



## MINUTES OF THE ALABASTER

### PLANNING AND ZONING COMMISSION MEETING

TUESDAY, DECEMBER 19, 2023 | 6:30 PM  
COUNCIL CHAMBERS | 1953 MUNICIPAL WAY

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#### **I. CALL TO ORDER**

Meeting called to order at 6:30pm

#### **II. ROLL CALL**

Staff Present

Vanessa McGrath, City Planner

Kim Brothers, Planning and Zoning Coordinator

Fred Hawkins, Director of Building, Engineering, & Environmental Services

PRESENT

Calvin Rumph

Mike Allen

Larry Crawley

Thomas Lamb

Terrill Lane

ABSENT

Brian Binzer

Kerri Pate

Tommy Ryals

Alan Tanner

#### **III. APPROVAL OF MINUTES**

November 28, 2023, Planning & Zoning Commission meeting minutes

Motion made by Crawley, Seconded by Lane.

Voting Yea: Rumph, Allen, Crawley, Lamb, Lane

Minutes were approved as presented.

#### **IV. AGENDA ITEMS**

##### **1. FP-2023-0130 - Mallard Landing Phase 4**

Address: Mallard Landing Phase 4

Owner: Mallard Landing Development LLC

Applicant: Western REI

PIN: 22 9 30 2 001 004.012 & 23 7 25 1 001 001.000

Zoning: PRD (Planned Single Residential District)

Request: Final plat approval for Mallard Landing Phase 4 for 78 single family residential lots

Ms. Vanessa McGrath reviewed the request.

Mr. James Cassidy with Insite Engineering was present to represent the request. This phase connects all the roads in the development. He stated he would make the owner aware of the hills that need grading to the inlets and will hold plat until that is done.

Motion to approve contingent on the grading in the common area be completed and inspected prior to signatures and recording.

Motion made by Crawley, Seconded by Rumph.

Voting Yea: Rumph, Crawley, Lane, Lamb, Allen

Item was approved contingent on the grading being corrected in the common area to the ground inlets.

Ms. Vanessa McGrath reviewed the outstanding bonds. Four bonds currently for the other four portions; two are past renewal.

Ms. McGrath reviewed phase 1. Are ADA Compliant ramps all in? Will need to look at street trees.

Phase 3 Sector 1 Trees to be planted in fall and have not yet been planted.

Mr. Allen asked Ms. McGrath to share with James what needs to be done. Any action needed can be taken next month.

##### **2. PP-2023-0147 - Preliminary Plat Crown Pointe**

Address: Between Cedar Grove and Sterling Gate

Owner: Greenbriar LTD an Alabama Limited Partnership

Applicant: Insite Engineering

PIN: 23 2 03 3 001 005.002

Zoning: R-3 (Single Family Residential District)

Request: Preliminary Plat for a 69-lot subdivision.

Ms. Vanessa McGrath reviewed the request.

Mr. Allen asked that Ms. McGrath read the adverse effects letter.

Ms. McGrath stated the construction plans have been reviewed twice by all departments and that a civil permit is being reviewed and cannot be approved until the approval of the preliminary plat.

Mr. James Cassidy was present to represent the request. The Project is 41.12 acres into 69 lots. It has four common areas with a CBU custom mailbox area. No variance or modification are being requested. There are 3 roads that are stubbed into existing roads and can only connect to 2 of the roads within Sterling Gate with the current 12% grade requirements.

Vanessa McGrath read the 4 emails received from property owners.

The Public Hearing was opened.

Rick McCoy 300 Cedar Grove Court. He has 40 years within the Boy Scouts of America and wildlife management. He has concerns about erosion control around Common Area 1. They do not need to mass grade the site and they need to have a way to keep the area moving with a fountain or water wheel. They need to plant hard woods with the pine samplings.

Harry Niendorf 304 Cedar Grove Court. He has similar concerns. Concerned on clearing trees. Would like hardwoods to be left. Would like separation with hardwood trees left in place.

Mike Philips with Sterling Gate Ventures LLC developer for Enclave. He requests that the bond for the short section of the road that was constructed in the Enclave, Cedar Grove Pkwy and Ramsgate be released. They are under a 5-year maintenance bond from August 10, 2021, with a bond of \$75,000 over all the roads. Would like the Planning Commission to release this portion of road from the bond since they will be used as construction egress and ingress and is concerned that the construction traffic will cause issues to the road that they are holding bond on.

Scott Machovec 144 Cedar Grove Parkway. He is a board member of HOA. He wants to make sure this development does not have negative impacts like Enclave. He is concerned about cut through traffic on streets that have not seen traffic in 25 years. The developer agreed twice in 2003 and 2016 to not pursue connections to Cedar Grove Parkway. Mr Machovec spoke with DR Horton rep and was told planning to have separate HOA. Thinks that needs to be resolved. He has concerns with Storm water management and wants to know the pathways to detention ponds. What is the City's enforcement policy on failed BMPs on construction. He would suggest a four-year period for warranty and maintenance after final plat approval. Likes amenities for homeowners.

James Lee 416 Knightsbridge. The concern is that most of the traffic will come onto his street. He wants the road to be safe. The street is narrow and if 2 cars are on the street a third can barely pass. The street cannot handle more traffic. Adding these cars is not safe

and is not wise. It will deteriorate the surrounding area. Concerned about the safety of the cars and the people using the road. The new subdivision will compromise the existing subdivision.

Leslie Demasters 263 Kensington Lane. Main concerns with traffic condition and safety due to her young children. Wanted to make them aware that Sterling Gate Drive and Knightsbridge do not have sidewalks along the street. Before the preliminary plat is approved, she believes there needs to be plans in place to add stop signs, speed bumps, sidewalks, possible gates. She is concerned about zoning changes and if children would have to move in the middle of the year.

Drew Gregory 365 Knightsbridge. His backyard will have seven new homes along it. Is there a need for this many houses? Estate lots would be a better service. How will the 12 % grade be established will there be bridges. Traffic concerns there is no turn lanes going into the neighborhood.

Delpha Bartley Jones 312 Sterling Manor Circle. Traffic concerns difficult to get out of subdivision with school traffic. Safety concerns children in the neighborhood.

Joel Helton 274 Kensington Ln. Alabaster has changed since this was first presented and there is more commercial traffic already in the neighborhood and that was not considered when this was first proposed.

Steven and Courtney Lund 113 Camden Circle. The Cedar Grove entrance and Knightsbridge roads are small. There has been significant flooding in the last 2 years with the addition of the Enclave. The HOA is spending \$25,000 to improve the erosion issues within the Enclave. Why would you have a new subdivision in the middle of an existing subdivision. The narrowness of the road will make it very dangerous for kids along these roads. A turn lane off Hwy 17 onto Cedar Grove is needed. This subdivision needs to have its own entrance if it is not part of the existing subdivision.

Zak Williams 405 Cornwall Dr. He is not against the development but is against the through road. He is curious if the city has researched the intersection of Thompson Road and 1st Ave.

Sally Hart 412 Cedar Grove Lane. She is president of the Sterling HOA and lives 3 houses down from Cedar Grove Parkway and it is a bus stop. They have no sidewalks, and it will be dangerous for the children. Concerns of Enclave flooding. She does not want potential flooding with this new development. She stated the drawings do not show which way the water will flow.

Janet Pate 113 Kensington Lane. We are a small representation of the neighborhood that wants a safe area not a through far. Would like the intersections looked at if this is approved.

Dave Hawthorne lives in the front part of Sterling Gate of Cedar Grove side. He bought his property with the understanding this would happen. Everybody that bought should have known up until 2016. Should look at Navajo Hills intersection it creates serious traffic

hazard. The developer of Enclave should be responsible for his environmental requirements. He had a bond to protect the environmental aspects of the neighborhood. The developer should have paid for the draining issues that should come out of the bond not the board's responsibility. The development itself should be part of the existing HOA.

Mr. Calvin Rumph spoke about the original plan having this connection.

Jerome Vason 260 Kensington Lane. Never heard the connection would take place because of the land itself. Sink holes and issues with the land.

Steven Homes Sterling Gate Lane. The master plan changed with the addition of the high school. Things change shouldn't look back at the master plan.

Mr. James Cassidy addressed concerns.

This development is between two developments and is part of a master plan. Road requirements have not changed that much over time, Loss of scenery, excessive noise, wear, and tear on roads that's in any subdivision you have. The Enclave detention pond was there prior to the Enclave and can be discussed after the meeting for those interested. Our staff is very thorough in reviewing plans. The new ponds will be in Common Areas 3 and 1 and they are oversized. There will be a MS4 permit that requires detention and ponds are oversized. The Enclave was wettest 18 months during construction. This will have an ADEM permit. This will be a dry pond not a wet pond and will eventually go dry. A tree survey has been done and the existing hard wood will have to be replaced. They knew cut through traffic would be a concern regulation required it for connectivity that's why roads are stubbed out. There will be stop signs at each intersection. Mentioned sidewalks not in the development. The grade is too steep to put in speed bumps.

Mr. Allen asked to show plans with stop signs.

Mr. Fred Hawkins commented on the number of stop signs that you would have to go through.

Pulled up the plans to show where stops sign will be.

Mr. Cassidy can't speak for water board but there are 2 water elevations in this location that can peak from top to bottom. Mr. Cassidy spoke about the zoning districts for the schools. He said that's the Board of Education.

Mr. Cassidy said they are currently planning to do their own HOA. Lot sizes are for an R-3 development with lots around it at R-3 also. There is no other road to use as an entrance as he would like there to be. The entrances on both ends were built a long time ago with plans for this area to connect to them.

Mr. Fred Hawkins said the city is working with the county to improve 1st Ave and Hwy 17. They have a consultant hired for a study on Thompson and Navajo and they are looking at improving that intersection. They are starting the design phase and have approval from the county. All are county roads, and the county will let us do it if we pay for it.

Mr. Cassidy showed a map of the area marked with areas that will not have trees disturbed. Most trees are being removed for the grading of the roads.

Mr Cassidy said the removal of the road maintenance bond is something that he can't address.

Mr. Cassidy said they do not have any environmental conservation areas.

Mr. Fred Hawkins addressed the city's enforcement of the BMP. They had multiple issues with Enclave, and they would address them each time. Mr. Hawkins said the city learned from that. Every issue that happened was handled and the city is going to flex all they can to make that happen again. Mr. Hawkins feels this location will not be nearly as bad. Mr. Cassidy said the new ponds are in the lowest location and should be a good buffer.

There was discussion regarding the original master plan. A citizen asked if these plans consider the 100-lot development in front of it. Mr. Cassidy said it did and the detention ponds will reduce water flow. But what they do when it's picked up on their property he does not know

The Public Hearing was closed.

Mr. Larry Crawley stated these meet all the city's regulations and requirements. He stated the past plans were not passed due to the grade that could not connect the roads. The things that they could address have been addressed and will benefit the whole development.

Mr. Terrill Lane is a resident on Hwy 17 side. He leaves early in the morning, so he avoids the traffic. He has been there 20 years. He saw the water from the Enclave and the red dirt, and he does have concerns with the traffic. Crown Point has met all the requirements and is not sure what can be done about the possible traffic.

Allen said he remember that it was turned done in 2016 because of the grade. Cassidy said that he saw the old plan and the additional length of road made the grade reduced.

Mr. Allen asked about a traffic study due to safety concerns and wants to know if there is a way to do a traffic study on the main intersection.

Cassidy said the traffic engineer will look at the path of least resident and will look not look at cut through with this speed limit and stop signs.

The cost of the study was discussed. The study needs to look at the entire development.

Motion is to approve the Preliminary Plat request for Crowne Point

Motion made by Rumph, Seconded by Lamb.

Voting Yea: Rumph, Lamb, Crawley

Voting Nay: Lane, Allen

Motion was approved as presented.

### **3. ZT-2023-0153 - Zoning Ordinance Changes**

Address: N/A

Owner: N/A

Applicant: Vanessa McGrath

PIN: N/A

Zoning: N/A

Request: Changes to various items within the Zoning Ordinance.

Ms. Vanessa McGrath reviewed the request for zoning changes in the zoning ordinance.

PDD - Changes to amending the approved development plan to be approved by the Planning Commission and minor changes (see list of applicable items) could be approved by Zoning Administrator.

Motion made by Crawley; Seconded by Lane

Ayes: All

Nays: None

PDD was sent to the City Council with a favorable recommendation.

MXD - Changes to amending the approved development plan to be approved by the Planning Commission and minor changes (see list of applicable items) could be approved by Zoning Administrator.

Motion made by Rumph; Seconded by Crawley

Ayes: All

Nays: None

MXD was sent to the City Council with a favorable recommendation.

SR 119 – clarifying the area for the State Route 119 are to be any tax parcel ID wholly or partially within 500 feet from the centerline of the State Route 119

Motion made by Lamb, Seconded by Rumph

Ayes: All

Nays: None

SR 119 was sent to the City Council with a favorable recommendation.

### **V. OTHER BUSINESS**

The next planned Planning & Zoning Commission meeting is January 23, 2024

Review of updated Belfort plan for Mallard Landing Phase 3 –

The Planning Commission stated that this house plan can be used within Phase 4 of Mallard Landing.

**VI. ADJOURN MEETING**

Meeting was adjourned at 8:51pm

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Michael R. Allen, Chairman

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Vanessa McGrath, Secretary