

**STATE OF ALABAMA
SHELBY COUNTY**

SHELBY COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting – August 20, 2007, 7:00 P.M.

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

Staff Present: Ray E. Hamilton, Manager; David Hunke, Planning Services Supervisor; Tom Wilkins, Senior Planner; Sharman Brooks, 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 Rachel Garrett, Chairwoman. Ms. Garrett introduced the members of the Planning Commission and the staff. Three people were present in addition to the Shelby County Planning Commission and staff.

1. Approval of the Minutes of the Regularly Scheduled Meeting of July 16, 2007.

Commissioner Land made a motion to approve the minutes of the meeting of July 16, 2007. The Motion was seconded by **Commissioner Chambers** and by a vote of six (6), (Commissioners Garrett, Thomas, Chambers, Kinnebrew, Land, and Taylor) in favor and one (1) abstention, (Commissioner Wilder), the minutes of the meeting of July 16, 2007 were approved.

2. Z-06-07 – Dunnivant Valley – "HZ-SD" Holding Zone Special District to "SD" Special District.

Consideration of the rezoning of the Mt. Laurel, Village at Highland Lakes, Fowler Lake, and Dunnivant Square communities from the "HZ-SD" Holding Zone Special District to the "SD" Special District to permit the continued development of planned residential and mixed use communities that have been approved by the Shelby County Planning Commission

The subject properties are located in the Dunnivant Valley of North Shelby County along County Road 41, (Dunnivant Valley Road), approximately 3.3 miles northeast of US 280, in the Chelsea North - Dunnivant Valley South - Westover North Zoning Beat, situated in Sections 2, 3 and 4, Township 19 South, Range 1 West.

The case was introduced by Tom Wilkins, Department of Development Services. Mr. Wilkins stated that as a result of a petition and a favorable election by the property owners, zoning was implemented in the Chelsea North - Dunnivant Valley South - Westover North Zoning Beat on January 24, 2005. Mt. Laurel, The Village at Highland Lakes, the Fowler Lake subdivision and Dunnivant Square are included within this beat and were each initially zoned as "HZ-SD", Holding Zone - Special District.

Mr. Wilkins explained that the "HZ," Holding Zone category is intended to provide for the proper timing and phasing of growth within areas of undeveloped property for which the Planning Commission's zoning authority encompasses. Ideally, such properties would be large tracts of land. Because each of communities are being developed pursuant to a master plan that has been approved by the Shelby County Planning Commission, except Fowler Lake Estates, the Holding Zone designation is inappropriate.

No one was present to speak either in favor of or in opposition to this case.

To eliminate any ambiguity in the zoning designation for these properties and to correctly reflect the level of planning of these communities, it was the recommendation of the staff that the zoning of Mt. Laurel, The Village at Highland Lakes, Fowler Lake Estates and Dunnivant Square be changed from "HZ-SD", Holding Zone - Special District to the "SD", Special District category.

Commissioner Land made a motion to *Approve* the rezoning. The motion was seconded by **Commissioner Thomas** 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, the Shelby County Planning Commission, has initiated the rezoning of the Mt. Laurel, Village at Highland Lakes, Fowler Lake Estates and Dunnivant Square communities from "HZ-SD", Holding Zone - Special District to the "SD", Special District; and,

WHEREAS, the subject properties are located in the Dunnivant Valley of North Shelby County along County Road 41, (Dunnivant Valley Road), approximately 3.3 miles northeast of US 280, in the Chelsea North - Dunnivant Valley South - Westover North Zoning Beat, situated in Sections 2, 3 and 4, Township 19 South, Range 1 West; and,

WHEREAS, on January 18, 2005 an election was held to apply the master plan and zoning regulations adopted by the Planning Commission to the Chelsea North-Dunnivant Valley South-Westover North Zoning Beat; and,

WHEREAS, the Judge of Probate having certified that the result of the election was affirmative, the Shelby County Commission implemented the master plan and zoning regulations adopted by the Planning Commission on the Chelsea North-Dunnivant Valley South-Westover North Zoning Beat on January 24, 2005; and,

WHEREAS, the Mt. Laurel, The Village at Highland Lakes, Fowler Lake Estates and Dunnivant Square were initially zoned to the "HZ-SD", Holding Zone - Special District; and,

WHEREAS, the subject properties are planned communities, having master plans that have been adopted and approved by the Planning Commission; and,

WHEREAS, Commission has found that the "HZ," Holding Zone is an inappropriate designation for the subject properties due to the level of planning of these individual communities and the adoption of their master plans; and,

WHEREAS, the “SD,” Special District category provides optional methods of land development characterized by unified building and site development providing a means for the establishment of commercial, religious, educational and cultural uses in combination with most residential land uses;

NOW, THEREFORE, BE IT RESOLVED, that Case No. **Z-06-07**, the rezoning of the Mt. Laurel, Village at Highland Lakes, Fowler Lake Estates and Dunnavant Square communities from “HZ-SD”, Holding Zone - Special District to the “SD“, Special District, located in the Dunnavant Valley of North Shelby County along County Road 41, (Dunnavant Valley Road), approximately 3.3 miles northeast of US 280, be and the same is hereby **APPROVED**.

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

ADJOURNMENT 7:30 P.M. August 20, 2007.

David Hunke, AICP
Planning Services Supervisor

Rachel Garrett, Chairwoman,
Shelby County Planning Commission