



August 12, 2024

Work Session Time: 6:00 p.m.

Planning Commission Meeting Time: 6:30 PM

CITY OF CALERA - PLANNING COMMISSION AGENDA

Call to Order

Approval of Minutes

Minutes from July 8th, 2024 Meeting

Old Business

New Business

Rezoning - Eric Strickland - Parcel ID # 28 1 12 0 000 02.029

14980 Highway 25

From E1 (Single Family Estate) to A1 (Agriculture)

Rezoning - Jerry & Tammy Payne - Parcel ID # 28 1 12 0 000 02.000

14740 Highway 25

From E1 (Single Family Estate) to A1 (Agriculture)

Waterford Subdivision - Master Plan Approval

Highway 70

Discussion of Proposed Amendments to the Subdivision Regulations and Zoning Ordinance

- Street Lights
- Non-Conforming Lot of Record
- Parking Standards

Guests:

Motion to Adjourn - Time

Minutes of the City of Planning Commission Meeting July 8, 2024

The Planning Commission of the City of Calera met in the Council Chambers of the City Hall at 7901 Highway 31 on Monday, July 8, 2024, at 6:30 p.m., in a regular meeting. Chairman Hilton Shirey presiding.

Chairman and Planning Commission Members Present:

Ernest Montgomery, Commission Member
Connie Payton, Commission Member
Sandy Roberson, Commission Member
Hilton Shirey, Chairman
George Marling, Commission Member
Brienne Gilliland, Commission Member
Greg Harper, Commission Member
Jon Graham, Commission Member
Tommy Edwards, Commission Member

Absent:

City Attorney:

Grace Graham

Planning and Zoning Team Members:

Kevin Shirey
Tammy Smith

Guests:

See attached list

Chairman Shirey called the meeting to order at 6:30 p.m.

Approval of Minutes:

Commission Member Gilliland made a motion to approve and dispense with the reading of the following minutes:

June 10, 2024

Commission Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Shirey, Montgomery, Payton, Marling, Roberson, Gilliland, Harper

NAYS: None

ABSTAINED: Edwards, Graham

Motion Passed

OLD BUSINESS:

None

New Business:

None

Commission Member Edwards made a motion to adjourn the meeting at 6:31.
Commission Member Marling seconded said motion and upon vote, the results were as follows:

Ayes: Shirey, Montgomery, Payton, Roberson, Gilliland, Marling, Harper, Graham, Edwards
Nays: None

The meeting was adjourned at 6:31 p.m.

Approved this 9th day of August 2024

Tammy Smith

Tammy Smith

PUBLIC HEARING NOTICE
PLANNING COMMISSION, CITY OF CALERA, AL

NOTICE TO:

Jason Buse
15179 Hwy 25
Calera, AL 35040

William Arters
15147 Hwy 25
Calera, AL 35040

Frank Herbert
15021 Hwy 25
Calera, AL 35040

Michael Bush
104 McMahon Highland Road
Calera, AL 35040

JD Brasher
101 McMahon Highlands Road
Calera, AL 35040

Dorris Carolyn Sue Trustee of the
CA
3910 Hwy 42
Calera, AL 35040

Shelby Springs, LLC
100 Applegate Court
Pelham, AL 35124

You are hereby notified of a public hearing of the Calera Planning Commission to be held at Calera City Hall (7901 Hwy 31) at 6:30 P.M. on August 12, 2024. The purpose of this public hearing is to receive public comments on an application submitted by:

Eric Strickland
1104 Norman Way
Birmingham, AL 35242

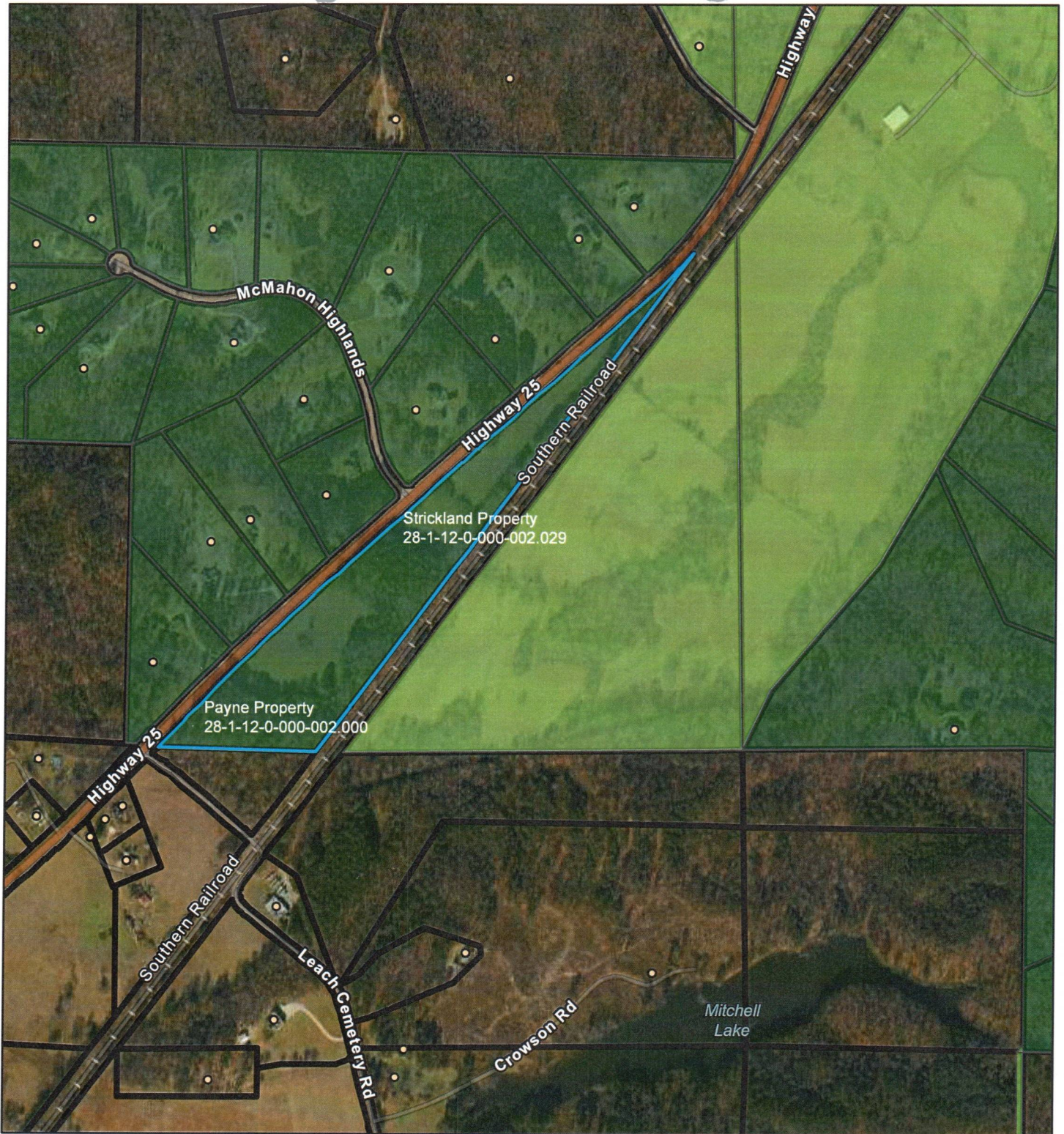
for a proposed rezoning of Parcel #28 1 12 0 000 002.029 Hwy 25. See attached Map. The proposal consists of rezoning from E-1 (Single Family Estate, Residential) To A-1 (Agriculture)

A written protest of the proposed amendment may be filed with the Secretary of the Planning Commission of the City of Calera one (1) day prior to the proposed date of the public hearing for the consideration of the rezoning request. The protest must be signed by the property owner making such protest, and only one protest shall be allowed for each separately assessed unit of property. Tammy Smith 205-668-3804

This notice is sent certified mail on July 15, 2024, which is at least seven (7) days before the fixed hearing date, to all adjacent property owners as obtained by the applicant from the most recent records of the Shelby County Tax Assessor.

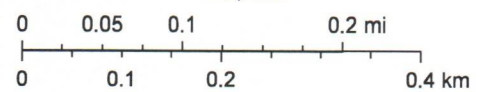
CALERA PLANNING COMMISSION

City of Calera Zoning



7/12/2024, 11:40:57 AM

1:9,028



○ Address Points

Zoning

■ E-1, Single Family Estate

■ A-1, Agricultural

▬ Parcel Data

G-Squared LLC, Maxar, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



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Find address or place

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Note: As of October 18, 2021 any proposed subdivision of land that had already obtained any of the following shall be "grandfathered" and governed by the City's zoning ordinance in effect as of the latest to occur of the following: (1) preliminary plat approval; (2) final plat approval; (3) issuance of a building permit; and/or (4) any extension or renewal of the foregoing.

Provided, however, this "grandfather" exemption shall lapse and expire as to an exempt unimproved property if a permit for the construction of improvements on that property, or some portion thereof, has not been requested from the City for a continuous period of 12 months from the later of the date of approval of the latest of the foregoing events, or from the date of expiration of the last building permit obtained on that property, or some portion thereof. Additionally, if any lot shown in a preliminary or final plat is ever altered, or if unplatted land referenced in such a plat is hereafter proposed to be subdivided, such new lots will not have the foregoing "grandfather" exemption. Instead, such new lots shall conform to the provisions of the zoning ordinance then in effect.

***Effective Date of the Grandfather Clause: October 18, 2021**

The District regulations are as described following:

§5.1. E-1 Single family Residential (Estate) District

Intent. To provide areas suitable for detached single family residences on large lots, along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

5.1.1. Use Regulations. Refer to Table 5.1 and the provisions herein:

1. Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in §3.5.3 unless approved by the Commission as a Conditional Use.

5.1.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: One (1) acre
2. Minimum Lot Width: 150 ft
3. Minimum Yard Setbacks:
 - a. Front: Seventy-five (75) ft, or if fronting on undedicated road: Sixty (60) ft from the centerline
 - b. Rear: Seventy-five (75) ft
 - c. Side: Twenty-five (25) ft
4. Maximum Height: Thirty-five (35) ft or 2-1/2 stories
5. Minimum Livable Floor Area:
 - a. One story: 2,400 sf
 - b. More than one story: 1,800 sf on first floor, 2800 sf total
6. Corner Lot setbacks shall be the same on both streets.
7. Building Facades.
 - a. Building facades must use durable materials. Durable materials include brick, stucco (EIFS is not permitted within 36 inches of finished grade), heavy timber, wood, slate, metal, and tile roofing. Vinyl and cementitious siding may be used as an accent material and shall be limited to thirty percent (30%) of all exterior walls. The percent calculation shall be based on the total area of all exterior walls, excluding openings for windows and doors.

11. Garbage and refuse collection and disposal shall be the responsibility of management and such collection facilities shall be screened as required in §9.4 Screening.

Table 5.1 Permitted Uses for Residential Districts

	E-1	R-1	R-2	R-2A	R-3	R-3A	R-3B	R-4	RG	RT
<i>Agricultural Uses</i>										
Hobby Farms, <u>§7.2</u>	Y									
<i>Residential Uses</i>										
Accessory Dwellings, <u>§7.17</u>	SE	SE	SE	SE	SE					
Boarding Houses					Y			Y		
Duplexes					Y			Y		
Conservation Subdivisions, <u>§7.19</u>	Y	Y	Y	Y	Y					
Cottage Subdivisions, <u>§7.20</u>				Y	Y					
Family Day Care Homes, <u>§7.21</u>	Y	Y	Y	Y	Y	Y	Y		SE	SE
Garden Homes									Y	
Group Care Home (4 or less residents)			Y	Y				Y		
Group Care Home (10 or less residents)			SE	SE				Y		
Home Occupations, <u>§7.9</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Independent Living Facilities, <u>§7.15</u>								Y		
Manufactured, Modular Homes					Y	Y				
Manufactured Home Parks							Y			
Manufactured Home Subdivisions						Y				
Multi-family Dwellings, <u>§7.15</u>					Y	Y		Y		
Single-family Dwellings, Detached	Y	Y	Y	Y	Y					Y
Single-family Dwellings, Semi-detached										Y
Townhouses										Y

<i>Residential Accessory Uses</i>										
Customary Accessory Structures, <u>§6.6</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Garage Sales, <u>§6.9</u>	Y	Y	Y	Y	Y	Y		Y	Y	Y
Private Swimming Pools, <u>§6.10</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Private Tennis Courts, <u>§6.10</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Satellite Dish Antennas, <u>§6.7</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<i>Institutional Uses</i>										
Assisted Living Facilities, <u>§7.7</u>								SE		
Cemeteries, <u>§7.8</u>	Y									
Country Clubs	Y	Y	Y							
Group Care Home (more than 10 residents)								SE		
Parks	Y	Y	Y	Y	Y			Y		
Places of Assembly	SE	SE	SE	SE	SE			SE	SE	SE
Public Buildings, <u>§7.16</u>	Y	Y	Y	Y	Y			Y	Y	Y
Public Utility Facilities	SE	SE	SE	SE	SE			SE	SE	SE
Public Utility Services	Y	Y	Y	Y	Y			Y	Y	Y
Schools	C	C	C	C	C			C		
<i>Commercial Uses</i>										
Bed and Breakfasts, <u>§7.18</u>	SE	SE	SE	SE						
<i>Telecommunications Uses</i>										
Wireless Facilities, <u>§7.11</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Y – The use is permitted by right subject to any limitations of the applicable district. Similar uses to those listed may also be permitted subject to §2.6 Interpretation of Uses and §2.7 Unclassified Uses.

SE – Special Exception Use, requires approval by ZBA (see §2.8). May also be subject to district limitations.

C – Conditional Use, requires approval by the Commission (see §2.9). May also be subject to district limitations.

A use followed by a numeric cross-reference is also subject to the regulations referenced.

A blank cell indicates that the use is not permitted.

APPLICATION FOR REZONING

PLANNING COMMISSION, CITY OF CALERA, ALABAMA

1. Date Application filed: 7/10/24 Requested Hearing Date: 8/12/24
2. Applicant: James Cassidy c/o Eric Strickland
Phone: 205 994 5020
Address: 9300 Feldspar Way Hoover, AL 35244
3. Owner: Eric + Bobbie Strickland
Phone: 205 994 5020
Address: 1104 Norman Way B'ham AL 35242
4. Property Location: Hang 25 / Railroad Tracks Across from memorandum
Tax Map Parcel Number (s): 112 0 000 Lot 2
002.029
5. Acreage: 8.93 Acres
6. Existing Zoning Classification: EI Existing Land Use: Pasture
Proposed Zoning Classification: A1 Proposed Land Use: Pasture / Home
7. Check all required submissions with this application:
- | | |
|-------------------------------------|---|
| ☒ | Application Fee |
| ☒ | Reason for the Request |
| ☒ | Legal Description of the subject Property |
| ☒ | Vicinity Map |
| ☐ | Availability Of Required Utilities |
| ☐ | Public Hearing Notices |
| ☐ | Site Plan |
| ☐ | Proffer of rezoning conditions, (if any) |

Signature of Applicant: [Signature]

Signature of Authorization By Owner: see letter

FOR CITY USE ONLY:

\$150.00 Administrative fee received on _____ by receipt # _____

Scheduled Hearing Date: _____

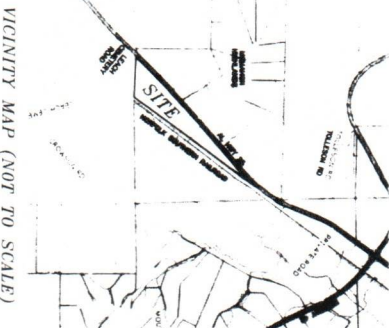
Application Submitted by: _____ on: _____

\$150 Each

[illegible]

WEST, CITY OF CALERA, SHELBY COUNTY, ALABAMA.

OR WAIVER. THE APPLICANT/PLATEEES OR LOT FIRM (AS THE CASE MAY BE) SHALL BE DEEMED TO HAVE ACCEPTED THE LOT APPROVAL AND DISPOSED OF THE LOT WHEN AN APPLICATION IS SUBMITTED IF PERMITTED. ANY CONTRACT CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBJECT TO COMING TO SPECIFIC MAINTENANCE AND REPAIRING REQUIREMENTS, AND THERE ARE ON FILE WITH THE SAID HEALTH DEPARTMENT AND ARE MADE PART OF THIS PLAT AS IF SET OUT HEREON.



**PUBLIC HEARING NOTICE
PLANNING COMMISSION, CITY OF CALERA, AL**

NOTICE TO:

Gordon Timberlands, LTD
Po Box 435
Columbiana, AL 35051

Joanne Richardson
2400 Chestnut Road
Vestavia Hills, AL 35216

Landon & Sherri Jones
14827 Hwy 25
Calera, AL 35040

David & Kim Beasley
14823 Hwy 25
Calera, AL 35040

Dewayne Wood
c/o Gabriel Sanchez & Edith
Rodriguez
14655 Hwy 25
Calera, AL 35040

Dorris Carolyn Sue Trustee of the
CA
3910 Hwy 42
Calera, AL 35040

Shelby Springs, LLC
100 Applegate Court
Pelham, AL 35124

You are hereby notified of a public hearing of the Calera Planning Commission to be held at Calera City Hall (7901 Hwy 31) at 6:30 P.M. on August 12, 2024. The purpose of this public hearing is to receive public comments on an application submitted by:

**Jerry & Tammy Payne
145 Hwy 310
Calera, AL 35040**

14740 Hwy 25

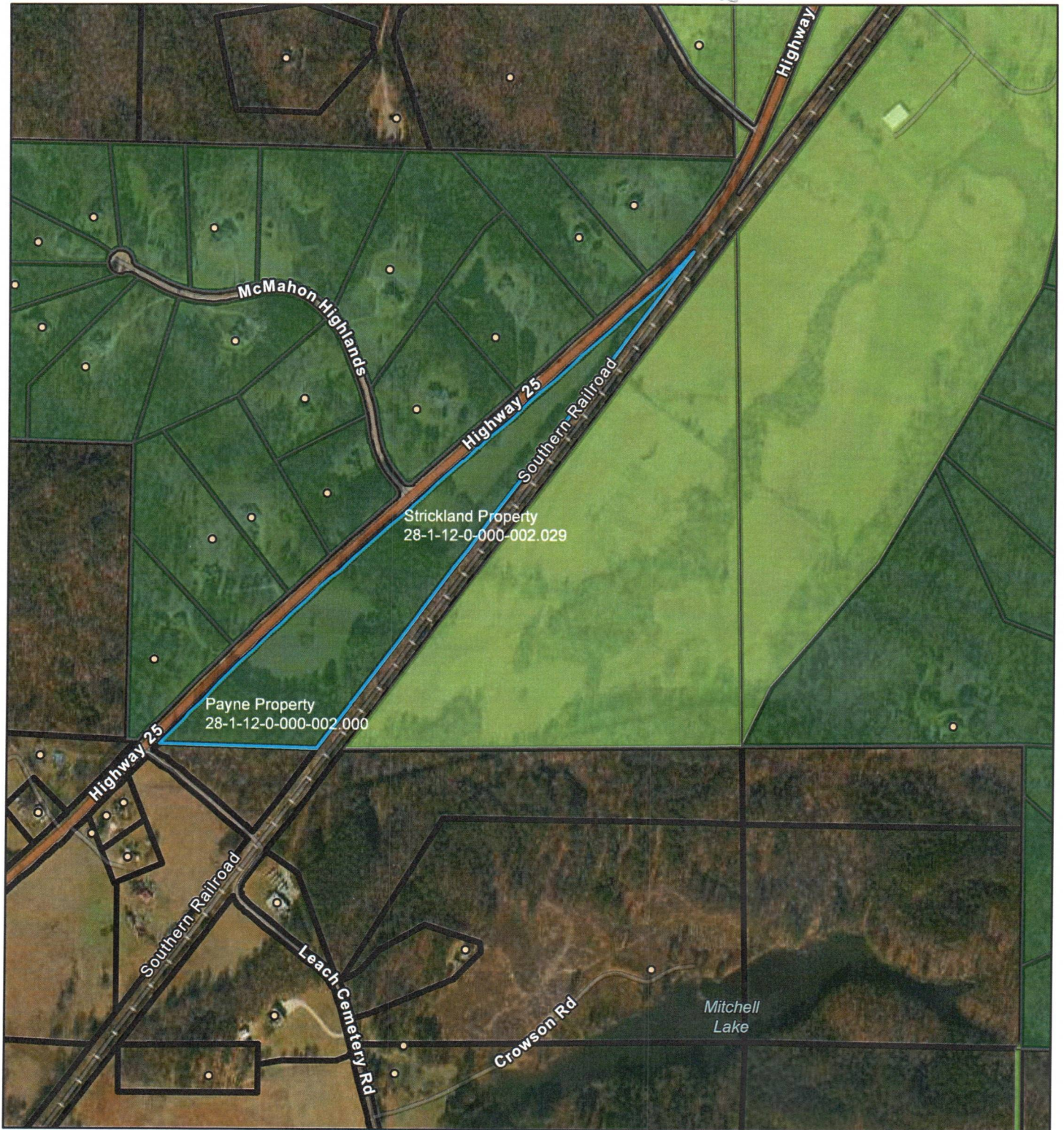
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CALERA PLANNING COMMISSION

City of Calera Zoning



7/12/2024, 11:40:57 AM

○ Address Points

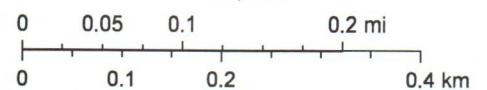
Zoning

E-1, Single Family Estate

A-1, Agricultural

Parcel Data

1:9,028



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Find address or place

Q

<https://maps.shelbyal.com/html5/>

1/1

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2. Minimum Lot Width: 150 ft
3. Minimum Yard Setbacks:
 - a. Front: Seventy-five (75) ft, or if fronting on undedicated road: Sixty (60) ft from the centerline
 - b. Rear: Seventy-five (75) ft
 - c. Side: Twenty-five (25) ft
4. Maximum Height: Thirty-five (35) ft or 2-1/2 stories
5. Minimum Livable Floor Area:
 - a. One story: 2,400 sf
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<i>Residential Uses</i>										
Accessory Dwellings, <u>§7.17</u>	SE	SE	SE	SE	SE					
Boarding Houses					Y			Y		
Duplexes					Y			Y		
Conservation Subdivisions, <u>§7.19</u>	Y	Y	Y	Y	Y					
Cottage Subdivisions, <u>§7.20</u>				Y	Y					
Family Day Care Homes, <u>§7.21</u>	Y	Y	Y	Y	Y	Y	Y		SE	SE
Garden Homes									Y	
Group Care Home (4 or less residents)			Y	Y				Y		
Group Care Home (10 or less residents)			SE	SE				Y		
Home Occupations, <u>§7.9</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Independent Living Facilities, <u>§7.15</u>								Y		
Manufactured, Modular Homes					Y	Y				
Manufactured Home Parks							Y			
Manufactured Home Subdivisions						Y				
Multi-family Dwellings, <u>§7.15</u>					Y	Y		Y		
Single-family Dwellings, Detached	Y	Y	Y	Y	Y					Y
Single-family Dwellings, Semi-detached										Y
Townhouses										Y

<i>Residential Accessory Uses</i>										
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Garage Sales, <u>§6.9</u>	Y	Y	Y	Y	Y	Y		Y	Y	Y
Private Swimming Pools, <u>§6.10</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Private Tennis Courts, <u>§6.10</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Satellite Dish Antennas, <u>§6.7</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<i>Institutional Uses</i>										
Assisted Living Facilities, <u>§7.7</u>								SE		
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Country Clubs	Y	Y	Y							
Group Care Home (more than 10 residents)								SE		
Parks	Y	Y	Y	Y	Y			Y		
Places of Assembly	SE	SE	SE	SE	SE			SE	SE	SE
Public Buildings, <u>§7.16</u>	Y	Y	Y	Y	Y			Y	Y	Y
Public Utility Facilities	SE	SE	SE	SE	SE			SE	SE	SE
Public Utility Services	Y	Y	Y	Y	Y			Y	Y	Y
Schools	C	C	C	C	C			C		
<i>Commercial Uses</i>										
Bed and Breakfasts, <u>§7.18</u>	SE	SE	SE	SE						
<i>Telecommunications Uses</i>										
Wireless Facilities, <u>§7.11</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Y – The use is permitted by right subject to any limitations of the applicable district. Similar uses to those listed may also be permitted subject to §2.6 Interpretation of Uses and §2.7 Unclassified Uses.

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APPLICATION FOR REZONING

PLANNING COMMISSION, CITY OF CALERA, ALABAMA

1. Date Application filed: 7/16/24 Requested Hearing Date: 8/12/24
2. Applicant: James Cassidy c/o Jerry + Tammy Payne
Phone: 205 994 5028
Address: 3900 Feldspar Way Hoover AL 35244
3. Owner: Jerry + Tammy Payne
Phone: 205 994 5028 14980 Hwy 25
Address: 145 Hwy 310 Calera AL 35040
4. Property Location: Hwy 25 / Railroad tracks across from Macmahon
Tax Map Parcel Number (s): 28-1-12-0-000-002,000 Lot J
5. Acreage: 10.00 Acres
6. Existing Zoning Classification: E1 Existing Land Use: Pasture
Proposed Zoning Classification: A1 Proposed Land Use: Pasture / Home
7. Check all required submissions with this application:

☒	Application Fee
☒	Reason for the Request
☒	Legal Description of the subject Property
☒	Vicinity Map
☐	Availability Of Required Utilities
☐	Public Hearing Notices
☐	Site Plan
☐	Proffer of rezoning conditions (if any)

Signature of Applicant: [Signature]

Signature of Authorization By Owner: See letter Attached

FOR CITY USE ONLY:

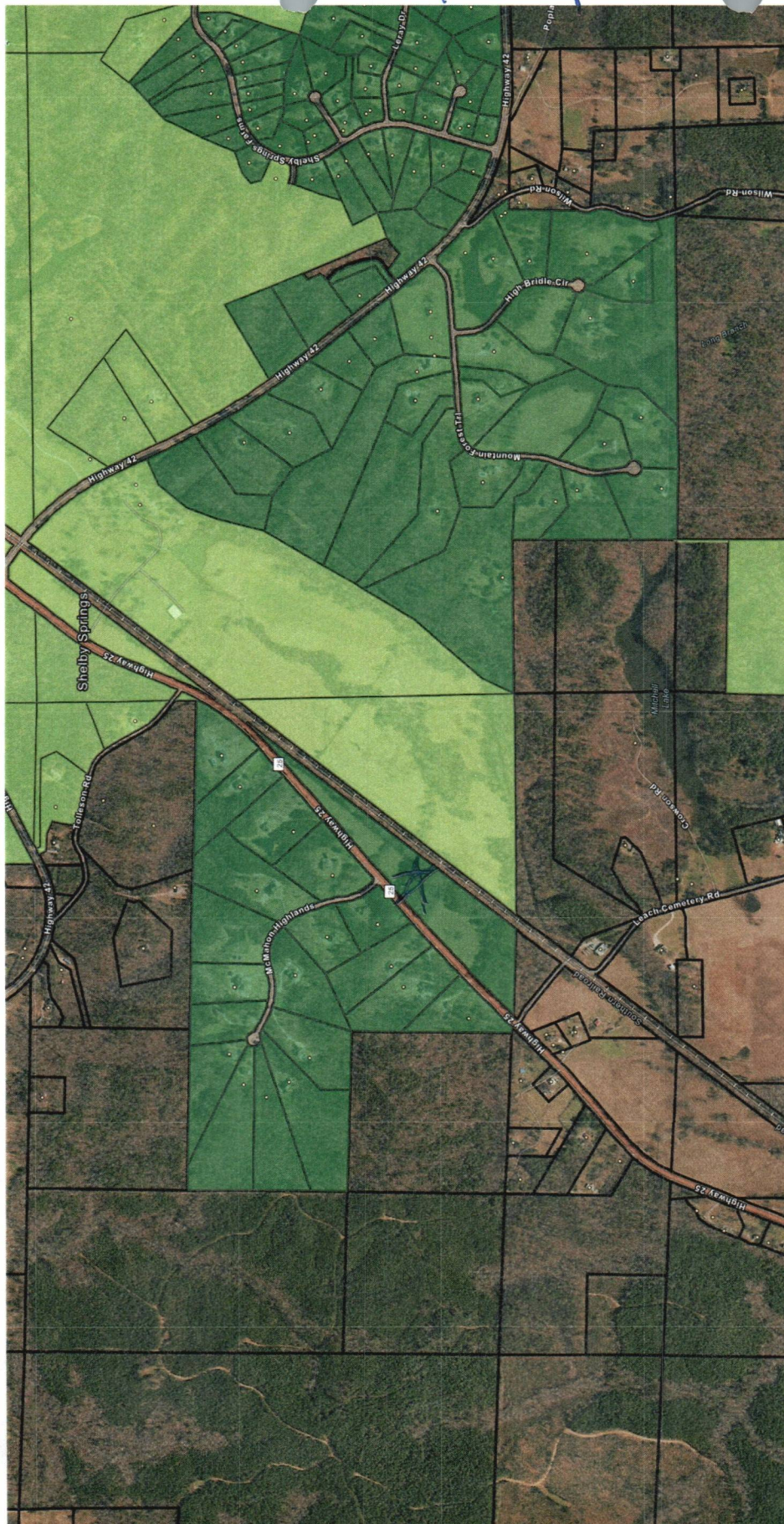
\$150.00 Administrative fee received on _____ by receipt # _____

Scheduled Hearing Date: Aug 12

Application Submitted by: _____ on: _____

\$150 Each.

Vainity Map.



June 6, 2024

I Jerry A. Payne and Tammy R Payne authorize James Cassidy at In-Site Engineering
To represent us in Filing for Zoning issue for the City of Calera Shelby County.

Jerry A Payne

Tammy R. Payne

FINAL PLAT OF

A SUBDIVISION SITUATED IN THE SE 1/4 OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 2 WEST, CITY OF CALERA, SHELBY COUNTY, ALABAMA.

PREPARED FOR:
JERRY & TAMMY PAYNE
P.O. BOX 1605
CALERA, AL 35040

PREPARED BY:
RODNEY SHIFLETT
P.O. BOX 204
COLUMBIANA, AL 35055
669-1205

STATE OF ALABAMA
SHELBY COUNTY
APRIL 8, 2024

[illegible]

By Katy Ayers Date 4/8/2
 Received by Pat S. J. Jr
 P.O. Box 204
 Chandler, AZ 85051
 202-668-1205

10/17/27
My Commission Expires

By Amelia Payne Date 4-9-21
Jury Dismissed

I beg to certify that I have read the foregoing letter and the
 contents of said certificate, and would advise you that the
 same is correct and true.

Given under my hand and seal this 10th day of April 1924

My Commission Expires 10-17-27

By David R. Payne Date 4-9-24
 Tearing Paper

(Forgoing available on owner, and who is known to me, otherwise before me, on this
 contents of said certificate, do acknowledge voluntarily as true individuals with full authority
 Given under my hand and seal this 17th 9th day of April 2017
Alfredo L. L. L.
 Notary Public
 My Commission Expires 12-17-27



CITY OF CALERA NOTES

1. All equipment used for the purpose of this study was new, standard, and had been used by the investigator for at least 1 year. The equipment was used for the purpose of this study and was not used for any other purpose. The equipment was used for the purpose of this study and was not used for any other purpose.

GENERAL NOTES

RODNEY SHIFLET[†] SURVEYING

P.O. BOX 204
COLUMBANA, ALABAMA 35051
TEL. 205-669-1205 FAX 205-669-1298
JOB #24162

LEGEND

[illegible]

Map 59 Page 92

202401000012556 11 \$34.00
BOSTON CITY JUDGE 61 BROAD ST. RM.
04100 2024 10 21 14 05 PLEED/CLERK

THE PURPOSE OF THIS SUBDIVISION IS TO
DIVIDE 18.93 ACRES INTO TWO LOTS, FOR
RESIDENTIAL USE.

Ward 3 Jackson

Mayor & City of Covelo

Date 4.15.2024

Color Planning Commission

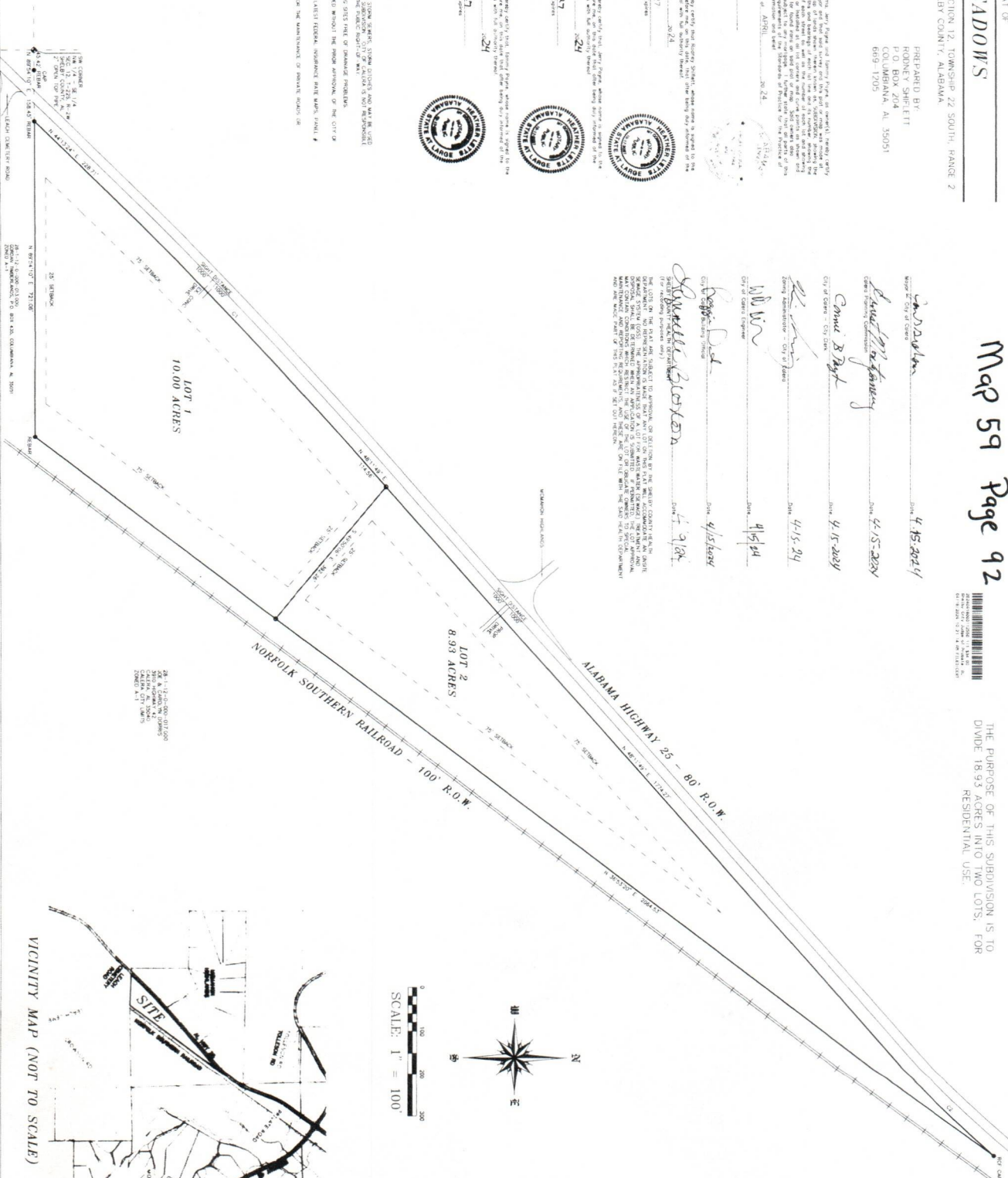
City of Coeur d'Alene - City Clerk

Long Administrator - City of Cedar

City of Cedar's Engineer _____

Don't

THE LOT ON THIS PLAT AND SUBJECT TO APPROVAL OR OBJECTION BY THE SHELTER COUNTY HEALTH DEPARTMENT, NO REVISION IS MADE THAT ANY LOT ON THIS PLAT WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS). THE APPLICANT FOR A LOT FOR WASTEWATER (SEWAGE) TREATMENT AND DISPOSAL, SHALL BE DETERMINED WHEN AN APPLICATION IS SUBMITTED. IF PERMITTED, THE LOT APPROVAL MAY CONTAIN CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBLIGATE OWNERS TO SPECIAL MAINTENANCE AND REPAIRING OF INFRASTRUCTURE, AND THESE ARE, ON FILE WITH THE SHELTER COUNTY HEALTH DEPARTMENT, AND ARE MADE PART OF THIS PLAT AS IF SET OUT HEREON.



VICINITY MAP (NOT TO SCALE)

PUBLIC HEARING NOTICE PLANNING AND ZONING CITY OF CALERA, AL

You are hereby notified of a public hearing of the Planning and Zoning Commission to be held at Calera City Hall (7901 Hwy 31) at 6:30 P.M. on August 12, 2024. The purpose of this public hearing is to receive public comments on an application submitted by:

Waterford, LLC

Hwy 70

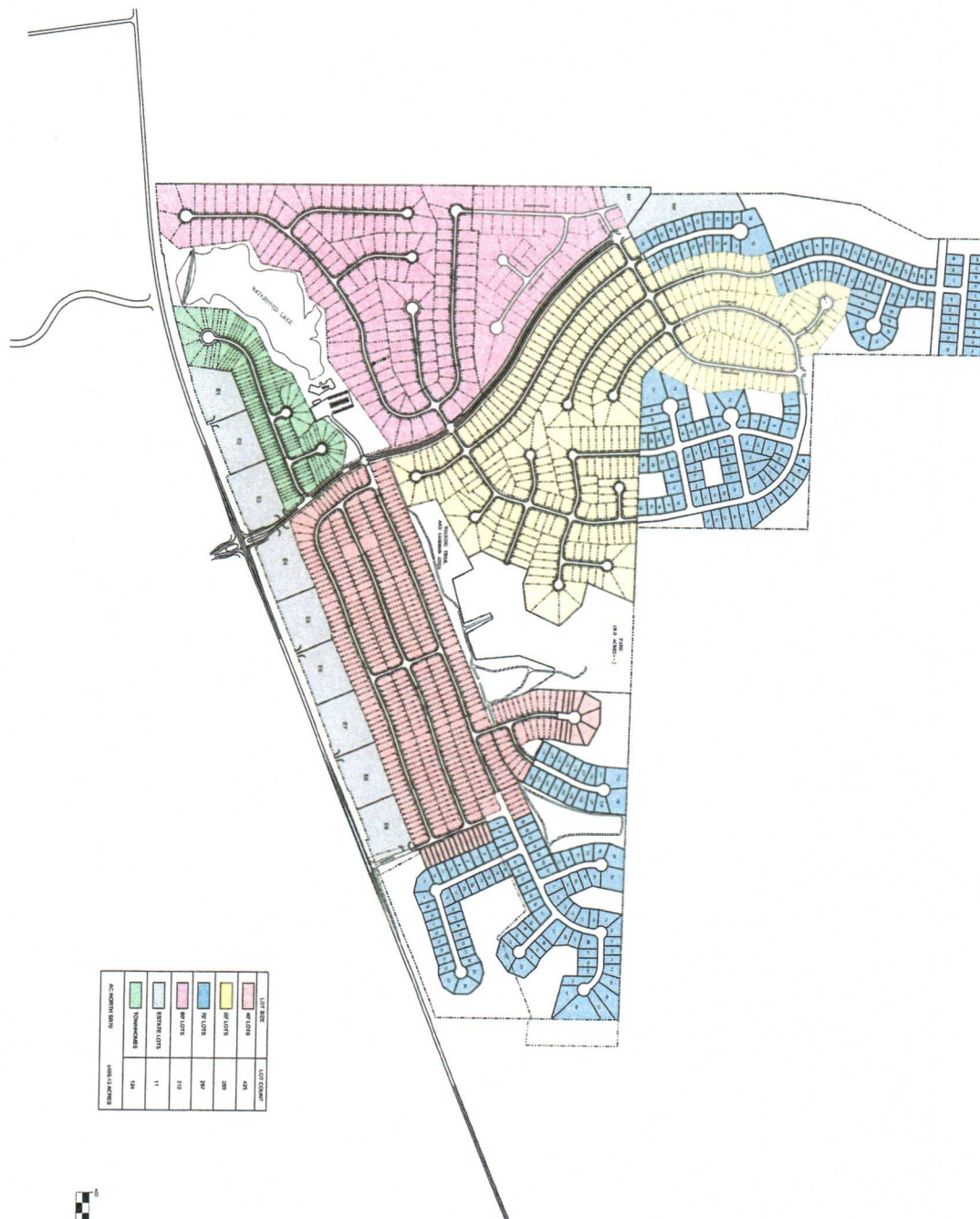
**Waterford PUD North- (original Waterford Subdivision)-
Master Plan Approval**

A written protest of the proposed amendment may be filed with the Zoning Clerk of the City of Calera one (1) day prior to the proposed date of the public hearing for the consideration of the rezoning request. The protest must be signed by the property owner making such protest, and only one protest shall be allowed for each separately assessed unit of property.

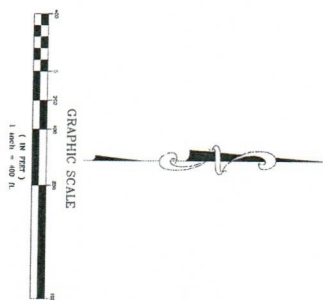
Tammy Smith, tsmith@calera.org, 205-668-3804.

This notice is sent by regular mail on July 23, 2024, which is at least seven (7) days before the fixed hearing date, to all adjacent property owners as obtained by the applicant from the most recent records of the Shelby County Tax Assessor.

City of Calera



LOT TYPE	LOT CODE	LOT CODE
LOT 100	LOT 100	LOT 100
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EXB1 PROJECT NO. 05-20-2024	PROJECT NAME WATERFORD A PROPOSED RESIDENTIAL SUBDIVISION	PROJECT ADDRESS WATERFORD SUBDIVISION CALERA, ALABAMA	REVISIONS
	SHEET TITLE OVERALL MASTER PLAN	PROJECT NO. 05-20-2024	PROJECT NO. 05-20-2024

PLANNED UNIT DEVELOPMENT
DEVELOPMENT PLAN
FOR
WATERERFORD NORTH SUBDIVISION

Submitted by
WATERFORD, LLC

To

The City of Calera, August 12, 2024

WATERFORD SUBDIVISION
PLANNED UNIT DEVELOPMENT
DEVELOPMENT PLAN

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Planned Unit Development Application and Development Plan

Exhibit A - Legal description of Property

Exhibit B - Master Plan

Exhibit C - Development Criteria for Planned Single Family (PR-G) Districts

WATERFORD SUBDIVISION
Planned Unit Development Application
and
Development Plan

THIS PLANNED UNIT DEVELOPMENT APPLICATION AND DEVELOPMENT PLAN (the Development Plan) , dated August 12 , 2024, is submitted by Waterford, LLC, an Alabama Limited Liability Corporation (Developer), to the City of Calera, Alabama, an Alabama municipal corporation(the City).

RECITALS

The Developer is the Owner of that certain real property (the Property) situated in the City of Calera, in Shelby County, Alabama, which is more particularly described in Exhibit A, attached hereto and incorporated herein by reference.

Developer desires to develop the property for mixed uses which will include detached single family residential housing , A swimming pool, clubhouse, lake, playground, walking trails and several parks and undisturbed areas.

The Developer desires that all of the property be zoned as a Planned Unit Development pursuant to the terms and provisions of the Zoning Ordinance of the City (the Zoning Ordinance)

In accordance with the requirements of the Zoning Ordinance. Developer does hereby submit the following to the City for its approval:

- A. **Submission of application.** In Accordance with Article 5 , Section 20 of the Zoning Ordinance of the City of Calera, Alabama . Developer has contemporaneously herewith submitted to City all pertinent applications.
- B. **Area requirements.** In accordance with Article 20, Section 20.2, Property is in excess of the 150 acre minimum.
- C. **Contents of Application**
 - 1. The Engineer and Surveyor for the project is :

Engineering Design Group

120 Bishop Circle

Pelham, AL 35124

2. Current property zoning is PUD. P-RG
3. Property is owned by : Waterford, LLC

96 Spring Road

Birmingham, AL 35242

The Sole Member is John G. Reamer, Jr

4. **Master Development Plan.** In accordance with the provisions of the Zoning Ordinance, a master development plan (the Master Plan) is attached hereto as Exhibit B and incorporated herein by reference.
5. **Planning Criteria of the PUD**
 - a. **Legal description** The legal description of the property is attached hereto as Exhibit A
 - b. **General Description of Surrounding area and current zoning.** The property is located on Highway 70 , East of Highway 42. The property is located in the City of Calera. Surrounding zoning is A-1, B-1, C-1 and R-2
 - c. **Planning Objectives.** The utilization of PUD zoning for the Property will (a) allow for the control of a mixed use development for all of the Property; (b) Permit concentrated land use densities in certain areas of the Property while maintaining land use densities in certain areas while maintaining land use densities under an overall basis which are comparable or even less than the densities permitted under conventional zoning classifications; and (c) allow and promote an efficient land use that progresses through individual and distinct areas of a large neighborhood.

The proposed development will consist of a single-family residential development consisting of a mix of attached and detached residential dwelling units, Incorporated within the development will be a swimming pool, clubhouse, lake, playground, walking trails and several parks and undisturbed areas.
 - d. **Development Schedule.** Development of the Property has already begun and will continue following the approval of the approval of the Development Plan by the City. It is contemplated that complete build out will occur within 15 years following the approval of the Development Plan. Market conditions will impact the overall development schedule and may lengthen or shorten the development period.

e, f, g, and h Quantitative Data

(a)The only land use district planned for the Property is Planned Single-Family (PR-G), which will be the zoning district for the entire approximate 800 acres, more or less, comprising the Property. Only property owned by Waterford, LLC, or its successors or assigns will be allowed to be part of the PUD and included in the Master Development

Plan. The parcel comprising the Pool, Clubhouse, Tennis Court, Lake and Playground comprise approximately 21 acres. North of Highway 70 there are approximately 50 acres planned for Common Area and trail and parks.

(b) The development criteria to be utilized for the Property , including such matters as minimum/maximum densities, setbacks, floor areas and other criteria, is set forth in Exhibit D attached hereto and incorporated herein by reference.

i. Principal Ties to the Community. The following utilities are available to serve the Property (through existing service lines in the Subdivision) :

<u>Type of Utility</u>	<u>Utility Provider</u>
Electricity	Alabama Power Company
Telephone	Bellsouth
Water	Calera Water Board
Sanitary Sewer	Calera Public Works
Natural Gas	Calera Gas

j. Amenity areas, Common areas and Open Space The Waterford Homeowners Association will be in control of the amenity areas, Common Areas and open spaces that exist for the benefit of the residents of the subdivision that was developed by Waterford, LLC, and/or or its assigns. Any property not developed by Waterford, LLC may not be a member of the Waterford Homeowners Association , without the express, written consent of Waterford, LLC, and or its assigns.

k. Covenants, Conditions and Restrictions, Homeowners Association , and Architectural Review Committee. The restrictive Covenants for the Property shall be recorded with the recording of the record plat for each sector of the Subdivision. The Waterford Homeowners Association and Architectural Review Committee have been established under existing restrictive covenants. In the event of any conflict between the terms and conditions of the Restrictive Covenants and the Development Plan , the more restrictive provisions shall at all times control. The Developer shall have the unilateral authority to change any provision of the Covenants and/or the Development Plan.

l. Planned Street / Subdivision Designs

(1) The street/subdivision design standards and regulations for the Property shall be the same as the Subdivision regulations for the City. However , Developer may request that the City consider road design variations that may differ from the current

City Subdivision Regulations. The Master Plan show using alleys to provide access to certain lots for better traffic control, safety and aesthetics.

(2.) The Master Plan is also a preliminary development plan for portions of the Property, which is submitted with this Development Plan and, to the extent this Development Plan is approved by the City, such development plan shall be deemed to be approved by the City , and may be implemented for the property. As shown on the Master Plan, the existing and proposed scheme of the development for the Property will utilize cul-de-sacs. No vehicular access will be permitted between the Property and ANY adjacent property, except as shown on the Master Plan, or approved by the Developer or its assigns.

(3). Street lighting will be utilized within the right of ways of any or all of the public streets within the Property. The Developer will be responsible for the installation of lights as it deems necessary. The City will be responsible for payment of the utility bills thereafter.

(4) Informational signage which may identify the name of the proposed development for the Property and directional signage for the same, including signs for the sales and marketing of the property, shall be allowed to be erected within public or private road rights of way, including any medians thereto; provided, however . the City shall have no obligation to maintain any such informational signage located within the right of ways.

(5) All storm sewers, lines, pipes, drains and conduit within the Property shall be constructed in accordance with the then applicable requirements of the City, shall be subject to inspection by the City and , to the extent located upon or within the right of ways or easements of any public roads or storm easements which have been dedicated to the City, and all said lines shall be maintained by the City.

(6) Building permits will be issued by the City only if the Architectural Review Committee of the HOA established under the restrictive covenants for the property has approved the plans and specifications for the proposed improvements.

m. Interim Uses The property may be used for any of the following interim uses, for construction trailers and temporary parking to be utilized only during the development of the property, or construction of houses; utilization of the Property for cut and fill areas in connection with the mass grading operations; the temporary storage of construction materials, equipment and machinery with the development of the Property; models homes utilized in connection with the sale of residential dwelling units within the Property; temporary signage advertising the property for sale.

n. Landscaping Criteria. Each residential lot within the Property shall have a minimum of one(1) large deciduous tree which is either planted or retained in the front yard of

each such residential lot. Said trees will be maintained, or replanted if necessary. Areas of trees will be saved as-is will be allowed by the development of the Property.

o. Additional or Subsequent Government Requirements. Except as otherwise specifically provided to the contrary in this Development Plan, Developer and its successors and assigns shall comply with all existing ordinances, statutes, rules, regulations and requirements of the City(collectively the Governmental Regulations), as the same may be amended from time to time; provided, however, that in the event (a) any conflict or ambiguity arises between the terms and provisions set forth in this Development Plan and the terms and provisions set forth in any existing or future Governmental requirements of the City, then the terms and provisions of this Development Plan shall at all times control and (b) the provisions of any existing Governmental Requirements of the City are amended or modified in any manner so as to impose more requirements on the Development or use any portion of the property, then such increased or additional requirement shall not be effective as applied to the Property unless such change is mutually agreed upon by the City and all of the present Owners(including Developer) of those portions of the Property to which such additional requirements shall apply.

p. Municipal Services. The City agrees that all municipal services, rights and privileges afforded to residents of and all properties within the limits of the City, including without limitation, fire and police protection, emergency medical, and garbage and trash pick-up and removal services, shall be extended and provided to the property on the same basis as such services are provided to all the residences and other properties within the corporate limits of the City.

g. Miscellaneous Provisions. Each exhibit which is referenced and attached to this Development Plan is incorporated herein as if set out fully in the body hereof. The options and headings use herein are included for convenience and general reference only and shall not be construed to describe, define or limit the scope, intent or construction of this Development Plan. Neither this Development Plan nor any provisions thereof may be waived, modified or amended, except by written instrument signed by (a) the Developer, or (b) the party against whom the enforcement of such waiver, modification or instrument signed by the party against whom the enforcement of such waiver, modification or amendment is sought and then only to the extent specifically set forth in such instrument. This Development Plan shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The rights and interest of the Developer set forth herein may be transferred and assigned to any subsequent owner of any portion of the Property, however the Developer shall maintain final approval of any such change. This Development Plan shall be governed by, and construed in accordance with the laws of the State of Alabama. This Development Plan constitutes the entire and complete agreement between the parties

hereto and supersedes any and all oral or written agreements or understandings between the parties with respect to the matter hereof. It is expressly agreed that there is no verbal understandings or agreements which in any way change the terms, covenants and conditions set forth herein. If any term or provision of this Development Plan or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then the remainder of this Development Plan or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and each provision shall be valid and enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, Developer has caused this Development Plan to be executed as of the date first written above.

Waterford, LLC, an Alabama Limited Liability Corporation

By: _____

Printed Name: John G. Reamer, Jr

Its: Sole Member

Approval of Application

The foregoing Planned Unit Development Zoning Application and Development Plan dated May 12, 2023 is hereby approved.

The Planning and Zoning Commission
of The City of Calera, Alabama

By: _____
Its Chairman

The City Council of the City of Calera, Alabama

By: _____
Its Council President

By: _____
Its Mayor

Exhibit C
Development criteria for Planned Single Family (PR-1) District

- A. The Master Plan for the property consists of approximately 800 acres, which exceeds the minimum 150 acres for a PUD as required in 5.20.1 paragraph 2

All of the Property is zoned PR-G, which would allow, as a conditional use, The swim and tennis facilities, and any common areas.

- B. Setbacks/Yards. The following minimum building setback requirements shall be applicable:

40' wide lots:

Front setback	15 Feet
Rear Setback	20 Feet
Side setback	10' between structures

60' Foot and larger lots

Front setback	20 Feet
Rear Setback*	25 Feet
Side setback	10' with 20 ' minimum between structures

*Homes constructed with rear loaded, attached garage units will have a 10' minimum rear setback. Additionally, the rear setback will be reduced to 5' in the event that the garage units are detached from the house.

The following minimum building setback requirements shall be applicable to the swim and tennis facility:

Front setback	20 Feet
---------------	---------

Rear Setback	20 Feet
Side setback	20 Feet

Any parking areas or parking lots on the swim and tennis facility shall be located a minimum of ten (10) feet from the property lines of any adjoining single family lot.

C. Floor Areas

Any existing home or previously approved lot in the Waterford PUD is exempt from the requirements in this PUD Application.

The minimum floor area for any single family detached residential dwelling constructed on the property shall be as follows:

40' wide lots - 1,200 square feet with respect to any one story dwelling.

1,400 square feet with respect to any one and one half story dwelling.

1,600 square feet with respect to any two story dwelling.

60' wide and larger lots shall comply with 5.9.5 – Residential Garden Home District requirements

One story 1,500 square feet

More than one story 1,500 square feet on the first floor, 2,200 total

D. Minimum lot size. The minimum lot size of any other new lot shall comply with 5.9.1 and 5.9.2

Minimum lot area 7,000 square feet

Minimum lot width shall be 70'

E. Maximum Building Height Maximum Building Height shall comply with 5.9.4

No dwelling shall exceed 35' or two and a half stories

F. Off Street Parking Off Street Parking of any future lot shall comply with 5.9.3

a. Parking shall be located to the side or rear of the unit. Vehicle should use an alley where available.

b. There shall be four (4) paved, off street parking spaces for each unit. Spaces in garages do not count toward this requirement.

G. Signage All traffic and street signage shall at all times comply with the minimum requirements of the City. The restrictive covenants for the Property may adopt standards for the mailboxes and other signage, such as for sale and for rent signage, utilized within the Property as well as other guidelines and architectural standards for any other signage to be used within or relating to the property.

H. Exterior lighting No exterior light on any dwelling shall be installed higher than the eaves of said dwelling. Freestanding street lights shall be allowed within any of the areas of the Property . Additional lighting standards and regulations may be provided in the Restrictive Covenants for the Property.

I. Conditional uses. Any portion of the Property may be utilized for any of the conditional uses authorized in PR-G Districts under the City's PUD zoning Ordinance.

Amendments to Subdivision Regulations:

Article 4 Design Standards §4.8 Utilities

Add: 4.8.7 Upon final plat approval, or at any time thereafter, the developer may submit a petition to the city for the assumption of streetlight expenses. Any streetlights that are damaged or become inoperable will be replaced with a standard streetlight. The city reserves the right to review and approve such requests.

Amendments to Zoning Ordinance:

. Non-conformities

- 4.6.1. Within the districts established by this Ordinance or amendments that may be later adopted, there exists lots, structures, uses of land and structures and characteristics of use which, were lawful before the Ordinance was passed or amended but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendment. It is the intent of this ordinance to permit these non-conformities to continue until they are removed but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded, nor used as grounds for adding other structures or uses prohibited elsewhere in the applicable district.
- 4.6.2. Non-conforming Lots of Record. Where a lot of record existed at the time of the effective date of this Ordinance having less area or width than herein required for the applicable district, the following shall apply:
1. Said lot may nonetheless be used as a building site provided the yard space and other requirements conform as closely as possible with the requirements of the applicable district, in the opinion of the ZBA.
- 4.6.3. However, this provision shall not apply when two or more lots exist together, with contiguous frontage in single ownership at the time of passage of this Ordinance or any time thereafter. Such land shall be considered to be an undivided parcel for the purpose of this Ordinance and shall not be used or sold in a manner which creates lot area or width below the requirements stated in this Ordinance.

Alabaster's ordinance reads:

Nonconforming residential lots of record. "Nonconforming residential lot of record" means an approved residential subdivision lot approved by the planning and zoning commission that was platted and recorded prior to January 31, 2016, in the real estate records of the Office of the Probate Judge of Shelby County, and the lot no longer conforms to the minimum lot area or lot width requirements for the district in which it is located due to changes in the zoning ordinance. Structures on a nonconforming residential lot of record may be expanded or rebuilt for a permitted use, except apartments and duplexes, provided:

- (1) The lot abuts an all-weather street and has not less than 20 feet frontage;
- (2) The proposed building conforms to all general yard requirements, Article 6, §6.2 for the district;
- (3) The water supply and sewage disposal meet all health requirements; and
- (4) All original setbacks, dwelling size, and dimensional requirements are met.

We suggest changing the highlighted verbiage in section 4.6.2 to the above verbiage with the date changed to the date our ordinance was last updated.

Parking Standards

Current in R2, R2A, RG and PUD Zoning:

5.9.1. Parking Standards.

1. Parking shall be located to the side or rear of the unit. Vehicle should use an alley for access where available.
2. There shall be four (4) paved, off-street parking spaces for each unit. Spaces in garages do not count toward this requirement. Parking spaces shall be located off the public right of way and shall have a minimum space of 200 sq. ft. per space (10'x20').

Suggested change:

5.9.2. Parking Standards.

1. Vehicle should use an alley for access where available.
2. There shall be four (4) paved, off-street parking spaces for each unit. Spaces in garages do not count toward this requirement. Parking spaces shall be located off the public right of way and shall have a minimum space of 200 sq. ft. per space (10'x20').