

STATE OF ALABAMA
SHELBY COUNTY
SHELBY COUNTY PLANNING COMMISSION MINUTES

September 19, 2022 – 6:00 PM

Shelby County Services Building, Second Floor Community Room
1123 County Services Drive, Pelham, AL 35124

Members Present: Jim Davis, Chairman; Michael O’Kelley, Vice Chairman; Joe Little; Samuetta Nesbitt; Bill Norton; Ken Wilder; Brett Winford

Members Absent: None

Staff Present: Christie Hester, Director of Development Services; Josh Osborne, Manager, Planning & Community Development; Kristine Goddard, Senior Planner; Chanelle Blaine, Principal Planner; Brenda Hungerford, Administrative Assistant; John Slaughter, Chief Civil Engineer

PUBLIC HEARING

Jim Davis, Chairman, called the meeting to order at 6:00 pm. Following roll call, **Commissioner Davis** stated there was a quorum with seven Commissioners present. He introduced the Commissioners and staff and reviewed the meeting procedures. There were three audience members.

1. Approval of the Minutes of the August 1, 2022, Planning Commission Regular Meeting

Commissioner O’Kelley made a motion to approve the meeting minutes of August 1, 2022; **Commissioner Norton** seconded the motion. **Commissioner Davis** called for a vote and the Planning Commission unanimously approved the meeting minutes of August 1, 2022, with a vote of seven to zero (7-0).

Note: The signed minutes retained by the Shelby County Development Services Department will have a complete meeting information packet including staff reports attached.

2. SN22-004 – A Resubdivision of Lot 3 & Lot 4 of Mooney Estates

This is a request from Joshua Lamar on behalf of Nancy Horton Moore, property owner, for approval to resubdivide Lots 3 and 4, containing 39.95 acres, into four lots for residential use, to be known as A Resubdivision of Lot 3 & Lot 4 of Mooney Estates.

The subject property is unzoned and located on Mooney Road across from the intersection of Mooney Road and Adams Estate Lane; Parcel Identification Numbers 58-20-9-31-0-000-011.002 and 58-20-9-31-0-000-011.003.

Josh Osborne gave a presentation on the request for agenda item #2 based on the written staff report provided in the meeting information packet. Mr. Osborne confirmed this request meets the requirements of the *Subdivision Regulations of Shelby County*. He also noted the various resubdivisions in Mooney Estates described in the written staff report are consistent with other subdivisions across the road from Mooney Estates.

In response to questions from the Planning Commissioners, Josh Osborne explained it is possible to divide property multiple times provided the resubdivision meets the minimum lot size and the

Regulations. John Slaughter added that sometimes sanitation is a limiting factor as determined by the Health Department.

Commissioner Davis invited the applicant to speak. Josh Lamar stated he had nothing to add to the presentation.

Commissioner Davis opened the floor for public comment. No one spoke in support or opposition to the request.

With no further discussion, **Commissioner Davis** called for a motion. **Commissioner O’Kelley** made a motion in **Case SN22-004 – A Resubdivision of Lot 3 & 4 of Mooney Estates** that the evidence presented in the written staff report and presentation warrants Approval with the conditions outlined by staff; **Commissioner Norton** seconded the motion. On a unanimous vote of seven to zero (7-0), the Planning Commission approved the following resolution:

WHEREAS, Joshua Lamar on behalf of Nancy Horton Moore, property owner, has petitioned the Shelby County Planning Commission for approval to resubdivide Lots 3 and 4, containing 39.95 acres, into four lots for residential use, to be known as A Resubdivision of Lot 3 & Lot 4 of Mooney Estates; and,

WHEREAS, the subject property is unzoned and located on Mooney Road across from the intersection of Mooney Road and Adams Estate Lane; Parcel Identification Numbers 58-20-9-31-0-000-011.002 and 58-20-9-31-0-000-011.003; and,

WHEREAS, Mooney Estates was reviewed administratively as a 24-lot subdivision (Case S-31-88) and recorded in Map Book 12, Page 82, on August 15, 1988; and,

WHEREAS, the original 24-lot subdivision was further subdivided as a major subdivision, requiring Planning Commission for the following approval:

- Lots 10 and 11 (MB 12, PG 92) in 1988,
- Lot 14 (MB 13, PG 11) in 1988,
- Lots 18-20 (MB 13, PG 30) in 1989,
- Lot 9 (MB 30, PG 120) recorded on December 4, 2002 (Case S-86-02),
- Lot 9B (MB 46, PG 91) recorded on October 20, 2016 (Case SN16-013),
- Lot 21 (MB 51, PG 80) recorded on November 7, 2019 (Case SN19-015),
- Lot 10AA (MB 53 PG 42) recorded on October 19, 2020 (Case SN20-019), and
- Lots 9B and 9C (MB 55, PG 38) recorded on December 8, 2021 (Case SN21-029); and,

WHEREAS, the applicant is requesting to resubdivide Lots 3 and 4 to create four total lots; and,

WHEREAS, Mooney Estates is a platted subdivision of more than five lots and is classified as a major subdivision; and,

WHEREAS, the resubdivision of lots in a major subdivision requires the review and approval of the Planning Commission; and,

WHEREAS, Lot 3A will contain 12.50 acres, Lot 3B will contain 7.50 acres, Lot 4A will contain 7.50 acres, and Lot 4B will contain 12.45 acres; and,

WHEREAS, each lot maintains frontage along Mooney Road with acceptable sight distance and access; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the request from Joshua Lamar on behalf of Nancy Horton Moore, property owner, for approval to resubdivide Lots 3 and 4, containing 39.95 acres, into four lots for residential use, to be known as A Resubdivision of Lot 3 & Lot 4 of Mooney Estates and located on Mooney Road across from the intersection of Mooney Road and Adams Estate Lane; Parcel Identification Numbers 58-20-9-31-0-000-

011.002 and 58-20-9-31-0-000-011.003, and the same is hereby *Approved* subject to compliance with the regulations, policies and guidelines of Shelby County.

3. SN22-009 – South Oak Subdivision – Amended Master Plan

This is a request from Al Worthington, Dominion South Oak, LLC, property owner, for approval to amend the South Oak Master Plan for Phase 1 and Phase 2. Proposed modifications to Phase 1 include increasing the size of common area by converting two residential lots into common area, and increasing the size of Lots 26 and 29. Proposed modifications to Phase 2 include reducing the common areas, modifying road names, and adjusting the lot lines for Lots 44 and 45. The proposed amendment will reduce the total number of residential lots from 68 to 66 in this master planned development.

The subject property is zoned A-R, Agricultural Residential, and located at One (1) South Oak Drive off Dunnavant Valley Road; Parcel Identification Numbers 58-03-6-23-0-000-001.002 (Part), 58-03-7-26-0-000-006.013, 58-03-7-26-0-000-006.014, 58-03-7-23-0-000-001.041, 58-03-7-23-0-000-001.038, 58-03-7-23-0-000-001.042 and 03-6-23-0-000-001.044.

Kristine Goddard gave a presentation on the request for agenda item #3 based on the written staff report provided in the meeting information packet. Ms. Goddard stated the project engineer was present on behalf of the applicant/property owner.

Commissioner Davis invited the applicant to speak.

Bob Easley stated he is with Alabama Engineering Company, located at 1214 Alford Avenue in Hoover, and is the project engineer. Mr. Easley thanked Kristine Goddard for the thorough presentation. He discussed the horse pasture near the existing gated entrance that will be converted to common area, and he answered questions from the Planning Commissioners regarding the renamed road (Cavalier Way) being the current construction entrance; electronic gated entrances, noting South Oak has private roads; and common areas/trails.

Bob Easley explained they have hired a trail builder, and the trails traversing up the mountain are currently under construction. In describing the walking trails, he noted while challenging, residents would be able to get to the top of the ridge.

Commissioner Davis asked Mr. Easley if he understood all the requirements following approval of the Amended Master Plan. Bob Easley confirmed he understood.

Commissioner Davis opened the floor for public comment. No one spoke in support or opposition to the request.

With no further discussion, **Commissioner Davis** called for a motion. **Commissioner Norton** made a motion in **Case SN22-009 – South Oak Subdivision – Amended Master Plan** that the evidence presented in the written staff report and presentation warrants Approval with the conditions outlined by staff; **Commissioner Wilder** seconded the motion. On a unanimous vote of seven to zero (7-0), the Planning Commission approved the following resolution:

WHEREAS, Al Worthington, Dominion South Oak, LLC, property owner, has petitioned the Shelby County Planning Commission for approval to amend the South Oak Master Plan; and,

WHEREAS, the subject properties are located at One (1) South Oak Drive off Dunnavant Valley Road; Parcel Identification Numbers 58-03-6-23-0-000-001.002 (Part), 58-03-7-26-0-000-006.013, 58-03-7-26-

0-000-006.014, 58-03-7-23-0-000-001.041, 58-03-7-23-0-000-001.038, 58-03-7-23-0-000-001.042 and 03-6-23-0-000-001.044; and,

WHEREAS, on March 2, 2020, the Planning Commission approved a request to rezone the subject property from H-Z, Holding Zone, to A-R, Agricultural Residential; and,

WHEREAS, on June 1, 2020, the Planning Commission approved the original Master Plan for South Oak that established general street layout and density patterns for the development; and,

WHEREAS, Phase 1 of South Oak was recorded on February 8, 2021, and included the addition of a common area at the entrance of Phase 1, deletion of Lot 18, and widening of the right-of-way at the intersection of South Oak Trail and South Oak Lane; and,

WHEREAS, on June 7, 2021, the Planning Commission approved an amended Master Plan that converted Lot 43 in Phase 2 to common area, relocated Barn Ridge further from Dunnavant Valley Road, adjusted the phase line for Phases 2 and 3, reduced the lot count from 70 to 68 lots, and updated Phase 1 to reflect administrative modifications; and,

WHEREAS, on March 21, 2022, the Planning Commission approved the preliminary plat for Phase 2; and,

WHEREAS, the proposed amendment to the Master Plan includes modifications to Phase 1 to increase the size of common area by converting two residential lots into common area and increase the size of Lots 26 and 29; and,

WHEREAS, the proposed amendment to the Master Plan includes modifications to Phase 2 to reduce the common areas, modify road names, and adjust the lot lines for Lots 39-42, 44, and 45; and,

WHEREAS, the proposed amendment to the Master Plan represents an overall decrease in the total number of residential lots from 68 to 66; and,

WHEREAS, the amendment to the Master Plan layout is consistent with the residential nature of the community along the Dunnavant Valley Road corridor; and,

WHEREAS, the proposed layout and density of the amendment to the Master Plan is consistent with the A-R, Agricultural Residential, zoning; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the request of Al Worthington, Dominion South Oak, LLC, property owner, for approval to amend the South Oak Master Plan is hereby **APPROVED**, subject to:

- Applicant submitting a resurvey of Lots 14 and 15 of South Oak Phase 1 to establish both lots as Common Area CA-8 for administrative review; and,
- Applicant submitting a resurvey of Lot 29 and acreage to incorporate the unrecorded one acre from Common Area CA-4 for administrative review; and,
- Applicant submitting a revised preliminary plat for South Oak Phase 2 that accommodates all amendments identified in the staff report for administrative review; and,
- Applicant submitting a fully engineered preliminary plat for Phase 3 that meets all requirements of the *Subdivision Regulations of Shelby County* to be reviewed and approved by the Planning Commission; and,
- Applicant submitting an application for final plat approval within two (2) years of approval of each preliminary plat (failure to apply may necessitate reapplication for preliminary plat approval); and

- Any amendments, additions, deletions, alterations or changes to the approved Master Plan shall require the review and approval of an amendment to the approved Master Plan by the Shelby County Planning Commission; and,
- Compliance with the regulations, policies and guidelines of Shelby County, Alabama.

DISCUSSION ITEMS

- **Development Services Planning Staff**

Christie Hester gave a staffing update by introducing Chanelle Blaine, a recent hire as a Principal Planner; announcing a promotion for Josh Osborne to Manager of Planning & Community Development; and reporting that Sharman Brooks rescinded her retirement notice and she will be working on the Comprehensive Plan, various amendments, and special projects.

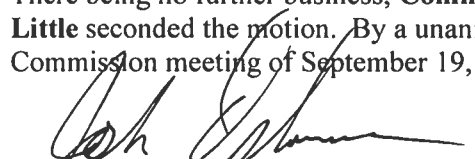
- **Shoal Creek Special District Variance Amendment**

Commissioner O’Kelley briefly discussed the status of a variance amendment for the Shoal Creek Special District; Kristine Goddard will follow up with Caroline Little regarding a potential agenda item.

- **Next Meeting of the Planning Commission**

Josh Osborne stated the next regularly scheduled meeting of the Planning Commission on October 3, 2022, would include two public hearings and he distributed a copy of the agenda that had already been posted.

There being no further business, **Commissioner Wilder** made a motion to adjourn and **Commissioner Little** seconded the motion. By a unanimous vote of seven to zero (7-0) in favor, the Planning Commission meeting of September 19, 2022, adjourned at 6:25 pm.



Josh Osborne, Manager
Planning & Community Development



James Davis, Chairman
Shelby County Planning Commission