Council Members
Rick Hayes
Ron Scott
Beth McMillan
Maurice Mercer
Mildred Lanier

Mayor
Gary W. Waters

City Manager
Gretchen DiFante

City Clerk/Treasurer
Tom Seale, MMC, CMRO

PLANNING COMMISSION MEETING
January 9, 2020
MEETING MINUTES

I. Meeting called to order by Chairperson Kim Speorl at 6:00 PM in the temporary location of Pelham City Hall Conference Room.

II. Invocation led by Russell Biciste.

III. Roll call was taken with the following members present: Kim Speorl, Russell Biciste, David Russell, Mildred Lanier, Chad Hester, Danny Tate and Mayor Gary Waters. Chris Cousins City Engineer was also present.

IV. David Russell moved to accept the minutes of the last board meeting of December 12, 2019 as written. Mildred Lanier seconded the motion and all approved.

V. A public hearing to consider changing the present zoning of A-1 (Agricultural District) to B-2 (General Business District) for the following property located at 135 Winslett Road in Pelham, Alabama. Applicant: Jamie Lumpkin

Jamie Lumpkin and Ralph Dewberry were present to present this request. Mr. Dewberry stated that the business has been in the city since 1997 and have to move due to the business expanding.

Tim Flynn with Southern Window Supply spoke to the concerns of the possibility of flooding to his business. He stated that Winslett Road floods on a routine basis and he was concerned that the flow of the water would even more so impact his business. He was concerned that the flooding is a hazard to drivers as well. He stated that before Wal-Mart was constructed there was never any flooding. After the construction the water was channeled to Winslett Road and that is when all the flooding started. He stated that his concern was that the plans show they are controlling the water on their property with a series of detention ponds but the ponds are creating a levy so that the water can no longer come across the property but kept on the road until it gets past the levy and then opens up possibly coming into his business.

Kim Speorl asked if the engineer for Printswell was present to speak to these issues. Michael Rice with EEFS Co stated that the cross section in front of Mr. Flynn's property would not be changing. He stated that they would be discharging less water post

construction downstream than they are at pre-construction. He stated that they have 5 proposed detention ponds 4 length in series and 1 stand-alone detention pond which is more or as much detention as the Wal-Mart property. There are pre-existing drainage issues along that road but as an engineer our responsibility is to not increase or detriment anything downstream.

Mildred Lanier asked Chris Cousins if he could elaborate on the pre-existing issues. Chris stated that the road does flood due to a couple of things. The existing culverts that go under and across Winslett Road are undersized and they transfer the water east to west. And then as you head down south of Winslett Road and under Commerce there is another set of culverts and that entire drainage way dumps out onto highway 119. When it starts to rain the culverts under Winslett Road become overwhelmed very quickly and the water over tops the road. The culverts downstream also get over whelmed so it would not help to enlarge those culverts on Winslett Road. The underlying problem is downstream and is a much larger issue. It is not something that could be address locally. Chris stated that they asked the engineer to go back and look at some Armageddon type issues. The one foot rise in the model that Mr. Flynn made reference to was accurate but that is assuming that all the drainage structures in Winslett Road and down that corridor are completely blocked so that you were taking 100% of the storm flow and pushing it down Winslett Road. What that indicated was a rise in front of the Printswell property but once it gets past Prinstwell it fans out and the cross sections are unchanged there so the net results were you are a foot below his finished floor. He stated that Winslett Road floods today it will continue to flood, the engineering work does not support a conclusion that the flooding gets worse. The pre-existing conditions continues as is.

Mildred Lanier asked if the city would consider looking at the road in terms of improvements. Chris stated that Winslett Road does not have the caring capacity to handle big trucks so in light of that Printswell has purchased additional property to bring their main entrance and their delivery entrance off Southgate Drive. The entrance off Winslett Road will essentially not change.

Mr. Dewberry stated that they share Mr. Flynn's feeling about the flooding. He stated they had debated about the property and looked at the flooding. So they want to make sure that they were not flooding the area any more than what it currently is.

Mr. Flynn stated it was a problem that Pelham has had for 20 years and feels that the city has ignored the issue. He stated that the models that are used are not always right for every situation. He stated that the eye test of what he has seen over the last 18 years is what has him worried. He is concerned about the property value of his business.

Mildred Lanier asked if the drainage had been inspected recently to see if there was any blockage. Chris stated that he had inspected it. He stated there was a little bit of housekeeping that needs to be done on Winslett Road but nothing that is going to have an effect on it. He stated that there is a drainage south of this location that is the main drainage way that relays the water down to highway 119. He stated he has talked to ALDOT and they are pulling some records. We may clean some of that are out but we

need to make sure that it doesn't create more of a problem downstream. Even if we do all of this work we will still have some water issues on Winslett Road due to the structures there.

Mr. Flynn asked Chris if he would say that it is the volume of water coming around the Wal-Mart property hitting Winslett Road that was never accounted for properly. Chris stated that there was a lot of water coming around the area, but he also stated that he did not know what was involved in the permitting and site of Wal-Mart during construction.

Mr. Flynn questioned if the retention ponds were to control the water that falls on the property. Michael Rice stated that was correct. He also stated that there was a possible expansion in the rear of the building so they have been designed so that the post future expansion pre vs. post is still met. For the current development they are probably oversized.

Kim Speorl asked if the owner will maintain the ponds and Mr. Rice stated they would. He stated all the ponds were on Printswell property.

Kim asked Mr. Lumpkin if he owned the property where the driveway will be coming out onto Southgate Drive. Mr. Lumpkin stated yes they purchased the property from Maxus Construction and it has been resurveyed into one lot.

Mildred Lanier asked what the estimated cost of building one of the ponds would be and if Mr. Flynn had ever considered putting a pond on his property. Mr. Flynn stated that the ponds were to control flooding that falls on that property. The flooding is not caused by rain falling on Winslett Road. It has little to no effect on the flooding. He stated that Printswell was doing a fantastic job of controlling the water that falls on their property. So for him to construct a detention pond would not help this flooding situation at all.

Danny Tate asked if the grading for this sight was going to be graded toward Mr. Flynn's property or away from his property, and are we changing the slope of that area. Michael Rice stated that it is being built up a little. Just a small section of the old driveway that ties into his property the water will continue to do what it is doing now but the rest of the water that lands in the parking lot or on the property will be routed through the detention ponds. So no water is being released directly onto any adjacent property owners without going through the detention ponds.

Kim asked if the flooding is coming from Wal-Mart and the water is being controlled on your property how it can impact Mr. Flynn. Michael Rice stated that if you have a volume of water going to a particular shape and we build a retention pond and it restricts that flow a little bit you are going to see a rise in the water there but that is in the front of our construction if you look down stream at the cross section it is not changing. The same water that is coming there today will be coming there in the future. We are not increasing it off sight with this development.

Mr. Flynn stated that his concern was that they were keeping water that would normally get onto your sight and slowly come onto his. Therefore it will be pushed into the road immediately and more water further and faster once it gets past the detention ponds it gets into his property where the water has never reached the property before. He stated his concerns that the higher volume of water getting the freedom of opening up that it will flood further onto his property. Michael Rice stated that there is no more volume of water that will be coming onto his property and he thinks that it will actually help keep it from flooding.

Rick Hayes stated that what Mr. Flynn was saying was that there would be a barrier that prevents the water from coming onto the property that is now coming around Wal-Mart. Mr. Flynn stated that there is currently thousands of gallons of water and sits there up front and slowly weeps out. None of that water will be allowed to get there. Mr. Rice stated that currently it comes down and hits the current drainage structures and hits the road. So it basically will be doing the same thing. We are not impeding the flow.

Kim Speorl asked if there would be landscaping done. Mr. Dewberry stated there would be landscaping and trees.

Mayor Waters asked Chris Cousins if Wal-Mart's detention pond is not capturing the water what water is going into those detention ponds. Chris stated that the best he can tell it is just the surface runoff of the parking lot. He stated that the pond near Highway 31 does fill up and he thinks that is where the bulk of the water is going.

Kim Speorl asked for a motion. Mayor Waters made a motion to recommend the rezoning to City Council as presented. Russell Biciste seconded the motion. David Russell opposed the motion and Mildred Lanier abstained. The motion carried.

VI. ***WITHDRAWN***

A public hearing to consider changing the present zoning of A-1 (Agricultural District) to B-2 (General Business District) for the following property in Exhibit A

Applicant: Samie Abdulhafiz (RaceTrac Petroleum Inc)

Description:
Exhibit A

A parcel of land situated in the Southwest quarter of the Northwest quarter of Section 19, Township 20 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows: Commence from a found 1/2 inch rebar marking the most Northerly corner of Lot 4-A, according to Pelham Town Center Resurvey as recorded in Map Book 40, Page 87 in the Office of the Judge of Probate, Shelby County, Alabama and on the Southwesterly right of way line of Shelby County Road 52; thence leaving said right of way line run North 31 degrees

58 minutes 09 seconds East for a distance of 150.57 feet to a found 3/8 inch rebar on the Northeasterly right of way line of Shelby County Road 52 and the Point of Beginning; thence run North 36 Degrees 36 minutes 15 seconds West along said right of way line for a distance of 77.37 feet to a set capped rebar stamped (CA-560-LS); thence run North 19 Degrees 50 minutes 07 seconds East for a distance of 268.78 feet to a set capped rebar stamped (CA-560-LS); thence run South 84 Degrees 03 minutes 03 seconds East for a distance of 323.51 feet to a set capped rebar stamped (CA-560-LS); thence run South 00 Degrees 23 minutes 07 seconds West for a distance of 523.37 feet to a set capped rebar stamped (CA-560-LS) on the Northeasterly right of way line of Shelby County Road 52; thence run North 54 degrees 35 minutes 05 seconds West along said right of way line for a distance of 13.14 feet to a found concrete monument stamped (48+47); thence run South 34 degrees 42 minutes 44 seconds West along said right of way line for a distance of 3.76 feet to a set capped rebar stamped (CA-560-LS); thence run North 43 degrees 16 minutes 34 seconds West along said right of way line for a distance of 170.37 feet to a found capped rebar stamped (Bailey) thence run South 87 Degrees 00 minutes 05 seconds West along said right of way line for a distance of 48.27 feet to a found capped rebar stamped (Bailey); thence with a curve to the left having a radius of 4323.84 feet, a central angle of 02 Degrees 53 minutes 54 seconds having a chord bearing of North 57 Degrees 59 minutes 50 seconds West, for a chord distance of 218.71 feet; thence run along the arc of said curve and said right of way line for a distance of 218.73 feet to the Point of Beginning. Said parcel contains 151,250 square feet or 3.47 acres more or less.

VII. Public hearing to consider adopting a new Pelham Comprehensive Plan.
PRESENTED BY: RPCGB (Lindsay Puckett)
Lindsay Puckett made a presentation to the Planning Commission.
Kim Speorl asked if there were any questions and there were none. Kim asked for a motion. Mayor Waters made a motion to adopt the Pelham Comprehensive Plan as presented. Chad Hester seconded the motion and all approved with the exception of Mildred Lanier abstaining from the vote.

VIII. Kim Speorl read the following the announcement:

The City of Pelham Planning Commission will hold a public hearing February 13, 2020 to consider changing the present zoning of O&I (Office & Institutional District) to B-2 (General Business District) for the following property located on Oak Mountain State Park Road in Pelham, Alabama.

Applicant: James B Kovakas

Description:

A parcel of land in the NW 1/4 of the NE 1/4 of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Commence at an axle set in concrete that monuments the Southeast corner of the North 1/2 of the NW 1/4 of the NE 1/4 of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama; thence run North along the East 1/4 - 1/4 line 110.33 feet to the center line of State Park Road (right-of-way by prescription) said point being on a clockwise curve having a Delta angle of 32 deg. 48 min. 48 sec. a radius of 524.72 feet, and a Tangent length of 154.50 feet, said point being the point of beginning; thence turn left 51 deg. 29 min. 54 sec. to the tangent of said curve and run Northwest along the arc of said centerline 300.51 feet; thence continue tangent to said curve 137.27 feet along said centerline to the South end of the 125 foot right-of-way known as "RELOCATION, OAK MT. PARK ROAD" at station 15+00.0; thence turn right 90 deg. 00 min. 00 sec. and run East along the South end of said right-of-way 75.00 feet to a concrete monument (Station 15+00.0); thence turn left 25 deg. 57 min. 59 sec. and run Northeast 183.84 feet to an iron pin on the East 1/4 - 1/4 line; thence turn right 133 deg. 12 min. 10 sec. and run South 493.15 feet to an iron pin on the North side of State Park Road; thence turn right 01 deg. 26 min. 55 sec. and continue South 32.55 feet to the Point of Beginning. **LESS AND EXCEPT** that part lying within the roadway.

IX. With no further business to come before the Planning Chairman Kim Speorl asked for a motion to adjourn. Russell Biciste made the motion to adjourn. Danny Tate seconded the motion all approved and the meeting was adjourned at 7:10 PM.

Respectfully Submitted,
Cathy Sweeney
Planning Commission Secretary