

PLANNING COMMISSION AGENDA

Pelham City Hall Council Chambers

May 11, 2023 | 6:00 PM

Chair, Kim Speorl	_____	Chad Leverett	_____	Mayor Gary Waters	_____
V. Ch. Russell Biciste	_____	Claude Peacock	_____	Joey Pitts	_____
Chad Hester	_____	David Russell	_____	Rick Wash	_____

I. Call to Order

II. Invocation

III. Roll Call

IV. Approval of April 25, 2023 Minutes

V. Hearing Items

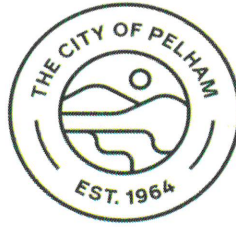
1. Lot 2 The Grande Vista | NW corner of Hwy 52 and Hwy 33
Request to rezone 4.47 acres from M-1 to B-2
Requested by the City of Pelham
2. Roy Martin Survey on Fungo Hollow Road Final Plat | SW corner of
Hwy 33 and Hwy 35 (Fungo Hollow Road)
Final Plat to create 8 lots
Requested by Mike Wood
3. Dunrobin I at Ballantrae (Dunrobin Lane)
Request to release bond and acceptance of Dunrobin Lane

VI. Other Business

1. Announce next regularly scheduled meeting for June 8, 2023

VII. Adjourn

A Work Session will be held at 5:30 PM and is open to the public. The work session is not a public hearing.



PLANNING COMMISSION MEETING

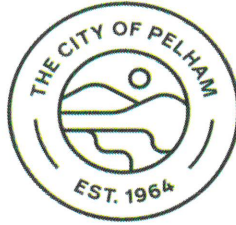
APRIL 25, 2023 MINUTES

- I.** Meeting called to order at 6:00 PM, with Kim Speorl presiding.
- II.** Invocation led by Russell Biciste.
- III.** Roll call was taken with the following members present: Kim Speorl, Russell Biciste, Chad Hester, Chad Leverett, Claude Peacock, Mayor Waters, David Russell, Rick Wash. Members absent: Joey Pitts. Staff present were Michael Eddington, Deputy Director/City Engineer; Andrew Golden, Consulting Engineer; and Sherri Proctor, Planning and Zoning Administrator.
- IV.** Motion to approve February 23, 2023 minutes was made by Chad Hester, seconded by Rick Wash. All ayes, motion carries. Chad Leverette abstained.
- V.** Hearing of cases
 1. Final Plat for Camellia Ridge Phase 3, Sector 3 - 25 single family lots (RG); Property located end of Camellia Ridge Drive
Requested by Newcastle Development LLC. Joe Schifano, project engineer with EDG, represented the request.

Motion by Chad Leverette, seconded by Claude Peacock to approve the final plat as recommended by staff. Vote recorded as follows: Ayes - Biciste, Waters, Russell, Pitts, Hester, Leverette; Opposed Kim. Motion to approve passed with a vote of 7 to 1.
 2. Final Plat for Simms Landing Phase 2B - 34 single family lots (RG); Property located off Simmsville Road
Requested by Clayton Property Group Inc. Represented by Joe Schifano, project engineer.

Motion by Rick Wash, seconded by David Russell to approve the final plat as recommended by staff. Vote recorded as follows: Ayes - Biciste, Waters, Russell, Pitts, Hester, Leverette, Wash, Speorl. Motion to approve passed unanimously.
 3. Rezoning request for property located on the west side of Hwy 35 between Bear Holler Drive and High Hampton Drive
Requested by Mike Wood (representing Roy Martin Estate), rezoning from Agriculture District to R-1, Single Family District

Motion by Chad Leverette, seconded by Claude Peacock to recommend the rezoning as recommended by staff. Vote recorded as follows: Ayes - Biciste,



Waters, Russell, Pitts, Hester, Leverette, Speorl. Wash abstained. Motion to approve passed unanimously.

VI. Other Business

The next regularly scheduled meeting will be held June 11, 2023

With no further business to come before the commission, motion by Russell Biciste, and seconded by Chad Hester to adjourn the meeting at 6:18 PM.



Planning & Zoning Staff Report

P.O. Box 1479, Pelham, Alabama 35124 | 205.620.6480

zoning@pelhamalabama.gov

Requested By: CITY OF PELHAM

Date of Application: APRIL 18, 2023

Location of Property: NW CORNER OF HWY 52 AND HWY 35 Zoning District: M-1

Location in Overlay District: Yes X No

Location in a PUD: Yes No X

Zoning Request / Plat Map Submittal:

REQUEST TO REZONE 4.74 ACRES (LOT 2 OF THE GRANDE VISTA PLAT) LOCATED JUST
NORTH OF THE TRACTOR SUPPLY FROM M-1 TO B-2.

City Engineer recommendations: Yes X No
NO CONCERNS.

Planning & Zoning Admin./Zoning Official recommendations: Yes X No
B-2 ZONING IS MORE APPROPRIATE FOR THIS HIGHLY VISIBLE CORRIDOR AND MORE
COMPATIBLE FOR FUTURE INTENDED USES.

Building Official recommendation: Yes X No
NO CONCERNS.

X

Based on the above comments, city staff recommends approval of the requested variance with the following conditions:

Based on the above comments, city staff does not recommend approval of the requested variance due to the following conditions:

Development Services Director

Date

Lot 2 The Grande Vista (City Property) Rezoning Request to B-2



Lot 2 of the Grande Vista subdivision. Originally created the lot (Lot 1) for Tractor Supply Company. Property was zoned to M-1 to accommodate the Tractor Supply location.

The intent is to rezone the remaining developable lot to E to make it more conducive for hotel, or retail and/or restaurant. Zoning to B-2 will also protect the lot from a similar use as Tractor Supply.

The Future Land Use for this area is General Commercial. B-2 Zoning can be recommended.

Lot 2 of the Grande Vista subdivision. Originally created the lot (Lot 1) for Tractor Supply. Property was zoned to M-1 to accommodate the Tractor Supply location.

The intent is to rezone the remaining developable lot to B-2 to make it more conducive for a hotel, or retail and/or restaurant. Zoning to B-2 will also protect the lot from a similar use as Tractor Supply.

The Future Land Use for this area is General Commercial.

B-2 Zoning can be recommended.

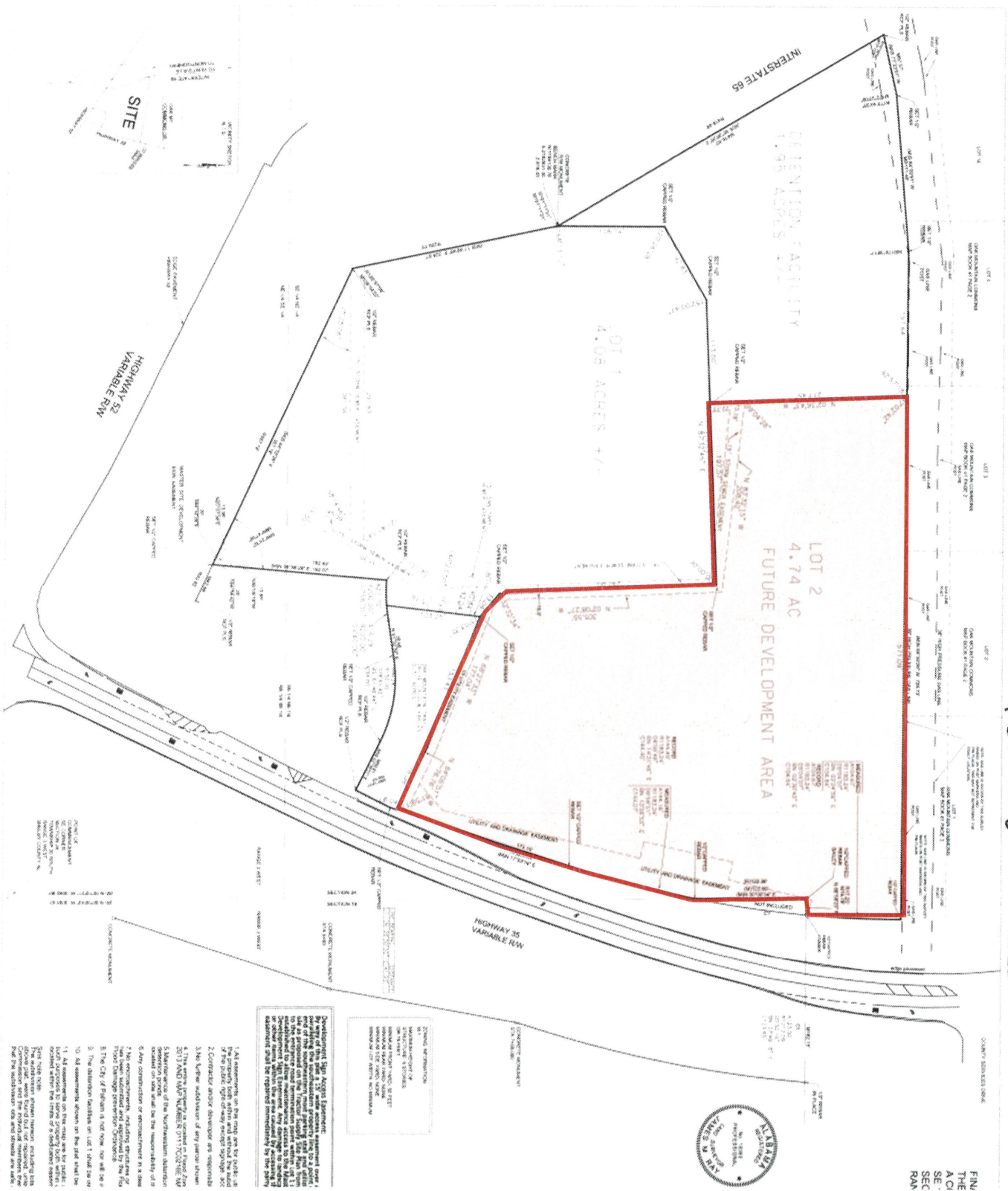
Lot 2 of the Grande Vista subdivision. Originally created the lot (Lot 1) for Tractor Supply.

Property was zoned to M-1 to accommodate the Tractor Supply location.

The intent is to rezone the remaining developable lot to B-2 to make it more conducive for a hotel, or retail and/or restaurant. Zoning to B-2 will also protect the lot from a similar use as Tractor Supply.

The Future Land Use for this area is General Commercial.

B-2 Zoning can be recommended.



Development Sign Access Agreement

1. All easements on the map are for public use and are to be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

2. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

3. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

4. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

5. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

6. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

7. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

8. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

9. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.

10. The easements shown on the map shall be used for the purpose of providing access to the property shown on the map for public use and for the purpose of providing access to the property shown on the map for public use.



Planning & Zoning Staff Report

P.O. Box 1479, Pelham, Alabama 35124 | 205.620.6480

zoning@pelhamalabama.gov

Requested By: MIKE WOOD

Date of Application: MARCH 10, 2023

Location of Property: SW CORNER OF HWY 35 AND 33 Zoning District: A-1

Location in Overlay District: Yes ☐ No ☒

Location in a PUD: Yes ☐ No ☒

Zoning Request / Plat Map Submittal:

REQUEST FINAL PLAT APPROVAL TO CREATE 8 LOTS. THE PLANNING COMMISSION
RECOMMENDED APPROVAL TO REZONE LOTS 7 AND 8 TO R-1. COUNCIL ACTION ON THE
REZONING IS PENDING THE APPROVAL OF THE FINAL PLAT.

City Engineer recommendations: Yes ☒ No ☐

PLAT HAS BEEN REVIEWED AND IS APPROVABLE. NO PUBLIC IMPROVEMENTS NEEDED.

Planning & Zoning Admin./Zoning Official recommendations: Yes ☒ No ☐

PLAT IS COMPLIANT WITH LOT REQUIREMENTS FOR A-1 AND R-1.

Building Official recommendation: Yes ☒ No ☐

NO CONCERNS

X

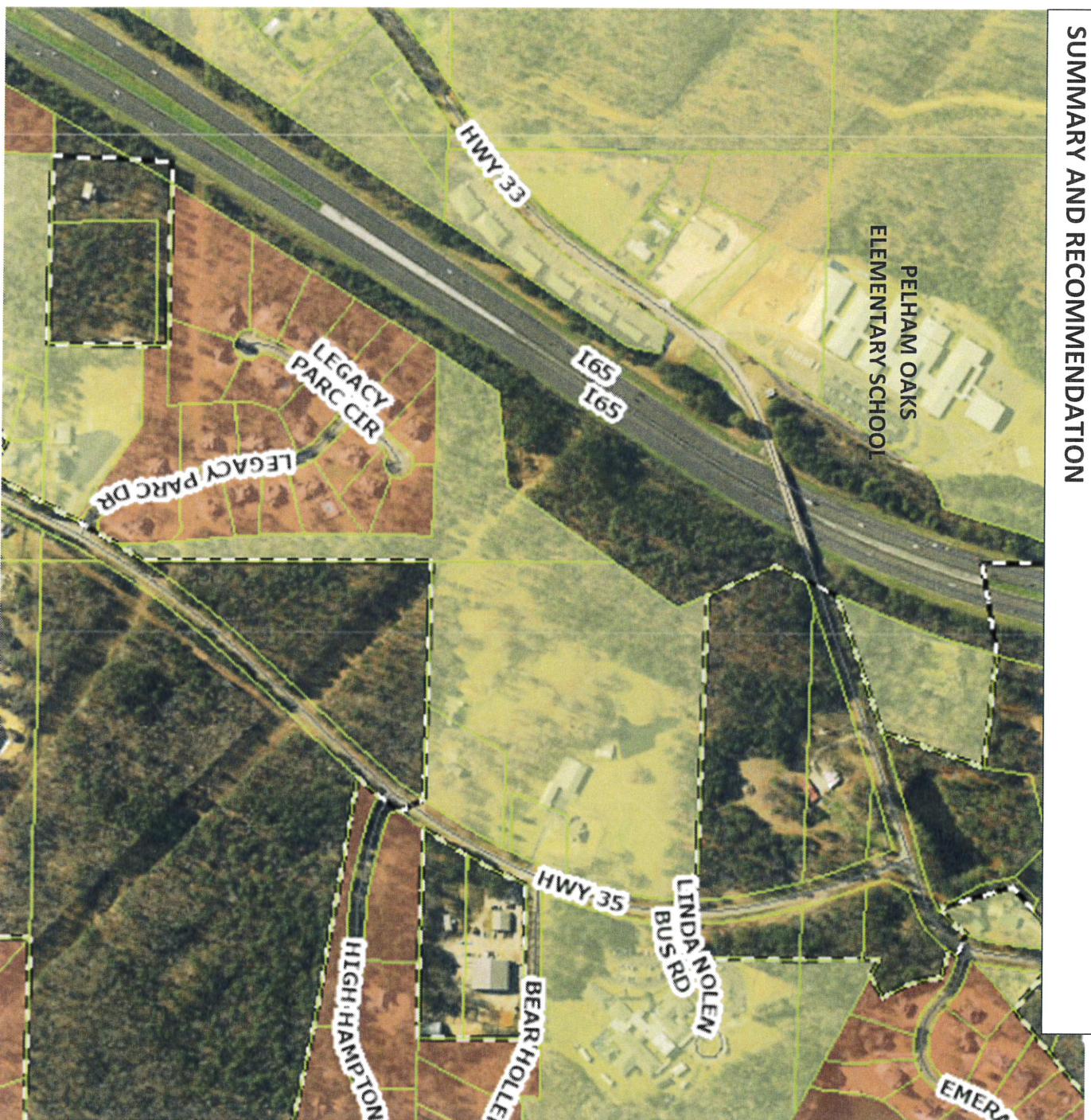
Based on the above comments, city staff recommends approval of the requested variance with the following conditions:

Based on the above comments, city staff does not recommend approval of the requested variance due to the following conditions:

Development Services Director

Date

ROY MARTIN PROPERTY – FUNGO HOLLOW ROAD FINAL PLAT SUMMARY AND RECOMMENDATION



MARTIN SURVEY ON FUNGO HOLLOW ROAD
REQUEST FOR FINAL PLAT APPROVAL OF 8 LOTS ON HWY 35, SOUTH OF HWY 33
OWNER INTENDS TO SELL THE LOTS. THERE ARE SEVERAL EXISTING DWELLINGS THAT WILL BE SPLIT TO SELL/DONATE TO VETERANS/FIRST RESPONDERS.

THERE ARE NO PUBLIC IMPROVEMENTS NEEDED FOR THIS PLAT AND OTHERWISE MEETS THE CRITERIA OF THE SUBDIVISION REGULATIONS AND WILL MEET LOT REQUIREMENTS WITH THE REZONING APPROVAL.

REZONING WAS RECOMMENDED DURING THE APRIL HEARING.

THE REZONING REQUEST IS PENDING THE FINAL PLAT APPROVAL BY COMMISSION.

THE PLAT MEETS THE CRITERIA FOR APPROVAL.

NOTES:

1. ACCESS TO LOTS 1, 2, 4 AND 6 ARE SUBJECT TO SHELBY COUNTY HIGHWAY DEPARTMENT APPROVAL. LOTS 3, 5, 7 AND 8 HAVE EXISTING ROADS WITH EXISTING DRIVEWAYS ON THEM.
2. NO TITLE SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR RIGHTS OF WAY, RECORDED OR UNRECORDED. THE LOTS SHOWN HEREON ARE SUBJECT TO EASEMENTS, EASEMENTS, AND ZONING AND BUILDING CODE ORDINANCES OF THE GOVERNING AUTHORITY.
3. ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM DITCHES AND MAY BE USED TO REVEAL LOTS BOTH WITHIN AND OUTSIDE THE SUBDIVISION. THE CITY OF PELHAM OR SHELBY COUNTY IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY EASEMENTS SHOWN ON THIS PLAN OUTSIDE THE PUBLIC RIGHT OF WAY.
4. THE HOUSE BUILDING CONTRACTOR IS RESPONSIBLE FOR PROVIDING A BUILDING SITE FREE OF DRAINAGE PROBLEMS.
5. THE OWNER/BUYER SHALL USE APPROPRIATE METHODS INCLUDING PIPES, UNDERDRAINS, DITCHES, SWALES, GRADING OR OTHER METHODS TO PROVIDE DRAINAGE DUE TO SURFACE OR SUBSURFACE DRAINAGE PROBLEMS WITHOUT ADVERSELY AFFECTING ADJACENT LOTS.
6. NO FURTHER SUBDIVISION OF ANY PARCEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE CITY OF PELHAM PLANNING COMMISSION.
7. NO FENCED, AUXILIARY STRUCTURES, LANDSCAPING OR CHANGES TO TOPOGRAPHY WHICH ALTERS THE FLOW OF STORMWATER OR ADVERSELY AFFECTS ANY PROPERTY SHALL BE PERMITTED.
8. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED IN ANY EASEMENT.
9. NO BUILDING SHALL HAVE A FINISHED FLOOR LESS THAN TWO (2) FEET ABOVE THE TOP OF ANY ADJACENT STORM SEWER WITHOUT AN ENGINEER'S APPROVAL.
10. THIS ENTIRE PROPERTY IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE LATEST FLOOD INSURANCE RATE MAP PANEL NUMBER 011700040 E, SHELBY COUNTY, ALABAMA, DATED FEBRUARY 20, 2013.
11. ALL STREET RIGHT OF WAY SHOWN ON THIS PLAN ARE EXISTING SHELBY COUNTY PUBLIC STREET RIGHT OF WAY. THERE IS NO ROAD DEDICATION BY THIS MAP.
12. LOTS 3, 5, 7 AND 8 HAVE EXISTING HOUSES ON THEM. LOTS 1, 2, 4, 5, 6 AND 7 ARE SUBJECT TO THE SHELBY COUNTY HEALTH DEPARTMENT APPROVAL FOR AN ON-SITE SEWER SYSTEMS.

APPROVED: SHELBY COUNTY

SHELBY COUNTY HEALTH DEPARTMENT

The lot on this plan is subject to approval or deletion by the Shelby County Health Department. The approvals may contain conditions pertaining to sewage treatment system that restrict the use of the lots or require certain maintenance and reporting requirements. These conditions are on file with the said health department, and are made part of this plan as set out herein.

BY:

DATE:

CITY OF PELHAM NOTES:

- (A) ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES, AND MAY BE USED TO REVEAL LOTS BOTH WITHIN AND OUTSIDE THE SUBDIVISION. THE CITY OF PELHAM OR SHELBY COUNTY IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY EASEMENTS SHOWN ON THIS PLAN OUTSIDE OF THE DEDICATED PUBLIC RIGHT OF WAY.
- (B) CONSTRUCTION AND/OR DELIVERY ARE RESPONSIBLE FOR PROVIDING BUILDING SITES FREE OF DRAINAGE PROBLEMS.
- (C) NO FURTHER SUBDIVISION OF ANY PARCEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE PELHAM PLANNING COMMISSION.
- (D) THE ENTIRE PARCEL IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE LATEST FLOOD INSURANCE RATE MAP (PANEL NUMBER 011700040 E, SHELBY COUNTY, ALABAMA, DATED FEBRUARY 20, 2013).
- (E) MAINTENANCE OF DETENTION POND AND ALL ASSOCIATED STRUCTURES AND APPROPRIATELY ARE THE RESPONSIBILITY OF THE HOMEOWNER ASSOCIATION.
- (F) ANY CONSTRUCTION OR ENCROACHMENT IN A DEDICATED FLOOD PLAIN MUST COMPLY WITH THE CITY OF PELHAM FLOOD DAMAGE PREVENTION ORDINANCE.
- (G) ANY ENCROACHMENT INCLUDING STRUCTURES ON ALL NATURAL SHALL BE PLACED WITHIN A DEDICATED FLOOD PLAIN UNLESS AND UNLESS A FLOOD PLAIN DEVELOPMENT PERMIT HAS BEEN SUBMITTED AND APPROVED BY THE FLOODPLAIN ADMINISTRATION. ALL ENCROACHMENT WITHIN A DEDICATED FLOOD PLAIN MUST COMPLY WITH THE CITY OF PELHAM FLOOD DAMAGE PREVENTION ORDINANCE.
- (H) THE CITY OF PELHAM IS NOT NOW, NOR WILL BE IN THE FUTURE, RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE POND OR EASEMENTS SHOWN ON THIS PLAN.
- (I) ACCESS TO SHELBY COUNTY HIGHWAY DEPARTMENT APPROVAL.

CITY OF PELHAM A-1 ZONING SETBACKS:

- FRONT 35 FEET
- REAR 10 FEET
- SIDE 25 FEET BOTH SIDES
- HEIGHT 35 FEET
- MINIMUM ONE ACRE LOTS
- MINIMUM WIDTH 150 FEET

CITY OF PELHAM R-1 ZONING SETBACKS:

- FRONT 35 FEET
- REAR 40 FEET
- SIDE 12 FEET ONE SIDE WITH 25 FEET BOTH SIDES
- HEIGHT 35 FEET
- MINIMUM LOT AREA 20,000 SF
- MINIMUM LOT WIDTH 100 FEET

NE 1/4 OF THE SW 1/4 OF SEC. 7 T-20-S, R-2-W

SEC. 7 T-20-S, R-2-W

SE 1/4 OF THE SW 1/4 OF SEC. 7 T-20-S, R-2-W

SEC. 7 T-20-S, R-2-W

MAYOR, CITY OF PELHAM

DATE

ENGINEER, CITY OF PELHAM

DATE

PLANNING COMMISSION, CITY OF PELHAM

DATE

CITY CLERK, CITY OF PELHAM

DATE

DIRECTOR OF DEVELOPMENT SERVICES AND PUBLIC WORKS, CITY OF PELHAM

DATE

ROY MARTIN ON FUNGO HOLLOW ROAD 7 2013 2013

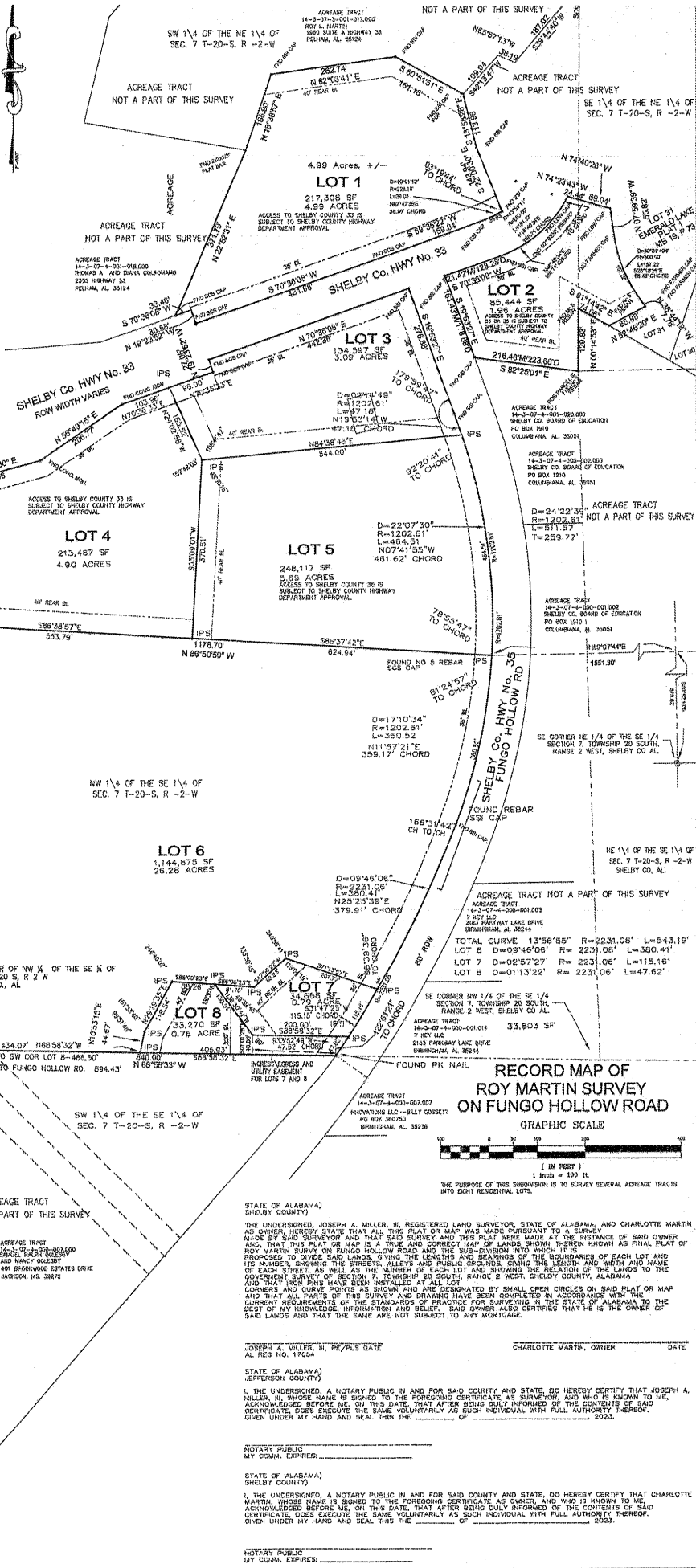
1/4 ACRES 2000' 20 S 2 W ROY MARTIN ESTATE, ROY MARTIN ON FUNGO HOLLOW

REVISION	DATE	REVISIONS
1	10-10-20	FIELD WORK
2	11-02-20	RECORD MAP 9 LOTS
3	01-10-20	CHANGE TO 4 LOTS
4	01-15-20	PRINT MYLAR
5	02-11-20	SHELBY CO CHANGES

RECORD MAP FOR: ROY MARTIN SURVEY ON FUNGO HOLLOW ROAD



MTR
ENGINEERS, INC.
CONSULTING ENGINEERS-LAND SURVEYORS
3 RIVERCHASE RIDGE
HOOVER, ALABAMA 35044



STATE OF (ALABAMA)
(SHELBY COUNTY)

I, THE UNDERSIGNED, JOSEPH A. MILLER, II, REGISTERED LAND SURVEYOR, STATE OF ALABAMA, AND CHARLOTTE MARTIN AS OWNER, HEREBY CERTIFY THAT THIS MAP WAS MADE PURSUANT TO A SURVEY MADE BY SAID SURVEYOR AND THAT SAID SURVEY AND THIS MAP WERE MADE AT THE INSTANCE OF SAID OWNER AND THAT THIS MAP IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY RECORDS AND THAT THIS MAP IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY RECORDS AND THAT THIS MAP IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY RECORDS.

JOSEPH A. MILLER, II, REGISTERED LAND SURVEYOR, STATE OF ALABAMA, AND CHARLOTTE MARTIN, OWNER

STATE OF (ALABAMA)
(JEFFERSON COUNTY)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT JOSEPH A. MILLER, II, REGISTERED LAND SURVEYOR, AND CHARLOTTE MARTIN, OWNER, ARE BOTH KNOWN TO ME, AND THAT THEY HAVE BOTH EXECUTED THE SAME VOLUNTARILY AS SUCH INDIVIDUALS WITH FULL AUTHORITY THEREOF.

NOTARY PUBLIC
MY COMM. EXPIRES: 2023

STATE OF (ALABAMA)
(SHELBY COUNTY)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT CHARLOTTE MARTIN, OWNER, IS KNOWN TO ME, AND THAT SHE HAS EXECUTED THE SAME VOLUNTARILY AS SUCH INDIVIDUAL WITH FULL AUTHORITY THEREOF.

NOTARY PUBLIC
MY COMM. EXPIRES: 2023



Pelham
A path apart.

MEMORANDUM

TO: Members of the Planning Commission
FROM: Sherri Proctor, Planning and Zoning Administrator
DATE: May 8, 2023
RE: Dunrobin Lane, Dunrobin I at Ballantrae

Mobley Development is requesting release of a Letter of Credit that was secured to complete asphalt paving (seal coat) for Dunrobin Lane.

Staff conducted an inspection on May 2, 2023 and found the work to be completed to the satisfaction of the City Engineer and has recommended to the Commission that the Letter of Credit may be released and streets accepted by City Council.

Attachment:

Photo Dunrobin Circle at Dunrobin Lane

