



CITY OF OWENS CROSS ROADS

Owens Cross Roads City Hall
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Planning Commission Minutes

September 12, 2022

Re: John and Paige Wilson requesting to subdivide property at 9737 Highway 431 S
& Michael Benoit & John Brewer requesting Zoning Change at 195 Hamer Road

Present: Tony Craig, Mayor
Tim Wright, Council Representative
Tim Gaines, City Administrator
Antoinette Sisco-Williamson, Vice-Chair
Elizabeth Craig, Member
Yvonne Meier, Member
Deborah Buskirk, Member (arrived at 6:40)

Absent: Jason Denenny, Chairperson – present through a Zoom meeting
Blake Burns, Member - out of town on business

Antoinette Sisco-Williamson, serving as Chairperson in the absence of Jason Denenny, called the meeting to order at 6:30 pm followed by the recitation of The Pledge of Allegiance.

Antoinette brought up the minutes from the August 8 meeting. Mayor Craig made the motion to accept the minutes; Yvonne seconded; all in favor to approve.

Antoinette also mentioned that the reason for having the meetings at 6:30 had passed and made a motion to move time back to 6:00 for future meetings. Tim Gaines seconded; all were in favor.

Antoinette Sisco-Williamson then called on the Wilsons to present their request to the Commission.

John Wilson, owner of Wilson Fireworks, stated that the building is small and they do not need the entire plot, though business was good in July, and request to subdivide the property. He showed the diagram of the proposed division (the diagram had been emailed to the commission members earlier). It was asked if there would be a problem with the entrance of the subdivided portion being through the Fireworks business. Mr. Wilson stated that would not be a problem. Antoinette asked why the subdivision of the property had not occurred in November of 2021 when it first came about. Mr. Wilson

said the request was tabled at that time. Do not have a buyer yet, but may sell divided portion at some point. Antoinette made motion to vote; Mayor Craig seconded motion to subdivide; all were in favor.

E Craig	T Wright	A Sisco-Williamson	T Craig	Y Meier	D Buskirk	T Gaines	J Denenny	B Burns
Yay	Yay	Yay	Yay	Yay	Yay	Yay	Absent	Absent

John Brewer, of Alliance Alabama, as a representative of Michael Benoit of Stoneridge Homes, presented the request to rezone 195 Hamer Road from Estate Residential (ER) to Single Family Residential 2 (RS2) in order to turn the current hay field into a subdivision with approximately 65 lots. He mentioned all adjoining properties and many were present to discuss matter. Possibly begin early next year or in the summer. Deb Buskirk asked about how many phases and Mr. Benoit stated that, most likely, only one phase. He discussed the plan of development, probably start in the summer, will have a detention pond in the middle as an amenity and it would be fenced, if necessary. The entrance will be off of Hamer Road. They are requesting the RS2 zoning due to the 60' minimum lot setback requirement. Mayor Craig asked if the dirt will be dug out and replaced. They will have Geo-Tech testing and will import dirt. Hope to avoid the unsuitable soil with the proper testing. Hope not to have any impact on our existing sewer situation. Would not be selling homes until 2024. Question from attendees concerning the easement for sewer. John Brewer stated that they would keep all sewer in the public easement and not use private property. Deb Buskirk said that the Mayor and the City would be the ones working with the developer to handle this in the proper manner. Options for a tank to discharge at a time when the impact would be less on the sewer system, gravity pulled, then pumped out, at the developer's cost. Tim Wright brought up the concern about Hamer Road not being wide enough for the traffic it has now. The developer said they could look into this. Mentioned that the creek in the back would cause flood waters on nearby property owners. There are actually two creeks in this area and there are drainage issues. Mr. Benoit said whatever they did would drain into their ponds or the appropriate drainage system. He hopes to improve the current situation and not make it worse. There was concern mentioned about the number of new homes coming in and the overcrowding in the area schools. It was brought up that these issues should be discussed in City Council meetings and not at the Planning Commission meeting. Tim Gaines re-iterated that we were there to discuss the rezoning and not to approve building a subdivision. The question came up about the ownership of the property. As it turns out, those requesting the rezoning do not actually own the property yet, just have a contract in place. The decision of the rezoning would determine the actual purchase of the property. Antoinette read from the Zoning Regulations and the owner would need to be present to approve a rezoning. The developer has no standing to request this change. Since there were questions regarding ownership and the developer's authority to rezone, Tim Gaines suggested clarifying with the league before making any decision. Discussion continued. Developer was asked how long detention pond would be for on the flood plain and he said at least 50 years or whatever the City Engineer said it needed it to be.

Questions about dirt being brought in. Developer said at least 40 cubic yards and that some would replace what is there. Will there be berms or ditches installed? Deb Buskirk made a motion that it was acceptable to re-zone this property. Antoinette mentioned again that they are not the owner and that there are many questions and concerns. No one seconded the motion and therefore, no vote was taken. Mr. Benoit continued to try and explain that it would not interfere with the sewer, that he has it under contract with the owner, that it will not release more drainage onto other properties, and that they would work with the City Engineer. If vote does not go forward tonight, he will not be purchasing the property. Issue tabled since there was no second.

Tim Wright made the motion to adjourn the meeting; Antoinette seconded; all were in favor and the meeting was adjourned at 7:20.

Respectfully submitted by,

Lora Martin, Assistant Clerk

Teresa Carpenter, Revenue Clerk/Magistrate