

**REPORT TO THE SHELBY COUNTY PLANNING COMMISSION**  
**From the Department of Development Services**  
**Planning Services**

**February 4, 2019**

**Case No. SD18-006**  
**Byrom Independent Living**

This is a request from Marty Byrom, Byrom Building Corp., on behalf of The Title Group Incorporated, property owner, for the approval of a change in the zone district boundaries from O-I (2) Office and Institution District (2) to R-4 SD, Multiple Family Special District for approximately 8.9 acres for the development of an “Over 55” Independent Living Community.

The subject property is located on Valleydale Road across from Dogwood Circle; Parcel Identification No’s. 58-10-5-16-0-001-013.000, 58-10-5-16-0-001-014.000, 58-10-5-16-0-001-015.000, 58-10-5-16-0-001-016.000, 58-10-5-16-0-001-016.001, 58-10-5-16-0-001-017.000, 58-10-5-16-0-001-018.000, 58-10-5-16-0-001-019.000, 58-10-5-16-0-001-020.000.

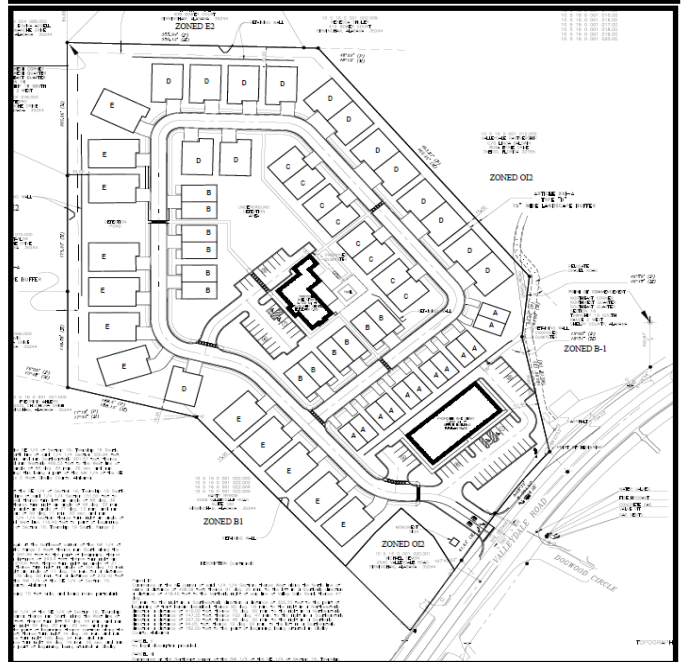
**DISCUSSION**

**Site Description**

The subject properties are located on Valleydale Road across from Dogwood Circle. There are nine properties included in this request totalling 8.9 acres. The properties are bounded by the Indian Valley neighborhood on the North and West. A single-family residence is located in the middle of the project site while the other properties are undeveloped and wooded. The property is currently zoned O-I (2), Office and Institutional District, while the surrounding properties are zoned E-2, Single-Family Estate District, and are mostly comprised of single family homes. The subject property’s terrain is at the highest point near Valleydale Road but gradually slopes downward to the North and West. Across Valleydale Road from the subject properties is the Piedmont International University, formerly the Southeastern Bible College.

**Discussion**

The applicant, Marty Byrom, is requesting to re-zone the property from O-I (2), Office and



Institutional District, to R-4 SD, Multiple Family Special District. Mr. Byrom is proposing an "Over 55" independent living development. The project is proposed to be sold as a condominium development that includes single-family and duplex homes. A roughly 4,000 square foot community center and pool are proposed in this request. Additionally, Mr. Byrom is requesting approval for a 7,800 square foot multi-tenant office building fronting directly on Valleydale Road. Tenants will be restricted to professional office uses.

The proposed development includes 59 housing units; roughly 6.6 dwelling units per acre. All of the buildings in this development are proposed at a maximum 35 feet in height. The request proposes one access point directly onto Valleydale Road and across from Dogwood Circle. Mr. Byrom has also included a right turn lane on Valleydale Road as part of this request. Sidewalks and crosswalks throughout the development are included in this request. Landscaping and parking requirements, as required by the *Zoning Regulations of Shelby County*, have been accounted for in this proposal. Roughly 69% (6 acres) of the site is proposed as common area for the development. Common area for this development consists of all the areas outside of the buildings themselves including roads and green space. Mr. Byrom also plans to use an underground detention facility to mitigate the drainage on site as well as an above ground detention area on the western end of the subject properties.

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. The project should comply with the requirements of the MS4 permit. Post Construction requirements for New and Redevelopment require the development ensure, to the maximum extent practicable, that the post-construction runoff mimics the pre-construction hydrology of the site. A 1.1" rainfall over a 24 hour period preceded by a 72-hour antecedent dry period shall be the basis for design and implementation of the post construction BMPs. 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. LID (Low Impact Development) techniques are encouraged to minimize runoff created by impervious surfaces of the project. Owner will be required to provide as-built survey of all BMPs constructed, annual certification, and inspections as required by the MS4 storm water permit.

### **Impact on Community Facilities and Infrastructure**

Water service is not available from Shelby County for the subject properties. Fire service will be provided by North Shelby Fire Department. Children living in this development will be in the Oak Mountain School attendance zone.

### **Additional Approvals Required**

An integral part to this development is the relocation of the existing driveway accessing the neighboring property (Raven Drive). To date, staff has not received any written agreement from Mr. Byrom or the adjacent property owner to relocate the driveway. According to the Shelby County Highway department:

Complete development of the proposed site plan hinges on the developer's ability to relocate the existing gravel road to the adjacent property to the east. Provide documentation (such as an easement) from the adjacent property owner to assure the developer's legal ability to relocate this gravel road as proposed. Please note: If rezoning to special district is acquired, future site plan submittals must include a detailed design (centerline profile, vertical profile, typical section... etc.) for the proposed relocated gravel road.

Pursuant to approval, the applicant is required to submit a subdivision application to complete the condominium development as well as a fully engineered site plan. The subdivision will be subject to Planning Commission approval. The site plan will be reviewed administratively by staff and will not require Planning Commission 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.

### **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 development cannot be constructed as submitted and revised plans will be required that address the relocation of the existing drive.

Staff recognizes the need for elderly care options in Shelby County. The proposed 6 dwelling units per acre is substantially higher than the surrounding developments that average around 1 dwelling unit per acre.

The Shelby County Comprehensive Plan identifies the intersection of Caldwell Mill Road and Cahaba Valley Road (east of the subject properties) as a “Community Core”. The Comprehensive Plan encourages commercial and residential growth in these areas. Specifically, the surrounding “Focus Areas” which are intended to include most of the population supporting the “Community Core” Objective FA-2 concerning the Community Focus Area Goal, Objectives and Policies states:

*“Advance the development of Community Focus Areas as distinct places that offer a mix of residential, commercial and employment uses, and include a full complement of public services and facilities, amenities, that supports a high quality of life, and a compact design that supports the County’s Green Infrastructure.”*

The following information should be submitted pursuant to amendment approval:

- Applicant submitting a fully engineered subdivision plan that conforms to the approved master plan for Planning Commission review.
- Applicant submitting a fully engineered site plan that meets all requirements of the Zoning Ordinance of Shelby County;
- 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.



