PUBLIC HEARING

The meeting was called to order at 6:00 P.M. by Michael O’Kelley, Chairman. Commissioner O’Kelley introduced the members of the Planning Commission and the County staff. There were approximately 14 audience members present in addition to the Planning Commission members and County staff.

1. Approval of the Minutes of the August 7, 2017 Planning Commission Meeting.

Commissioner Land made a motion to approve the minutes of the August 7, 2017 meeting as distributed and was seconded by Commissioner Davis. By a unanimous vote of five (5-0), with Commissioners O’Kelley, Land, Davis, Nesbitt and Wilder voting in favor the minutes of the August 7, 2017 meeting were approved.

2. Case No. SN17- 020 Stone Bridge 2nd Sector Amendment – A Resubdivision of Lots 202, 203, 204, 205, 206, 207, 208, 209 & 210

This is a request from Kenneth Thomas Werk, Jr., Covenant Builders, Inc. for approval of a final plat to add 30 feet to the rear of each lot (Lots 202-210) of Stone Bridge 2nd Sector.

The subject property is located on Bridge Drive and off of Highway 119 between Briarwood School and Asbury Methodist Church in the North Shelby – I65 Corridor Zoning Beat and situated in Section 6, Township 19 South, Range 1 West; Parcel Nos. 58- 09-3-06-0-005-027.000; 58- 09-3-06-0-005-026.000; 58- 09-3-06-0-005-025.000; 58-09-3-06-0-005-024.000; 58- 09-3-06-0-005-023.000; 58- 09-3-06-0-005-022.000; 58- 09-3-06-0-005-021.000; 58- 09-3-06-0-005-020.000; 58- 09-3-06-0-005-019.000; 58-09-3-06-0-004-002.001.

Ms. Sharman Brooks described the request and presented the following information to the Planning Commission:

Note: The Planning Commission APPROVED the original preliminary plat for Stone Bridge 2nd Sector on November 7, 2016. Stone Bridge 2nd Sector was recorded in Map Book 48 Page 9 on June 28, 2017.
Site Description

The subject property is located on Bridge Drive off Highway 119, approximately 1.14 miles south of the intersection of U.S. Highway 280. The property contains a mix of hardwood and evergreen trees with an increase in elevation extending east from the existing stub street into the cul de sac of Bridge Drive.

Sector 1 of Stone Bridge subdivision (MB20 PG23) is adjacent to the subject property on the north side of Bridge Drive. Stone Bridge is a single family residential subdivision zoned R-1, Single Family Residential District. Little Ridge subdivision is located further north of the subject property and zoned R-1. Adjoining parcels to the south are zoned A-1, Agricultural District and are part of a family farm. Single family residences in Eagle Point, to the east, are zoned R-2, Single Family Residential. Single family residences across Cahaba Valley Road to the west are zoned E-2, Estate Residential.

Proposed Development

The applicant proposes to add 30 feet to the rear of Lots 202-210 of Stone Bridge 2nd Sector. The nine (9) lots to be resubdivided and shown as 2nd Sector will range in size from 18,000 square feet up to 19,227 square feet, exceeding the minimum lot area requirements of the R-1, Single Family Residential District. The proposed final plat for 2nd Sector will not add any lots to the Stone Bridge development. Recorded Lot 201, a corner lot, is not included as part of this resubdivision.

New homes constructed in the proposed Sector 2 will be served by approved septic systems instead of connecting to the existing sewer system.

Access to the proposed Sector 2 will be via the existing Bridge Drive.

School children living in Stone Bridge attend schools in the Oak Mountain school attendance zone.

Fire service is provided by the North Shelby Fire district.

Additional Approvals Required

The subject site is located within the Cahaba River Basin and is within the area that is subject the Phase I Municipal Separate Storm Sewer System (MS4) permit issued to Shelby County by the Alabama Department of Environmental Management. Land disturbance should include Best Management Practices (BMPS) that are designed and installed in accordance with the Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas to prevent sediment from entering drainage ways or streams. If the disturbance area is one acre or greater, a NPDES construction permit should be acquired from ADEM prior to disturbance. Low impact development techniques are encouraged to offset the creation of impervious surfaces through development.

County Agency Comments

The following drafting item must be addressed as required by the Subdivision Regulations of Shelby County, Alabama:

- Revise title of proposed plat to the following: “A Resubdivision of Lots 202, 203, 204, 205, 206, 207, 208, 209 & 210.”
CONCLUSION
The applicant proposes to build houses similar to the established homes in the Stone Bridge development. To promote consistency, it is anticipated that the same restrictive covenants will be placed on the proposed new lots as enacted on the existing lots. This proposed final plat is consistent with zoning and land uses in the area including the neighboring parcels in the Stone Bridge, Little Ridge and Eagle Point subdivisions.

The proposed subdivision meets the requirements of the *Subdivision Regulations of Shelby County*. Approval of the subdivision should be subject to:

- Applicant submitting revised plans addressing all Department comments; and
- Applicant submitting a final plat for recording; and
- Compliance with the regulations, policies and guidelines of Shelby County.

Commissioner Land asked if this was a request for a Preliminary Plat or a Final Plat.

Ms. Brooks stated the request was for a Final Plat.

Mr. Tom Werk presented the case. He stated that they extended the lots to improve septic situation.

No one spoke in favor of the proposal.

No one spoke in opposition to the proposal.

With no further discussion, Commissioner O’Kelley called for a motion. Commissioner Land made a motion in Case SN17-020 Stone Bridge 2nd Sector Amendment – A Resubdivision of Lots 202, 203, 204, 205, 206, 207, 208, 209 & 210 the evidence and testimony warrant Approval. The motion was seconded by Commissioner Davis and by a unanimous vote of five (5-0), with Commissioners O’Kelley, Land, Davis, Nesbitt and Wilder voting in favor, the following resolution was approved:

WHEREAS, Kenneth Thomas Werk, Covenant Builders, Inc., representing the property owner, has petitioned the Shelby County Planning Commission for approval of a final plat to add 30 feet to the rear of each lot (Lots 202-210) of Stone Bridge 2nd Sector; and,

WHEREAS, the subject property is located on Bridge Drive off Highway 119 in the North Shelby – I65 Corridor Zoning Beat and situated in Section 6, Township 19 South, Range 1 West; Parcel Nos. 58-09-3-06-0-005-027.000; 58-09-3-06-0-005-026.000; 58-09-3-06-0-005-025.000; 58-09-3-06-0-005-024.000; 58-09-3-06-0-005-023.000; 58-09-3-06-0-005-022.000; 58-09-3-06-0-005-021.000; 58-09-3-06-0-005-020.000; 58-09-3-06-0-005-019.000; 58-09-3-06-0-004-002.001; and,

WHEREAS, the Planning Commission APPROVED the original preliminary plat for Stone Bridge 2nd Sector on November 7, 2016; and,

WHEREAS, Stone Bridge 2nd Sector was recorded in Map Book 48 Page 9 on June 28, 2017; and,

WHEREAS, the developer has submitted a final plat to add 30 feet to the rear of each lot (Lots 202-210) of Stone Bridge 2nd Sector; and,

WHEREAS, the 30 foot addition to each lot will remain zoned A-1, Agricultural District; and,

WHEREAS, the final plat meets all requirements of the *Shelby County Subdivision Regulations*; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application from Kenneth Thomas Werk, Covenant Builders, Inc., representing the property owner,
for approval of a final plat to add 30 feet to the rear of each lot (Lots 202-210) of Stone Bridge 2nd Sector and on Bridge Drive off Highway 119 in the North Shelby – 165 Corridor Zoning Beat and situated in Section 6, Township 19 South, Range 1 West; Parcel Nos. 58- 09-3-06-0-005-027.000; 58-09-3-06-0-005-026.000; 58- 09-3-06-0-005-025.000; 58- 09-3-06-0-005-024.000; 58- 09-3-06-0-005-023.000; 58- 09-3-06-0-005-022.000; 58- 09-3-06-0-005-021.000; 58- 09-3-06-0-005-020.000; 58-09-3-06-0-005-019.000; 58-09-3-06-0-004-002.001, and the same is hereby APPROVED subject to:

- Applicant submitting revised plans addressing all Department comments; and
- Applicant submitting a final plat for recording; and
- Compliance with the regulations, policies and guidelines of Shelby County.

3. **Case No. SN17-015 A Resubdivision of Lot 1 of Longmeadow Farms Subdivision and Acreage**

This is a request from Paul Pankey, for the approval of a final plat to resubdivide Lot 1 of Longmeadow Farms Subdivision (20.27 acres) and adjoining acreage into two (2) lots to accommodate an existing mobile home park and a future commercial lot; to be known as A Resubdivision of Lot 1 of Longmeadow Farms Subdivision and Acreage.

The property is located at the intersection of County Road 17 and Longmeadow Road, in the unzoned Pea Ridge Zoning Beat; Parcel Identification Numbers 58-23-2-09-0-001-023.000, 58-23-2-09-0-001-023.001 and 58-23-3-08-0-001-003.000.

Ms. Kristine Goddard described the request and presented the following information to the Planning Commission:

**Discussion**

The subject property is located at the entrance to the Longmeadow Farms Mobile Home Park and the intersection of County Road 17 and Longmeadow Road. The surrounding area is primarily rural and residential in nature. Eaglewood Estates, Lake Forest and Lake Ridge are located to the east of the subject property within the Alabaster City Limits and are zoned R-3, Single Family Residential. To the north of the subject property, within the Alabaster City Limits, are Cross Creek Elementary School zoned I, Institutional and Lacy’s Grove subdivision zoned R-4, Garden/Patio Homes. Cross Creek Subdivision, adjacent to the subject property to the south, is also within the Alabaster City Limits and zoned R-4, Garden/Patio home. A small outparcel that part of the Cross Creek Subdivision, is zoned B-3, Community Business. To the south and west are other single family residences located in unincorporated, unzoned Shelby County and include a mix of mobile homes and traditional stick built houses. Longmeadow Farms Mobile Home Park contains approximately 200 mobile home units.

The applicant is proposing to subdivide Lot 1 of Longmeadow Farms to create two individual lots to accommodate an existing mobile home park and a future commercial lot. The proposed commercial lot will have frontage on County Road 17. The resurveyed Lot 1-B will contain 15.78 acres of land, maintain the existing mobile homes previously established as part of Longmeadow Farms and will remain a part of the mobile home park. Lot 1-A will contain 5.18 total acres including the incorporation of a one acre parcel of land. Lot 1-A is intended for commercial use. The subject property is not zoned; therefore, a site plan review will not be required for future commercial development of the site. Prior to development, the property owner and/or developer will be required to obtain a building permit. Access for the proposed commercial lot is via County Road 17.
Water service is not available from Shelby County. Longmeadow Farms is located in the County 17 fire coverage area. An intermittent stream transverses the subject property and coincides with the proposed parcel boundary between lots 1-A and 1-B. Approximately 0.9 acres of the northeast corner of the subject properties is located within Flood Zone A according to the Flood Insurance Rate Map (FIRM), dated February 20, 2013. Approximately 0.4 acres of the total 0.9 acres of Flood Zone A is located in the northeast corner of Lot 1-B.

The subject property is within the Coosa River Basin. Land disturbance should include Best Management Practices (BMPs) that are designed and installed in accordance with the Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas to prevent sediment from entering drainage ways or streams. If disturbance area is one acre or greater, a NPDES construction permit should be acquired from ADEM prior to disturbance.

**CONCLUSION**

The proposed subdivision meets the requirements of the Subdivision Regulations of Shelby County. Approval of the subdivision should be subject to:

- Applicant submitting a final plat for recording; and
- Compliance with the regulations, policies and guidelines of Shelby County.

Commissioner O’Kelley asked for clarification regarding the zoning of the property.

Ms. Goddard stated that the property is unzoned; however, building permits would be required.

Mr. Tripp Pankey, applicant, stated that their request is to develop this site.

No one spoke in favor of the proposal.

No one spoke in opposition to the proposal.

With no further discussion, Commissioner O’Kelley called for a motion. Commissioner Land made a motion in Case SN17-015 A Resubdivision of Lot 1 of Longmeadow Farms Subdivision and Acreage the evidence and testimony warrant Approval. The motion was seconded by Commissioner Davis and by a unanimous vote of five (5-0), with Commissioners O’Kelley, Land, Davis, Nesbitt and Wilder voting in favor, the following resolution was approved:

**WHEREAS,** Paul M. Pankey, property owner, has petitioned the Shelby County Planning Commission for the approval of a final plat to resubdivide Lot 1 of Longmeadow Farms Subdivision (20.27 acres) and adjoining acreage into two (2) lots to accommodate an existing mobile home park and a future commercial lot; to be known as A Resubdivision of Lot 1 of Longmeadow Farms Subdivision and Acreage; and,

**WHEREAS,** subject property is located at the intersection of County Road 17 and Longmeadow Road, in the unzoned Pea Ridge Zoning Beat; Parcel Identification Numbers 58-23-2-09-0-001-023.000, 58-23-2-09-0-001-023.001 and 58-23-3-08-0-001-003.000; and,

**WHEREAS,** Lot 1-B will remain part of the Longmeadow Farms Mobile Home Park; and

**WHEREAS,** the proposed subdivision meets the requirements of the Subdivision Regulations of Shelby County; and,
WHEREAS, the evidence and testimony presented support the proposed subdivision of land;

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the request of Omar Touchstone III, property owner, for the approval of a preliminary plat to subdivide 77 acres into 11 residential lots to be known as Beech Hollow, located in an unincorporated, unzoned area of Shelby County as part of the Chelsea South Zoning Beat; Parcel Identification Number 58-15-2-03-0-001-004.000 be, and the same is hereby Approved subject to:

- Applicant submitting a final plat for recording; and
- Compliance with the regulations, policies and guidelines of Shelby County.

4. Case No. SD17-004 Griffin Park at Eagle Point – Amended SD

This is a request from Tony DeJohn, Highpointe Investments, LLC, for the approval of a Special District Amendment to formally designate the use of the clubhouse, pool and two existing buildings located in the community center area of the development. The amendment proposes professional office uses for the two existing buildings.

The subject property is located at the 4500 Eagle Point Drive (former Eagle Point Golf Course and Driving Range), in the North Shelby – I-65 Zoning Beat, situated in Sections 5, 7 & 8, Township 19 South, Range 1 West; Parcel Nos. 58-09-3-05-0-002-001.001; 58-09-3-07-0-002-002.009; 58-09-3-08-0-002-001.000; 58-09-3-08-0-003-001.000.

Ms. Sharman Brooks described the request and presented the following information to the Planning Commission:

Discussion

The subject properties, previously the Eagle Point Golf Course Clubhouse and Pro Shop, were the subject of a rezoning request on June 6, 2016. At that time the Planning Commission approved a rezoning to R-2 SD along with a site development plan to allow the redevelopment of the Eagle Point Golf Course and Driving Range for single family residential development. The subject properties are located at the intersection of Eagle Point Parkway and Eagle Point Drive approximately one half mile west of Highway 280. The Eagle Point Development, a 750 lot single-family residential subdivision established in 1990, adjoins the subject properties.

June 6, 2016 Approved Special District Plan

Griffin Park at Eagle Point was approved as a 304-lot single-family residential subdivision with varying lot sizes and an overall gross density of 2 lots per acre. Proposed lot sizes range from 0.15 acres (6,600 square feet) up to 5.03 acres.

The approved site plan identified 122 sixty-foot wide lots, 129 eighty-foot wide lots, 51 one hundred-foot wide lots, two large acreage lots, natural open spaces/parks and a clubhouse and community center (see graphic to right).

Access to the site is proposed at five locations. The main access is proposed to utilize the existing access for the clubhouse at the intersection of Eagle Point Drive and Eagle Point Parkway.

Five park areas are proposed to be connected by a network of walking trails throughout the
development. Approximately 27% percent of the property is proposed to remain in minimally disturbed preserved natural areas.

Sidewalks, a minimum of five-feet wide, are proposed on both sides of the street.

Construction of a new detention pond, utilization of existing lakes and other low impact development techniques to filter stormwater runoff, are proposed to be implemented during construction and final operation of the development.

The proposed clubhouse and community center will utilize three of the existing stone structures and a portion of the existing parking lot (see graphic to right).

September 19, 2016 Approved Special District Plan – 1st Amendment

The June 6, 2016 Approved Special District plan recognized the general street layout and established density patterns for the development. The amended special district site plan approval included the following:

1. **Sector 1 - relocation of the northern entrance road further to the west and aligned with Talon Lane instead of Talon Trace.**

During the rezoning and Special District plan review in June, the County Engineer’s office provided the following comment: “The proposed access location to Eagle Point Drive may need relocation to accommodate safe sight distance(s). Analysis and consideration will be performed during the subdivision’s preliminary plat review process”. As a result of the initial preliminary plat review, the access location proposed on the approved special district site plan did NOT have adequate or safe sight distance. The location of said access has been relocated as demonstrated on the amended special district site plan.

2. **Sector 1 - incorporation of inaccessible green space into adjoining lots (lots A-68 thru A-75; A-84 thru A-93).**

The green space identified on the approved Special District plan has been incorporated into adjoining lots will be utilized “by the project’s stormwater conveyance system”, according to the Project Engineer. Per the Subdivision Regulations (Article 6, 6.04.B): In the development of property, it is often necessary to route the drainage through a constructed drainage system. In order to allow water to flow through the property without trespassing, **easements must be provided for the entire drainage system;** Maintenance of all parts of the drainage system outside of the rights-of-way through the easement is the responsibility of the **affected property owners and/or the Homeowners Association.** While the former green space is incorporated into individual lots, the entire area must be encumbered with a drainage easement. This information has been provided on approved preliminary plats.

The previously approved Special District plan included approximately 27% percent of the property to remain in minimally disturbed preserved natural areas. The proposed amended ratio of “Green Space” is now 25.53%.

3. **Sector 1 - addition of one (1) lot (northwest corner of the intersection of Griffin Park Drive and Griffin Park Trace), bringing the total number of lots in Sector 1 to 123.**

According to the Project Engineer, the addition of one lot is the result of the redesign of the main entrance roadway alignment. The additional lot is located in a portion of an area that was previously identified as part of the “Clubhouse and Community Center”.

4. **Sector 2 - addition of one (1) lot (Eagle Nest Circle connection), bringing the total
number of lots to 183.

Since the June 6, 2016 original approval of the Special District plan, the developer acquired additional property along the fringe of the subject site boundary. The additional property contains adequate square footage to create an additional 100-foot wide lot and did change the previously approved project boundary.

5. Sector 2 - Incorporating approximately 8,446 square feet into proposed lot B-98 (Eagle Point Court connection).

Since the June 6, 2016 original approval of the Special District plan, the developer acquired additional property along the fringe of the subject site boundary. The additional property added additional square footage to Lot B-98. This addition did not add an additional lot but did change the previously approved project boundary.

August 21, 2017 Proposed Special District Plan – 2nd Amendment

The June 6, 2016 Approved Special District plan recognized the general street layout, established density patterns and a community center for the development. The amended special district site plan request includes formally designating the use of the clubhouse, pool and two existing buildings.

During the June 2016 rezoning and Special District plan review by the Planning Commission, the developer identified the re-use of the former clubhouse as the proposed community clubhouse and location for the community pool. At that time, the other two existing buildings were not specifically designated for re-use as part of the Special District plan. The two existing buildings have been consistently shown on the plans spatially but have always been identified as “Building”.

Throughout the initial rezoning and Special District plan review period, the developer held multiple town hall meetings with the Eagle Point Homeowners’ Association (EPHOA) to discuss all aspects of the Griffin Park development including potential uses for the two existing buildings. Raymond Newton, the EPHOA President, verifies that the developer consistently identified that the existing buildings would be “converted” for professional office space.

Impact on Community Facilities and Infrastructure

Water service is available from Shelby County Water Services and Southwest Water Company will provide sewer services. Plans for water infrastructure shall be submitted to Shelby County Water Services for consideration under a separate review. The applicant should contact Water Services for plan submittal information and design requirements.

The subject property is located in the Cahaba Valley and North Shelby Fire Districts (see graphic to left). Fire hydrants will be required. Plans must be submitted for preliminary plat review and locations must be approved by the Fire District.

Children living in this development will attend Shelby County Schools in the Oak Mountain

Additional Approvals Required

Pursuant to amendment approval, the applicant is required to submit fully engineered preliminary plats that meet all requirements of the Subdivision Regulations of Shelby County and/or fully engineered site plans and that are consistent with the approved Special District plan. The preliminary plats must be reviewed and approved by the Planning Commission. Any amendments, additions, deletions, alterations or changes to the approved Special District plan
shall require the review and approval of an amendment to the approved Special District plan by the Shelby County Planning Commission. *NOTE: A site plan for the pool has been submitted and is being reviewed for compliance with the Zoning Ordinance, Subdivision Regulations and the approved Special District plan.*

The subject site is located within the Cahaba River Basin and within the area that is subject to the Phase I Municipal Separate Storm Sewer System (MS4) permit issued to Shelby County by the Alabama Department of Environmental Management. Land disturbance should include Best Management Practices (BMPs) that are designed and installed in accordance with the *Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas* to prevent sediment from entering drainage ways or streams. A NPDES construction permit should be acquired from ADEM prior to disturbance. *Low impact development techniques are encouraged to offset the creation of impervious surfaces through development. This project must comply with the requirements set forth in the Shelby County MS4 permit.*

**Planning Analysis**

Special districts are authorized for the purpose of providing optional methods of land development that encourages imaginative solutions to environmental design problems, including infill development. Areas so established shall be characterized by a unified building and site development program providing for coordinated open space and architectural treatment. The Special District overlay binds the amendment request to a specific development proposal and site development plan.

Article XVIII. Special Districts, Section 3. Planned Residential District of the Zoning Ordinance permits commercial and non-residential uses as follows:

(a) The regulations established in this section are intended to provide optional methods of land development with provisions for commercial, religious, educational and cultural facilities, which are integrated with the total project by unified architectural and open space treatment.

(b) A planned residential development shall be permitted in any district except the "B" and "M" districts.

(c) The following uses are permitted:

1. Single family attached and detached dwellings.
2. Two-family dwellings.
3. Multiple family dwelling including condominiums and town houses.
4. Commercial uses. For each one hundred (100) dwelling units to be established, four (4) acres may be set aside for commercial use provided that adequate protection of adjacent properties is afforded by the plan.
5. Recreation uses. Recreation uses may include a community center, golf course, swimming pool, or parks, playground or other recreational uses. Any structure involved in such use shall have a thirty-five (35) foot setback from all property lines. The amount of land set aside for permanent open space shall be ten (10) percent of the gross development area.
7. Community facilities such as churches and other religious institutions and non-
profit clubs such as country clubs, swim and/or tennis area.

The approved Special District plan for Griffin Park contains approximately 4.25 acres identified for non-residential uses including the clubhouse and community pool. The proposed amended plan formally designates the use of the two additional existing buildings as professional office buildings. A thorough review of the “community area” parking indicates that adequate parking exists to accommodate the 2,717 square foot clubhouse, 2,227 square foot community pool and 5,026 square feet of office building. Using the parking formula one space per 100 square feet of pool and building area, 100 parking spaces would be required. The Special District plan identifies 101 spaces provided/existing. Based on the parking lot location and the overall residential traffic pattern of the area, the Planning Commission may determine that certain professional office uses be excluded from the permitted uses. Office uses that may be excluded because of additional external non-residential traffic generation include medical office, dental office, bank, day care and place of worship.

The following information should be submitted pursuant to amendment approval:

- Applicant submitting a fully engineered site plan, as necessary, that meets all requirements of the Zoning Ordinance;
- Applicant submitting a fully engineered preliminary plat, as necessary, that meets all requirements of the Subdivision Regulations;
- Applicant submitting an application for final plat approval, as necessary, within two (2) years of approval of the preliminary plat. Failure to apply may necessitate reapplication for preliminary plat approval;
- Any amendments, additions, deletions, alterations or changes to the approved Special District plan shall require the review and approval of an amendment to the approved Special District plan by the Shelby County Planning Commission.

Commissioner O’Kelley stated that they are not changing anything; they are classifying uses allowed for the two buildings.

Ms. Brooks replied yes that is correct.

Commissioner Land asked if this is to clarify what commercial uses can be allowed and not allowed.

Commissioner O’Kelley asked if this is approved for professional office buildings, would that include a day care or place of worship.

Ms. Brooks replied yes.

Commissioner Land stated that it might be best to approve conditionally and have the applicant come back to the Planning Commission for review of tenants when more information is available. He explained that some uses will cause more traffic than others.

Ms. Brooks replied yes the Planning Commission can call the applicant back to further determine specifically what use will go into which building, however they do have some idea to what’s going into one of the buildings. She stated that the applicant can speak more to the marketing.

Commissioner Davis asked if there are three buildings.

Ms. Brooks replied yes and identified the buildings.

Commissioner Davis asked if the existing pond is staying.
Ms. Brooks replied yes, the pond is staying because it is part of the storm water plan, more specifically it is a detention pond.

Mr. Connor Farmer, applicant and owner of Highpoint Properties, stated that he made a mistake not identifying the two front buildings as professional office space originally. He stated that this has been the intention all along for the front two buildings to be used as office space. He indicated that they have turned down high traffic uses such as daycares. Mr. Farmer identified the size of each buildings and stated that they have met and discussed uses with the neighborhood boards. He stated that they currently have contracts on both of the buildings. One of which is a mortgage broker with 10 employees and the other is a sub-contractor with five to six employees. He continued that he is fine with eliminating all other uses. He also stated that they are planning on re-landscaping the community area.

Commissioner Davis asked about the third building on the site.

Mr. Farmer explained that the third building will be a club house and pool house for the community.

Commissioner Davis asked if they would be using existing parking.

Mr. Farmer replied yes.

Commissioner O’Kelley asked if they will be selling or leasing.

Mr. Farmer explained that they will be selling the two front buildings and the homeowner’s association would own the back building.

Commissioner Nesbitt asked if the buildings are sold, would the authority stand on how the buildings could be used.

Ms. Brooks replied yes and explained that with Special District the Planning Commission retains the authority.

The following spoke in favor of the proposal.

Mr. Michael Riosta, 1061 Eagle Valley Drive confirmed that these plans were discussed with the developer in meetings with the homeowner’s association and was supported.

No one spoke in opposition to the proposal.

With no further discussion, Commissioner O’Kelley called for a motion. Commissioner Land made a motion in Case SD17-004 Griffin Park at Eagle Point – Amended SD the evidence and testimony warrant Approval. The motion was seconded by Commissioner Nesbitt and by a unanimous vote of five (5-0), with Commissioners O’Kelley, Land, Davis, Nesbitt and Wilder voting in favor, the following resolution was approved:

WHEREAS, Tony DeJohn, Highpointe Investments, LLC, requests the approval of a Special District Amendment to formally designate the use of the clubhouse, pool and two existing buildings located in the community center area of the development. The amendment proposes professional office uses for the two existing buildings; and,

WHEREAS, the subject property is located at 4500 Eagle Point Drive (former Eagle Point Golf Course and Driving Range), in the North Shelby – I-65 Zoning Beat, situated in Sections 5, 7 & 8, Township 19 South, Range 1 West; Parcel Nos. 58-09-3-05-0-002-001.001; 58-09-3-07-0-002-002.009; 58-09-3-08-0-002-001.000; 58-09-3-08-0-003-001.000; and,
WHEREAS, the Griffin Park at Eagle Point Special District Plan was originally reviewed and approved by the Planning Commission in June 2016 as a 304-lot single family residential subdivision with a community center including a clubhouse and community pool; and,

WHEREAS, the Special District Plan for Griffin Park at Eagle Point was amended in September 2016 to include the relocation of the northern entrance, incorporation of unusable open space into adjoining lots and resulted in an increased total of 306 single family residential lots and a community center for the development; and,

WHEREAS, this amendment to the Griffin Park at Eagle Point Special District Plan included the following designated uses for the three (3) existing non-residential buildings in the community area of the development:

- Clubhouse and community pool
- Mortgage Broker Administrative office
- Sub-Contractor Administrative office with no heavy equipment stored on site; and,

WHEREAS, this amendment to the Griffin Park at Eagle Point Special District Plan did not include an increase or reduction to the number of residential lots; and,

WHEREAS, the Commission finds that based upon the evidence and testimony presented that this use is compatible with the surrounding properties; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the request from Tony DeJohn, Highpointe Investments, LLC, requests the approval of a Special District Amendment to formally designate the use of the clubhouse, pool and two existing buildings located in the community center area of the development. The amendment proposes professional office uses for the two existing buildings; located at 4500 Eagle Point Drive (former Eagle Point Golf Course and Driving Range), in the North Shelby – I-65 Zoning Beat, situated in Sections 5, 7 & 8, Township 19 South, Range 1 West; Parcel Nos. 58-09-3-05-0-002-001.001; 58-09-3-07-0-002-002.009; 58-09-3-08-0-002-001.000; 58-09-3-08-0-003-001.000, and the same is hereby APPROVED, subject to:

- Applicant submitting a fully engineered site plan, as necessary, that meets all requirements of the Zoning Ordinance;
- Applicant submitting a fully engineered preliminary plat, as necessary, that meets all requirements of the Subdivision Regulations;
- Applicant submitting an application for final plat approval, as necessary, within two (2) years of approval of the preliminary plat. Failure to apply may necessitate reapplication for preliminary plat approval;
- Any amendments, additions, deletions, alterations or changes to the approved Special District plan shall require the review and approval of an amendment to the approved Special District plan by the Shelby County Planning Commission.

5. Case No. SD17-005 The Village at Highland Lakes – Amended SD

This is a request from Doug Eddleman, The Village at Highland Lakes, Inc., for the approval of an Amended Master Plan for The Village at Highland Lakes to reconfigure portions of the proposed subdivision to accommodate necessary grading in Phase 3 and reduce the total number of lots.

Ms. Sharman Brooks described the request and presented the following information to the Planning Commission:

This is a request from Doug Eddleman, The Village at Highland Lakes, Inc., for the approval of an Amended Master Plan for The Village at Highland Lakes to reconfigure portions of the proposed subdivision to accommodate necessary grading in Phase 3 and reduce the total number of lots.

<table>
<thead>
<tr>
<th>The Village at Highland Lakes to Date</th>
<th>Approval Date</th>
<th>Units or Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Master Plan</td>
<td>May 2004</td>
<td>764 units</td>
</tr>
<tr>
<td>Master Plan-1st Amendment</td>
<td>May 2005</td>
<td>764 units</td>
</tr>
<tr>
<td>Master Plan- 2nd Amendment</td>
<td>April 2012</td>
<td>840 units</td>
</tr>
<tr>
<td>Master Plan- 3rd Amendment</td>
<td>June 2013</td>
<td>848 units</td>
</tr>
<tr>
<td>Master Plan –4th Amendment</td>
<td>January 2017</td>
<td>819 units</td>
</tr>
<tr>
<td>Master Plan – Proposed 5th Amendment</td>
<td>Proposed</td>
<td>Proposed</td>
</tr>
<tr>
<td></td>
<td>August 2017</td>
<td>790 units</td>
</tr>
</tbody>
</table>

Phases Recorded to Date

<table>
<thead>
<tr>
<th>Phase</th>
<th>Approval Date</th>
<th>Lots Recorded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase One</td>
<td>October 2004</td>
<td>116 lots (110’ lots-32; 90’ lots-84)</td>
</tr>
<tr>
<td>Regent Park</td>
<td>May 2005-April 2011</td>
<td>123 lots (60’ lots-123)</td>
</tr>
<tr>
<td>Kelham Grove</td>
<td>June 2013</td>
<td>49 lots (63’ lots-49)</td>
</tr>
<tr>
<td>English Village</td>
<td>April 2015</td>
<td>47 lots (63’ lots-47)</td>
</tr>
</tbody>
</table>

Total: 335 lots recorded to date

Discussion
In 2013, building setbacks were defined for this development as follows:

<table>
<thead>
<tr>
<th>Phase &amp; Lot Category (Lot size at setback line)</th>
<th>Front Setback</th>
<th>Side Setback</th>
<th>Rear Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regent Park (60-foot Lots)</td>
<td>15’</td>
<td>3’ each side</td>
<td>5’</td>
</tr>
<tr>
<td>Kelham Grove, English Village, Phases 3 and 4 (63-foot Lots)</td>
<td>15’</td>
<td>3’ each side</td>
<td>5’</td>
</tr>
<tr>
<td>Phase 5 (80-foot Lots)</td>
<td>15’</td>
<td>5’ each side</td>
<td>5’</td>
</tr>
<tr>
<td>Phase 1 (90-foot to 110-foot Lots)</td>
<td>25’</td>
<td>5’ each side</td>
<td>15’</td>
</tr>
<tr>
<td>TND Mixed Residential</td>
<td>To be determined upon approved design</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TND Mixed Land Use</td>
<td>To be determined upon approved design</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**January 2017 Approved Master Plan (4th Amendment)**

According to the project engineer, grading and topographic constraints required the road layout of the western half (Phase 4) of the development to change significantly. Because of these significant alterations to the June 2013 master plan, an amended master plan was submitted for review and approval by the Shelby County Planning Commission. The amended master plan approval included the following:

1. Road layout and additional new common area
2. Lot configuration and reduced number of lots
3. Absorption of unusable common areas

**August 2017 Proposed Master Plan (5th Amendment)**

According to the project engineer, grading and topographic constraints required the road layout of the northwestern quarter (Phase 3) of the development to change significantly. Because of these significant alterations to the January 2017 master plan, an amended master plan has been submitted for review and approval by the Shelby County Planning Commission. The current request for amended master plan approval includes the following:
1. Road layout and community pool

During the Spring of 2015, soil investigations revealed the presence of rock in Phase 3 (southwestern corner). Previously proposed mass grading in these areas will no longer be cost effective to the development. The proposed amended master plan addresses this situation by eliminating Garden Home lots from areas of shallow rock in Phase 3. The soil investigation and preliminary grading resulted in the proposed reconfiguration of the road network in the northwestern area of the development, specifically Phase 3. The reconfigured network proposes a similar configuration to the January 2017 plan with the addition of two intermediate turn arounds including a more linear triple cul de sac toward the southwest. Phase 3 will include the community pool situated between Regent Park and Phase 3.

2. Lot configuration and reduced number of lots

The proposed reconfiguration of Phase 3 will reduce the total number of 63-foot lots to 26 lots and increase the number of 90-foot lots to 74 lots. The proposed amendment identifies a total of 100 lots in Phase 3 and includes an overall reduction of 29 lots.

3. Reduced impervious area

As stated above, the proposed plan identifies a reduction in the overall total number of lots from 819 to 790. Because of topographic constraints, the lots have been reconfigured to provide larger 90-foot lots that will reduce the overall proposed impervious area by approximately 3.5 percent from the January 2017 approved master plan.

The Fowler Lake subdivision continues to be buffered by green space and larger lots.

Additional Approvals Required

Pursuant to amendment approval, the applicant is required to submit fully engineered preliminary plats that meet all requirements of the Subdivision Regulations of Shelby County and that are consistent with the approved Special District plan. The preliminary plats must be reviewed and approved by the Planning Commission. Any amendments, additions, deletions, alterations or changes to the approved Special District plan shall require the review and approval of an amendment to the approved Special District plan by the Shelby County Planning Commission.

Planning Analysis

Special districts are authorized for the purpose of providing optional methods of land development that encourages imaginative solutions to environmental design problems, including infill development. Areas so established shall be characterized by a unified building and site development program providing for coordinated open space and architectural treatment. The Special District overlay binds the amendment request to a specific development proposal and site development plan.

The proposed amended master plan identifies substantial changes to the road layout thereby effecting the approved lot configuration, reducing the number of lots from 819 to 740, the reduction of impervious area and the addition of a community pool.

The following information should be submitted pursuant to amendment approval:
- Applicant submitting a fully engineered preliminary plat that meets all requirements of the Subdivision Regulations;

- Applicant submitting an application for final plat approval within two (2) years of approval of the preliminary plat. Failure to apply may necessitate reapplication for preliminary plat approval;

- Any amendments, additions, deletions, alterations or changes to the approved Special District plan shall require the review and approval of an amendment to the approved Special District plan by the Shelby County Planning Commission.

Commissioner O’Kelley affirmed with staff that the Planning Commission is not voting on whether or not houses can be built, but for a configuration change.

Mr. Scott Vaughn, project engineer for the applicant, explained that the mountain in the middle of this phase has created limitations and has necessitated reconfiguration of the lots.

Commissioner Nesbitt asked if the pool is new.

Mr. Vaughn replied that the pool was the reason for the request initially, but knowing the topography would make changes to the Master Plan they chose to submit both.

Mr. Tom Jury, Fowler Lake Subdivision stated that he is concerned with grading and elevation and with water flowing downhill into the lake. He asked if there is a remediation plan in place and is the culvert going to be put in before grading begins. He also asked who will address the small culvert at the double gate

Mr. Mike Kizzire, 2006 Grove Park Way, stated that he is concerned about the creek that runs along the north part of the property. He is also concerned about what type of buffer will be between Grove Park and Phase 3.

Mr. Philip Paulk, 2044 Grove Park Way asked about the plans for the common area to the north.

Mr. Vaughn stated that between lots 1 and 2 is where the culvert improvement was previously required. He stated that the culvert will be improved once easements are granted. He stated that there are no existing plans for the small culvert near the double gate, but they will upsize their culvert or build a new detention pond to reduce the flow.

Mr. Jury asked if they would leave trees in place or would they need top soil.

Mr. Vaughn explained that where the R-1 lots are located on the master plan will be street grading only. He stated that the 63 foot lots will be mass graded and the area may extend into some of the common area. He identified the grading limit in a handout.

Mr. Wayne Standifer clarified the culvert at the double gate is located outside of the development and that Eddleman is not responsible for its improvement.

Mr. Steve Castleman, Spectrum Environmental stated that they have reestablished silt fences and they have been working well. He stated that ADEM inspected and noted a minor deficiency, but it was corrected.

Commissioner O’Kelley stated that another question was about Grove Park Way and drainage.

Mr. Vaughn explained that the creek is closer to the Highland Lakes side, but they do not intend to develop that.

Mr. Paulk asked about the second creek and if it will be built on.

Mr. Vaughn stated that they do not intend to cross the creek.
Mr. Castleman explained that any stream that is impacted must be permitted by the Army Corps.

Mr. Vaughn explained that the buffer will remain natural at Grove Park Way.

With no further discussion, Commissioner O’Kelley called for a motion. Commissioner Davis made a motion in Case SD17-005 The Village at Highland Lakes – Amended SD the evidence and testimony warrant Approval. The motion was seconded by Commissioner Wilder and by a vote of four (4-0-1), with Commissioners O’Kelley, Davis, Wilder and Nesbitt voting in favor and Commissioner Land abstaining the following resolution was approved:

WHEREAS, Doug Eddleman, owner, Village at Highland Lakes, Inc., has petitioned the Shelby County Planning Commission for the approval of an Amended Master Plan of The Village at Highland Lakes to reconfigure portions of the proposed subdivision to accommodate necessary grading in Phase 3; and,

WHEREAS, subject property is located on the north side of County Road 41 (Old Dunnavant Valley Road) approximately 3.5 miles northeast of U.S. 280, in the Chelsea North – Dunnivant Valley South – Westover North Zoning Beat and situated in Sections 3 & 4, Township 19 South, Range 1 West; Parcel Nos. 58-09-2-03-0-001-013.004, 58-09-2-03-0-001-013.010, 58-09-2-03-0-001-013.011, 58-09-2-04-0-002-001.000, 58-09-2-04-0-002-001.004 and 58-09-2-04-0-002-001.005.; and,

WHEREAS, The Village at Highland Lakes was originally reviewed and approved by the Planning Commission in May 2004 to contain 764 residential units; and,

WHEREAS, the Master Plan for The Village at Highland Lakes was amended in May 2005 but maintained the 764 residential units; and,

WHEREAS, the Master Plan for The Village at Highland Lakes was amended in April 2012 to include the reduction of the size of a portion of the lots and resulted in an increased total of 840 residential units; and,

WHEREAS, the Master Plan for The Village at Highland Lakes was amended in June 2013 to include the reconfiguration of the northwest and southwest areas of the development and resulted in an increased total of 848 residential units; and,

WHEREAS, the Planning Commission set a maximum threshold of 848 residential units and no additional units may be created in excess of the threshold approved on June 17, 2013; and,

WHEREAS, the Master Plan for The Village at Highland Lakes was amended in January 2017 to include the reconfiguration of lots and the roadway in the southwest area of the development and results in a decreased total of 819 residential units; and,

WHEREAS, the proposed amendment to the Master Plan includes the community pool location, the reconfiguration of lots and the roadway in the northwest area of the development and results in a decreased total of 790 residential units; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application of Doug Eddleman, owner, Village at Highland Lakes, Inc., for the approval of an Amended Master Plan of The Village at Highland Lakes to reconfigure portions of the proposed subdivision to accommodate necessary grading; located on the north side of County Road 41 (Old Dunnavant Valley Road) approximately 3.5 miles northeast of U.S. 280, in the Chelsea North – Dunnivant Valley South – Westover North Zoning Beat and situated in Sections 3 & 4, Township 19 South, Range 1 West; Parcel Nos. 58-09-2-03-0-001-013.004, 58-09-2-03-0-001-013.010, 58-09-2-03-0-001-013.011, 58-09-2-04-0-002-001.000, 58-09-2-04-0-002-001.004 and 58-09-2-04-0-002-001.005;
001.000, 58-09-2-04-0-002-001.004 and 58-09-2-04-0-002-001.005. be, and the same is hereby APPROVED subject to:

- Applicant submitting a fully engineered preliminary plat that meets all requirements of the Subdivision Regulations.
- Applicant submitting an application for final plat approval within two (2) years of approval of the preliminary plat. Failure to apply may necessitate reapplication for preliminary plat approval.
- Any amendments, additions, deletions, alterations or changes to the approved Special District plan shall require the review and approval of an amendment to the approved Special District plan by the Shelby County Planning Commission.
- Compliance with the regulations, policies and guidelines of Shelby County, Alabama.

DISCUSSION:

Ms. Brooks informed the Planning Commission that an appeal had been submitted for the Review Board for the conditional use for the cell tower. She stated that staff will review the request and schedule a time for the hearing if the request is accepted.

Commissioner Nesbitt thanked staff for their comprehensive reports.

There being no further business, Commissioner Wilder made a motion to adjourn. The motion was seconded by Commissioner Davis and by a unanimous vote of five (5-0), with Commissioners O’Kelley, Davis, Nesbitt, Wilder and Land voting in favor, the meeting of August 21, 2017 was adjourned at 7:10 P.M.