

STATE OF ALABAMA
SHELBY COUNTY

SHELBY COUNTY PLANNING COMMISSION

Minutes

Regular Meeting – May 2, 2005, 7:00 P.M.

Members Present: Bob Land, Chairman; Kenneth Wilder, Vice Chairman; Ralph Thomas, Robert Taylor and Russ Hale

Staff Present: Ray Hamilton, Development Services Manager; Todd L. McDonald, Supervisor of Planning Services; Tom Wilkins, Senior Planner; Michelle O’Neal, Planner II; Sharman Brooks, Planner II, John Slaughter, Highway Department.

The meeting was called to order at approximately 7:00 p.m. by Bob Land, Chairman. The Chairman introduced the members of the Shelby County Planning Commission and staff. Thirteen (13) people were present for this meeting.

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

1. Approval of Minutes of April 18, 2005 Regular Meeting

Commissioner Thomas made a motion to approve the *amended* minutes. The motion was seconded by **Commissioner Taylor** and by a unanimous vote, the Minutes of the Meeting of April 18, 2005 were *Adopted*.

2. Case No. S-33-05, Narrows Point Sector Phase 6 – Preliminary Plat

A request from Carter Kennedy, KOO, L.L.C., for the approval of an amended Master Plan for The Narrows; and also consideration of a preliminary plat to be known as Narrows Point Sector Phase 6. The purpose of this subdivision is to develop approximately 19 acres into 8 residential lots.

The subject property is located on the west side of Highway 280, southwest of the intersection of County Road 41, situated in Section 20, Township 19 South, Range 1 West, parcel identification numbers 09-4-20-2-0-001-010.003, (part), 09-4-20-3-001-006.000, (part), 09-4-20-4-001-002.000, (part) and 09-4-20-4-001-003.000, (part).

The case was presented by Carter Kennedy. Mr. Kennedy identified that this is the final portion of the Narrows subdivision to be considered. The proposal is to create eight (8) larger single

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family residential lots on 19 acres that was formerly identified as *buffer, irrigation and open space*. The County Engineer identified his concern regarding the slope and drainage issues of these new driveways. The applicant agreed to fully satisfy all of the requirements of the Highway Department prior to submitting the record map for approval.

Commissioner Thomas made a motion to *Approve* this preliminary plat. The motion was seconded by **Commissioner Hale** and by a unanimous vote, the following resolution was approved:

WHEREAS, Carter Kennedy, KOO, LLC, has petitioned the Shelby County Planning Commission for the approval of a preliminary subdivision plat, to be known as the **Narrows Pont Sector – Phase 6** for the purpose of developing approximately 19 acres, more or less, into eight (8) single family residential lots; and,

WHEREAS, the subject property is located off of Old Highway 280, southwest of the intersection of Highway 280 and County Road 41 and situated in the NW ¼ of the NE ¼ of Section 20, Township 19 South, Range 1 West, parcel identification number 09-4-20-2-001-010.003 (part), 09-4-20-3-001-006.000 (part), 09-4-20-4-001-002.000 (part) and 09-4-20-4-001-003.000 (part); and,

WHEREAS, the County Engineer has noted his concern regarding the slope and drainage issues of the driveways of these new lots; and

WHEREAS, the applicant has acknowledged that the final plat will not be submitted until the County Engineer is fully satisfied with the design of these driveways; and,

WHEREAS, the Planning Commission has found that the testimony presented warrants the approval of this preliminary plat;

NOW, THEREFORE, BE IT RESOLVED, that **Case No. S-33-05**, consideration of a preliminary subdivision plat, to be known as the **Narrows Pont Sector – Phase 6** for the purpose of developing approximately 19 acres, more or less, into eight (8) single family residential lots, is hereby **APPROVED** subject to:

- *The applicant submitting an application for final plat approval within two (2) years of the date of the approval of the preliminary plat. Failure to apply may necessitate reapplication for preliminary plat approval [§3.01(o)];*
- *Compliance with the regulations, requirements, policies and guidelines of Shelby County.*

An also, **Commissioner Thomas** also made a motion to amend the Master Plan of The Narrows to reflect the location of these final eight (8) lots. The motion was seconded by **Commissioner Hale** and by a unanimous vote, the following resolution was approved:

WHEREAS, Carter Kennedy, KOO, LLC, has petitioned the Shelby County Planning Commission for the approval of an amendment of the master plan of The Narrows, a mixed use subdivision having a total of 614 residential lots; and,

WHEREAS, the subject property is located off of Old Highway 280, southwest of the intersection of U. S. Highway 280 and County Road 41, (Dunnivant Valley Road), and situated in Sections 17 & 20, Township 19 South, Range 1 West; and,

WHEREAS, the master plan of The Narrows has identified that eight (8) of the approved 614 residential lots are to be included but have not been located on previous versions of the master plan; and

WHEREAS, the applicant has now identified the location of these eight (8) lots; and,

WHEREAS, the Planning Commission has approved the preliminary plat of these eight (8) lots, **Case No. S-33-05, Narrows Point Sector - Phase 6;**

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NOW, THEREFORE, BE IT RESOLVED, that the amended of the master plan of *The Narrows*, marked “*Received April 4, 2005*”, identifying the location of all of the 614 approved residential lots in this subdivision, is hereby **APPROVED**.

3. Case No. MP-02-05, Signature Homes, Cahaba Beach Project – Master Plan

A request from Jonathan Belcher, Signature Homes, for the approval of a condominium master plan to be known as Cahaba Beach. This is a master plan of the proposed development of 39.75 acres, into 192 condominium units.

The subject property is located on Cahaba Beach Road, approximately ¾ of a mile northeast of Highway 280, behind Cook Publishing), and situated in the SE ¼ of Section 25, Township 18 South, Range 2 West, parcel identification numbers 58-02-7-25-0-000-006.000

The case was presented by Jonathan Belcher. Mr. Belcher identified that the proposal was to develop a 192 residential unit condominium on 39.75 acres. The lot widths of these town houses vary from the 88 lots having a 27 foot width, 32 having 40 foot widths to 72 units having 45 foot widths. The development will have 50 foot wide private streets, sidewalks and an abundance of green space.

The issue of the litigation involving improvements of Cahaba Beach Road was raised. It was noted that if it were opened and improved there could be an additional access to this development along the north edge. Questions were also addressed concerning notification of adjoining property owners.

Commissioner Hale made a motion to approve this master plan. The motion was seconded by **Commissioner Wilder** and by a vote of five (5) in favor and one (1) opposed, the following resolution was approved:

WHEREAS, Jonathan Belcher, Signature Homes, has petitioned the Shelby County Planning Commission for the approval of a condominium master plan demonstrating the development of 192 condominium units on a 39.75 acre tract of land; and,

WHEREAS, the subject property is located off of Cahaba Beach Road, (approximately ¾ of a mile northeast of Highway 280, behind Cook Publishing), and situated in the SE ¼ of Section 25, Township 18 South, Range 2 West, parcel identification numbers 58-02-7-25-0-000-006.000; and,

WHEREAS, the subject property is zoned "R-5", Multi-Family Dwelling District which permits this development as a use of right; and,

WHEREAS, the proposed development similar in use and intensity to the surrounding uses and is consistent with the Comprehensive Plan for this area of the County;

NOW, THEREFORE, BE IT RESOLVED, that **Case No. MP-03-05**, consideration of a condominium master plan demonstrating the development of 192 condominium units on a 39.75 acre tract of land, is hereby **APPROVED** subject to:

- *Compliance with the regulations, requirements, policies and guidelines of Shelby County.*

4. Case No. ZAM-01-05, Text Amendment – Kennels

The Commission discussed the proposed amendments to the Zoning Ordinance regarding

kennels, Article IV. Definitions and the keeping of animals, Section 18. Article VI. General Regulations. The staff of the Department of Development Services have prepared recommended amendments to the Zoning Ordinance to address kennels and the keeping of animals. These recommended amendments have been reviewed by the Commission and their comment noted. **Commissioner Thomas** made a motion to direct the staff to advertise consideration of the proposed amendments at the June 6, 2005 Planning Commission meeting. **Commissioner Wilder** seconded the motion and by a vote of five (5) in favor and one (1) opposed, the motion carried.

There being no new business, **Commissioner Thomas** made a motion to adjourn. The motion was seconded by **Commissioner Taylor** and by a unanimous vote, the meeting was adjourned.

ADJOURNMENT 7:50 – May 2, 2005

Todd McDonald,
Planning Services Supervisor

James R. Land, Chairman
Planning Commission