

STATE OF ALABAMA  
SHELBY COUNTY

SHELBY COUNTY PLANNING COMMISSION  
MINUTES

Regular Meeting – June 16, 2008 – 7:00 P.M.

**Members Present:** Ralph Thomas, Chairman; Bob Land, Vice-Chairman; Scott Chambers, Rachel Garrett; Bill Kinnebrew; Robert Taylor and Kenneth Wilder.

**Staff Present:** Ray E. Hamilton, Manager; Tom Wilkins, Senior Planner; Christie Pannell, Planner II.

**WORK SESSION**

A work session was held prior to the regular meeting at 6:00 p.m. All interested parties were invited to attend. *Note: This was not a public hearing.*

**PUBLIC HEARING**

The meeting was called to order at approximately 7:00 p.m. by Ralph Thomas, Chairman. Mr. Thomas introduced the members of the Planning Commission and the staff. Approximately 12 people, in addition to the Shelby County Planning Commission and staff, were present.

**1. Approval of the Minutes of the Regularly Scheduled Meeting of June 2, 2008.**

**Commissioner Garrett** made a motion to approve the minutes of the meeting of June 2, 2008. The motion was seconded by **Commissioner Chambers** and by a unanimous vote of seven (7), Commissioners Garrett, Thomas, Chambers, Kinnebrew, Land, Taylor and Wilder in favor, the minutes of the meeting of June 2, 2008 were approved.

**2. Z-05-08, Cahaba Park Circle – HZ to B-2**

*Purpose:* A request from Milin Patel, representing the owners, 280 Associates LTD, for the approval a change in the zone district boundaries for a 2.146-acre lot from the HZ, Holding Zone to the B-2, General Business District to permit the development of a hotel.

*Location:* The subject property, Lot 11, Cahaba Park South, (MapBook 9, Page 164), is located on Cahaba Park Circle, off of U. S. 280, in the North Shelby – I 65 Corridor zoning beat and situated in the NW ¼ of Section 36, Township 18 South, Range 2 West; Parcel Identification No. 58-02-7-36-0-001-007.000.

The case was introduced by Christie Pannell, Department of Development Services. Ms. Pannell presented the case identifying that the purpose and location of the rezoning was to facilitate the development of an 85-room hotel. Ty Kicklighter, Walter Schoel Engineering, represented the applicant, Milin Patel. Mr. Kicklighter said that Ms. Pannell had explained the scope of the project and that he would be happy to answer any questions that the Commissioners may have.

**Commissioner Land** asked if the developer would object to the implementation of the SD, Special District overlay to the B-2, General Business District that would essentially limit the

approval of the rezoning to the construction of a hotel. The applicant stated that he had no objection to the Special District overlay.

Tom Wilkins noted that the Zoning Regulations define a hotel as *A building [in] which lodging, or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all hours. A hotel is open to the transient public in contradistinction to a boardinghouse, or a rooming house, which are herein separately defined. A motel, however, is defined as building or group of buildings used for the temporary occupancy of transients and containing no facilities for cooking in the individual units.* It was acknowledged that the proposed structure would be a hotel.

**Commissioner Land** made a motion to **Approve** the rezoning to the *B-2 S-D, General Business-Special District*. The motion was seconded by **Commissioner Kinnebrew** and by a unanimous vote of seven (7), Commissioners Garrett, Thomas, Chambers, Kinnebrew, Land, Taylor and Wilder in favor, the following resolution was approved:

**WHEREAS**, Milin Patel has petitioned the Shelby County Planning Commission for a change in zone district boundaries from the HZ, Holding Zone to the B-2, General Business District, to permit the development of an 85-room hotel; and,

**WHEREAS**, the subject property, Lot 11, Cahaba Park South, (MapBook 9, Page 164), is located on Cahaba Park Circle, off of U. S. 280, in the North Shelby – I 65 Corridor zoning beat and situated in the NW ¼ of Section 36, Township 18 South, Range 2 West; Parcel Identification No. 58-02-7-36-0-001-007.000; and,

**WHEREAS**, the subject property has remained vacant since the implementation of zoning in 1985; and,

**WHEREAS**, the Planning Commission finds that the proposed development of a hotel on the subject property is consistent with the Shelby County Comprehensive Plan, *A Path to the Future*; and,

**WHEREAS**, to ensure the protection of the character of the surrounding properties from potentially inappropriate uses it is preferable to utilize the SD, Special District overlay for the development of this compatible use;

**NOW, THEREFORE, BE IT RESOLVED**, that **Case No. Z-05-08**, a request for a change in zone district boundaries from the HZ, Holding Zone to the B-2, General Business District, to permit the development of a hotel, not to exceed 3 stories and 85 rooms for Lot 11, Cahaba Park South, (MapBook 9, Page 164), located on Cahaba Park Circle, off of U. S. U.S. 280, situated in the NW ¼ of Section 36, Township 18 South, Range 2 West; Parcel Identification No. 58-02-7-36-0-001-007.000, be, and the same is hereby **Approved**, as **B-2 S-D, General Business – Special District** subject to:

- *Submission to and approval by the staff of the Department of Development Services of a site development plan to include, but not be limited to, the location and height of all structures; parking; ingress and egress; landscaping; location, size and number of all signs; storm water drainage; buffering and screening; exterior lighting, (to be directed downward and not extend to adjacent properties); and the location and screening of solid waste disposal container by a six-foot-high wood screen fence on three sides and double gated at the other. All on and off site improvements shall be developed and maintained in strict conformance with the approved site development plan. All landscaping, as per the approved landscaping plan, shall be installed prior to the occupancy of the development and shall be maintained in a living condition no less than as installed. Any amendments, additions, deletions, alterations or changes to any of the above listed*

*standards of the approved site development plan, shall require approval of an amendment to the approved site development plan.*

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There being no further business, **Commissioner Kinnebrew** made a motion to adjourn. The motion was seconded by **Commissioner Garrett** and by a unanimous vote of seven (7), Commissioners Garrett, Thomas, Chambers, Kinnebrew, Land, Taylor and Wilder in favor, the meeting was adjourned.

**ADJOURNMENT 7:15 P.M. June 16, 2008.**

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David Hunke, AICP  
Planning Services Supervisor

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Ralph Thomas, Chairman,  
Shelby County Planning Commission