & ZONING COMMISSION**  
**NOVEMBER 2023 MINUTES**

The Trussville Planning & Zoning Commission met for an **agenda workshop** session on **Thursday, November 9, 2023**, at 6 pm at Trussville City Hall Annex.

Those members present:           Wayne Sullivan – City Engineer & Board member  
  Ryan Dawkins  
  Kris Reeves  
  Cameron (Cam) Cohron  
  Ralph Robson  
  Councilor Ben Short  
  Brett Isom

Also present:                       Fire Marshal Jesse Clifton  
  City Clerk Dan Weinrib  
  Director of Planning, Building & Sustainability J.R. Malchus

Those absent:                      Chairman Darrell Skipper  
  Vice Chair Jim Meads  
  Police Representative

Mr. Dawkins convened the workshop. The Commission reviewed and decided they had enough information to keep all proposed items on the agenda. Prior to the meeting, the surveyor for the proposed Wilson Acres plat acknowledged to Mr. Malchus that he make corrections. During the rezoning reviews, Planning & Zoning learned that a prospective developer wants to do a PUD for the designated “improvement district” for the city-owned 6287 Service Road property. Malchus left the meeting prior to the Commission discussing the proposed rezoning of 145 North Chalkville Road. Later, Councilor Short indicated he would be absent from the regular meeting on Monday. Under Miscellaneous, engineer Brian Hatcher sought informal guidance regarding a natural buffer for the North Chalkville Road side of the Ascension St. Vincents Stand-Alone Emergency Room site. The Commission listened yet felt that it was more appropriate for the Design Review Committee. Carter Armstrong of Streamline Development sought informal guidance regarding the undeveloped property located at 7302 Gadsden Highway, currently zoned Q-C-2. His company was exploring a rezoning in order to build a Dollar General retail store, akin to the barn-style store off Lakeshore Drive, near Red Mountain Park. The Commission listened and indicated resistance to the idea. Councilor Short was most vocal about it. With no further business to review, Chairman Skipper adjourned the workshop shortly after 7 pm.

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The Trussville Planning & Zoning Commission met in **regular session** on **Monday, November 13, 2023** at 6 pm at Trussville City Hall Annex.

Those members present:           Chairman Darrell Skipper  
  Vice Chairman Jim Meads  
  Brett Isom  
  Kris Reeves  
  Ryan Dawkins  
  Cameron (Cam) Cohron  
  Ralph Robson  
  Brett Isom  
  Wayne Sullivan – City Engineer & Commission member

Also present:                      Fire Marshal Jesse Clifton  
  City Clerk Dan Weinrib  
  Director of Planning, Building & Sustainability J.R. Malchus

Those absent:                      Councilor Ben Short  
  Police Representative

Chairman Skipper convened the meeting. The Commission reviewed the drafted October 2023 minutes. Robson moved and Isom seconded the motion to accept the minutes as submitted. **UNANIMOUS**

Under Subdivisions, the Commission first took up the proposed Wilson Acres survey plat, submitted by Matthew Wilson. Wilson introduced himself. He wants to purchase a 1.66-acre piece of his

grandmother's property on Advent Circle to build his own home. His surveyor updated the plat to show a flagged lot. Skipper peppered Wilson with location questions, to demonstrate that his surveyor still needed to add pertinent details, including a labelled third lot, before it is deemed ready for recording. At the end of question time, Skipper encouraged Wilson to get with Malchus about final corrections. Skipper opened the public hearing, then promptly closed it since nobody in the audience spoke up. Dawkins moved and Robson seconded the motion to approve the final plat, subject to various necessary corrections. **UNANIMOUS**

The Commission then took up the proposed Coody Corners subdivision, submitted by applicant Kyle Greek. Because he wanted to subdivide an A-1-zoned parcel into three lots, each less than one acre in size, it became necessary for the Commission to consider his rezoning application first. Greek sought R-2 Single Family zoning. After reviewing the facts of his application, Skipper opened the rezoning public hearing.

Tony Yaw (6765 Thompson Lane), Neil Dias (3433 Coody Road) & Teresa Webb (6713 Clark Road) all spoke in opposition to the proposal, based on concerns about the poor road condition for handling traffic, no curbs or gutters or ditches, adequate water service. Yaw read aloud a statement from absent neighbor Sandy Thompson. *Her remarks are attached to the end of these minutes.* Since nobody else spoke up, Skipper closed the public hearing.

Greek stated that he intends to build homes with at least 1500 square feet of climate-controlled space on the main floor. Because of limited space on the south lot, he would have to build a front-loaded garage with a turn-around space in front. The other two houses would have side-loaded garages. Based on the current sales market, Greek estimated each house would go for \$350,000-\$450,000 price range.

After discussion ended, Dawkins introduced a motion to recommend R-2 rezoning with the following mandated stipulations:

- sideloaded garages for the houses built on the north & central lots
- a drive-way with a turn-around pad on the south lot
- all houses must have at least 1500 square feet of living space on the main floor

He moved and Meads seconded the motion. **Upon roll call vote, the Commission gave a 6-2 NEGATIVE recommendation on rezoning (AYES: Meads, Dawkins; NAYS: Skipper, Cohron, Isom, Reeves, Robson, Sullivan)** Consequently, the proposed Coody Corners subdivision was tabled. Greek stayed for the remainder of the meeting.

The Commission then took up the proposed rezoning of the city-owned property located at 6287 Service Road. When Guy Martin owned it, he intended to build apartments. The City was opposed to it and subsequently purchased it from Martin. It was zoned R-4 at the time of annexation. The City Ordinance requires that the zoning of a property remains identical or as close to the same at annexation. The City was seeking either R-1 or R-2 single-family zoning. Discussion among the members ensued. When asked, Malchus stated the City did not have a buyer lined up yet. Most adjoining properties are zoned A-1 (Agricultural) or R-2 (Single Family). The western most boundary abuts the RG (Garden Home Residential) zoned Kidron Place residences.

Skipper opened the public hearing. Jzyk Ennis (4510 Martin Wilson Road), Wayne Snow (4508 Martin Wilson Road), June Godwin (113 Acrilane Drive) and Cherrie Vandenburg (*address unknown but likely somewhere on Marton Wilson Road*) all voiced their concerns about traffic and noise impacts from additional residences off of the two-lane Service Road. *Sometime during this discussion, Ben Short arrived at the meeting. Because he sat in the audience, instead of the dais, he is regarded as absent strictly in terms of his participatory role on the Commission.* Since nobody else spoke up, Skipper closed the public hearing.

Discussion among the Commission ensued. At one point, an audience member tried to interject. The chairman would have dropped the gavel on the audience member for decorum reasons; however, he quickly realized it was a city councilor and offered him the floor. Councilor Ben Short reminded the Commission that the City's intent was to rezone the property away from R-4 while it still had both ownership and zoning control. If the City were to sell it today as-is, the community would risk having apartments or other high-density housing within its boundaries. Skipper thanked Councilor Short. Short declined Skipper's invitation to join them at the dais.

The Commission contemplated the implications of R-1 or R-2 zoning on a future property owner. With permission from the chairman, the City Clerk had ducked out of the meeting during the public hearing. When he returned, he reported back that the Commission could make a different recommendation to the City Council, other than what the City initially sought, without forcing an application do-over, since he is already required to re-notify the affected neighbors of the Commission's recommendation and the subsequent City Council rezoning public hearing. He based his advice after reviewing the State Law, Attorney General Opinions and *Selected Readings for the Municipal Official.*

When discussion ended, Meads introduced a motion to recommend rezoning to A-1 (Agricultural) with the stipulated prohibition of mobile or manufactured homes. He moved and Isom seconded the motion. **Upon roll call vote, UNANIMOUS FAVORABLE recommendation on rezoning**

The Commission then took up the proposed rezoning of 5998 Deerfoot Parkway, owned by Ben Short. Currently zoned IN-1 (Institutional), the property is next door to a church. The office building had housed the business office for the Southern District of the Christian Missionary Alliance. During workshop, Short indicated he was willing to amend his application to C-1 (Preferred Commercial) Skipper opened the public hearing then promptly closed it since nobody in the audience spoke up. Short told the Commission he wanted to lease the building to white-collar professionals, such as attorneys or accountants. Robson moved and Sullivan seconded the motion to recommend C-1 (Preferred Commercial) zoning. **UNANIMOUS FAVORABLE recommendation on rezoning**

The Commission then took up the proposed rezoning of 145 North Chalkville Road. The city Inspections department head had already left the building by the time property owner & applicant Randy Malchus addressed the Commission. The subject property is zoned Q-C-2 (Qualified General Commercial) and lies within the north boundary of the Downtown Overlay District. If he were to get RG zoning successfully, Malchus plans to remove the antique mall building and subdivide the residential lots for selling. His lots would allow for 2500 square-foot residences. His draft plan would have hammerhead streets, with an adequate 50-foot turn radius. His neighborhood would have a gate, only private streets and garages only accessible from back alleys. Skipper expressed his concern for the lack of any vegetation buffer at the north end, abutting the backyards to 115, 117 & 119 Magnolia Street lots. Malchus indicated he was willing to shorten the hammerhead street to accommodate a buffer and construct sidewalks. Malchus mentioned – and the City Clerk confirmed – that if it were rezoned, the antique mall businesses could remain open on a continued non-conforming use basis, until he changed the character of the property (i.e., demolition) Discussion ensued among Commission members, as they expressed concern about the commercial properties fronting North Chalkville Road. They informally advised that they thought it would be prudent for Malchus to subdivide them into three commercial lots, before rezoning. Malchus agreed, albeit reluctantly. With a little prompting from the chairman, Malchus pulled his application from the agenda.

Even though there would be no public hearing, Jason Redmond (102 Club Drive) asked to comment. Skipper recognized his longtime friend. Redmond commented that the natural buffer sandwiched by the antique mall and 115-117-119-121 Magnolia Street residences does not drain well; thus it needs vegetation.

During Miscellaneous, Meads left. Weinrib reviewed the proposed 2024 meetings calendar. Because of the July 4th federal holiday, he is considering July 2 for that month's workshop. He will wait until mid-to-late October to reschedule the November regular session – Veterans Day conflict. Kyle Greek then asked the Commission if they would prefer a two-lot subdivision for Coody Road, without rezoning. Yes, Sullivan said. Nobody else said anything different.

With no further business to discuss, Skipper adjourned the meeting around 8:10 pm.

Respectfully submitted,



Dan Weinrib CMC  
City Clerk

**As a long time resident of Thompson Lane, I am concerned for the water load additional houses will require on our already maxed city Trussville (sic) water service.**

**Recently another such home addition on Coody Road, was denied access to this same trussville water service for the same reason. My water service is already compromised as is, so would hope no additional homes would be added.**

**Secondly, I have concern for the size and cost of the proposed homes to be built, and how that could devalue my home.**

**I hope that there will be some consideration - and weight - placed on there two areas of concern by the zoning board.**

**Thank you -  
Sandy Thompson**