



October 21, 2024

Work Session Time: 5:45 p.m.

Reports of Department Heads

Brian Kilgore, City Attorney

Council Member Reports

Debbie Byers

Kenny Dale Cost

Ernest Montgomery

Calvin Morgan

Kay Snowden Turner

Alan Watts

Mayor Report

Council Meeting Time: 6:30 p.m.

CITY OF CALERA - COUNCIL AGENDA

Call to Order

Word of Prayer & Pledge of Allegiance

Approval of Agenda

Approval of Minutes

Regular Meeting and Work Session for October 7, 2024

Old Business

Public Hearing

Ordinance PZ 2024-09

Waterford, LLC

Hwy 70 - Waterford PUD North (Original Waterford Subdivision)
Master Plan Approval

Public Hearing
Waterford, LLC
Ordinance No. PZ 2024-12
Hwy 70 - Dunsmore Subdivision
Master Plan Approval

New Business

Resolution No. 2024-51
Surplus Items - Police Department

Guests:

Public Comments

Motion to Adjourn



Minutes of the City of Calera Council Meeting October 7, 2024

The Council of the City of Calera met in the Council Chambers of the City Hall at 7901 Highway 31 on Monday, October 7, 2024, at 6:30 p.m. in a regular meeting. Mayor Graham presiding.

Mayor and Council Members Present:

Jon G. Graham, Mayor
Debbie Byers, Council Member
Kenny Dale Cost, Council Member
Ernest Montgomery, Mayor Pro Tem
Calvin Morgan, Council Member
Kay Snowden Turner, Council Member
Alan Watts, Council Member

Attorney:

Brian Kilgore

Guests:

James Fuller, David Hyche, Bill Hilyer, Kelly Ellison, Kevin Shirey, Richard Byers, Dawn Cost, Jackie Batson, Dennis Torrealba, Bill and Ann Davis, Jennifer Fournoy, Sean Kendrick, Dee Starkey, Reggie Darden, Stacy Walkup, Lydia Godwin, Bart Pitchford, Tip Edwards, John Reamer, Mike Phillips, Sherry Millard, Cisco Miculek, Robbie Grant, Cheryl Gilliam, Jason Reid, Cleyera Shelby

Mayor Graham called the meeting to order at 6:30 p.m.

Word of Prayer and Pledge of Allegiance:

Council Member Watts opened the meeting with prayer and the Pledge of Allegiance.

Approval of Agenda:

Amending the agenda to add the following item:

05120019.1

Engineering for the Highway 16 and Highway 31 Project – \$12,000.00

Council Member Byers made a motion to approve the Agenda for the October 7, 2024, Council Meeting with the following addition: Engineering for the Highway 16 Highway 31 Project. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Motion Passed

Approval of Minutes:

Council Member Morgan made a motion to approve and dispense with the reading of the following minutes:

Regular Meeting – September 16, 2024

Work Session – September 16, 2024

Council Member Cost seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Motion Passed

Old Business:

Public Hearing

Ordinance PZ 2024-09

Waterford, LLC

Hwy 70 - Waterford PUD North (Original Waterford Subdivision)

Master Plan Approval

Item tabled until the next council meeting: October 21, 2024 at the request of John Reamer

Public Hearing

Waterford, LLC

Hwy 70 - Dunsmore Subdivision

Master Plan Approval

Item tabled until the next council meeting: October 21, 2024 at the request of John Reamer

New Business:

Resolution No. 2024-47 Request to Vacate Street Alley Lovelady Properties, LLC and Showtime Properties, LLC

Council Member Cost moved that unanimous consent of the Council be given for immediate action upon Resolution No. 2024-47. Council Member Byers seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Resolution.

Council Member Cost moved that Resolution No. 2024-47 is adopted. Council Member Morgan seconded the motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYES: None

Motion Passed- Adopted this 7th day of October 2024

Public Hearing

Ordinance No. PZ 2024-10 Amendment to Zoning Ordinance - Non-Conformities Non-Conforming Lots of Record

Council Member Montgomery moved that unanimous consent of the Council be given for immediate action upon Ordinance No. PZ 2024-10. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member Watts moved that Ordinance No. PZ 2024-10 is adopted. Council Member Morgan seconded the motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYES: None

Motion Passed- Adopted this 7th day of October 2024

Kevin Shirey, Zoning Official, Amendment to Subdivision Regulations Design Standards - Utilities – Streetlights – Update in Work Session

Resolution No. 2024-48 Surplus IT Inventory

Council Member Byers moved that Resolution No. 2024-48 is adopted. Council Member Turner seconded the motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYES: None

Motion Passed- Adopted this 7th day of October 2024

Resolution No. 2024-49 Adoption of Police Policies, 1007 Communicable Diseases, 409 Crisis Intervention Incidents, 427 Homeless Persons, 414 Immigration Violations, 410 Involuntary Commitments, 701 Personal Communication Devices

Council Member Turner moved that unanimous consent of the Council be given for immediate action upon Resolution No. 2024-49. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Resolution.

Council Member Byers moved that Resolution No. 2024-36 is adopted. Council Member Morgan seconded the motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYES: None

Motion Passed- Adopted this 7th day of October 2024

Street Light Request Union Station (13 Street Lights) – Bart Pitchford HOA Board Member - Tabled

Resolution No. 2024-50 Surplus Items - Police Department

Council Member Turner moved that Resolution No. 2024-50 is adopted. Council Member Byers seconded the motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYES: None

Motion Passed- Adopted this 7th day of October 2024

David Hyche, Police Chief Swearing in of New Officers: Cheryl Gilliam and Jason Reid Introduction of New Dispatcher: Cleyera Shelby Explorer Recognition



Engineering Highway 16 and Highway 31 Project - \$12,000.00

Council Member Watts made a motion to approve the Engineering Highway 16 and Highway 31 Project. Council Member Turner seconded the motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYES: None

Motion Passed

Guests:

Jackie Batson, Calera Main Street Update

Council Member Morgan made a motion to declare all events held at Main Street as a Special Events. Council Member Cost seconded the motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYES: None

Motion Passed

Alan Rouse Ridgcrest Road

Public Comments:

Mike Phillips

Sherry Millard

Jennifer Flournoy

Cisco Miculek

Council Member Cost made a motion to adjourn the meeting at 7:29 p.m.

Approved this 21st day of October 2024.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2024-47

WHEREAS, a declaration signed Lovelady Properties, LLC and, Showtime Properties LLC owners of the lands abutting the hereinafter described portion of streets and/or alleys situated in the City of Calera, County of Shelby, State of Alabama, vacating said streets/alleys or portion of streets/alleys, has been duly presented to the City Council of the City of Calera, Alabama, for assent and approval of said governing body, said declaration attached being hereto affixed, marked "Exhibit A," and made a part hereof; and

WHEREAS, the street or alley referred to are more particularly described as follows:

**See Attached Legal Description
Exhibit A**

WHEREAS, it appears to the City Council of the City of Calera, Alabama that the vacations of said street/alley are in order and that convenient and reasonable means of ingress and egress is afforded to all other property owners owning properties in the subdivision embraced in said map of Dunstan's Survey of the City of Calera, Alabama. Subject, however to all existing right-of-ways or easements for public utilities and to all utility facilities presently situated in said area vacated, subject to this provision.

Council Member Cost moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2024-47. Council Member Byers seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Morgan, Graham, Cost, Byers, Turner

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Resolution.

Council Member Cost moved that Resolution No. R-2024-47 be adopted. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Morgan, Graham, Cost, Byers, Turner, Watts

NAYS: None

Mayor Graham declared Resolution No. R-2024-47 adopted.

Adopted this 7th day of October 2024.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk

REQUEST TO VACATE STREET/ALLEY

I, Lovelady Properties LLC. & Showtime Properties LLC. do hereby request the Mayor and Council of the City of Calera, Alabama to vacate the following described alley:

The entire right-of-way of Ethelda Drive located between Block 38 of the J.H. Dunstan Map of Calera & Block 38A of the HETZ Map of Calera

(See attached Legal Description)

We further certify that we are the sole property owners adjacent to said street and the vacation of this street would deny ingress and egress to other property owners owning properties in subdivision embraced in said map of J.H. Dunstan's Survey of the Town of Calera.



Lovelady Properties LLC.

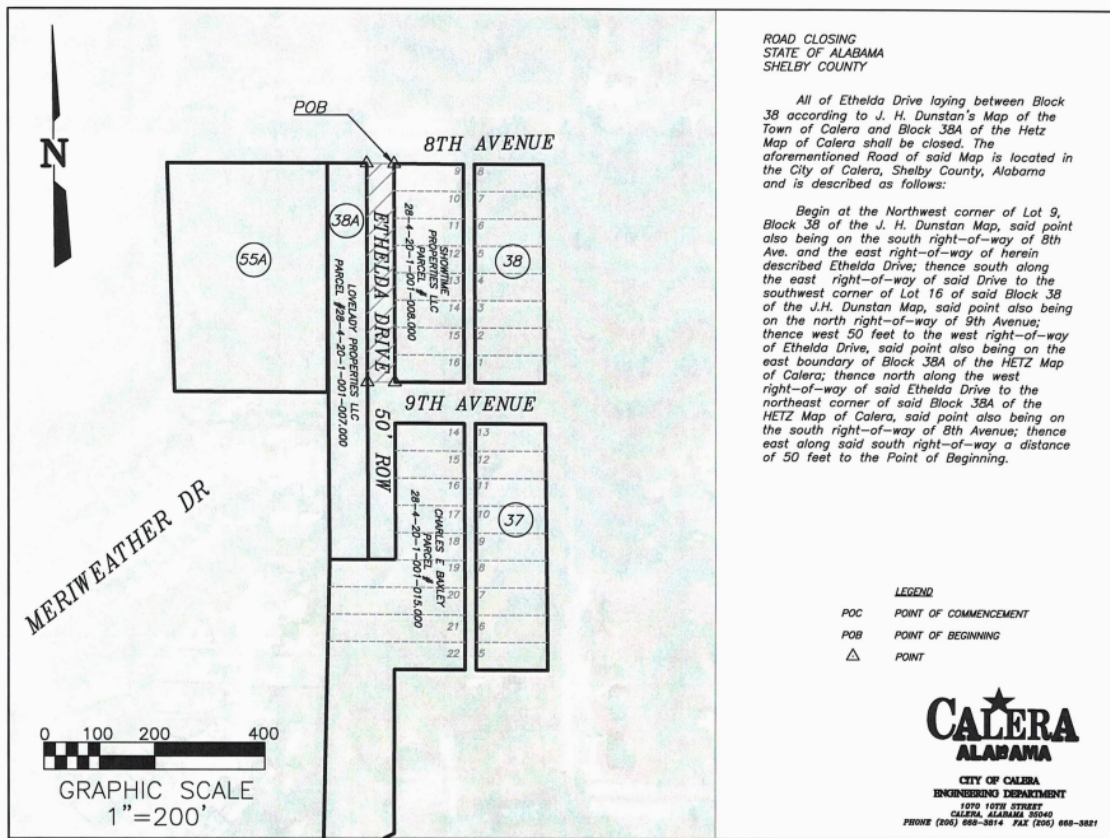
Scott Lovelady



Showtime Properties LLC

Date: 9-16-2024

Date: 9/16/24



Mayor Graham introduced the following Ordinance:

ORDINANCE NO. PZ2024-10

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA:

(1) **WHEREAS**, the Code of Ordinances of the City of Calera, Alabama is hereby amending by deleting the current Zoning Ordinance sections and substituting therefore the following update verbiage:

Amendments to Zoning Ordinance:

4.6 Non-Conformities

Current verbiage:

- 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.
 2. 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.

Replace with following Verbiage:

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. 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 February 6, 2023, 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 all original setbacks, dwelling size, facades, and dimensional requirements are met.

2. 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.

Parking Standards

Current Verbiage 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').

Replace current verbiage in R2, R2a, RG and PUD Zoning with:

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').

Council Member Montgomery moved that unanimous consent of the Council be given for immediate action upon Ordinance No. PZ2024-10. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Watts, Turner

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member Watts moved that Ordinance No. PZ2024-10 be adopted, which motion was seconded by Council Member Morgan and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Watts, Turner

NAYS: None

Adopted this 7th day of October 2024.

Mayor Graham declared Ordinance No. PZ2024-10 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2024-48

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

WHEREAS, the City of Calera, Alabama has inventoried all Departments Inventory and requesting approval to Surplus the following items for the IT Department.

WHEREAS, the City has found the following items for the City of Calera no longer needed.

Asset Tag ID	Description	Purchase Date	Date Disposed	Dispose to
0029	HP ProDesk 400 G5 Desktop	03/13/2019	01/30/2024	Dump
0213	HP Elite Desk 705 G1	07/20/2021	01/30/2024	Dump
0378	HP Optiplex 3080	07/13/2020	01/30/2024	Dump
0520	HP Compaq Pro 6305	09/04/2019	01/30/2024	Dump
0526	HP Compaq Pro 4300 SFF	09/17/2019	01/30/2024	Dump
0590	Latitude 5500 Laptop	07/02/2020	02/01/2024	Dump
100175	HP Elite Desk 700 G1	07/13/2020	02/01/2024	Dump
0007	HP Prodesk 400 G4 Desktop	11/08/2018	09/17/2024	Dump
0012	HP Prodesk 600 G2 Desktop Mini	12/22/2016	09/17/2024	Dump
0021	HP Prodesk 400 G4 Desktop Mini	11/08/2018	09/17/2024	Dump
0023	iPad 32 GB Wi-Fi + Cellular	07/09/2019	09/17/2024	Dump
0024	iPad 32 GB Wi-Fi + Cellular	07/10/2019	09/17/2024	Dump
0025	iPad Air 2	07/01/2017	09/17/2024	Dump
0026	iPad Air 2	07/01/2017	09/17/2024	Dump
0221	HP Elite 705 G1 SFF	11/29/2022	09/17/2024	Dump
0224	HP Elite Desk 800 G1	07/13/2020	09/17/2024	Dump
0275	Dell Optiplex 3080 Mini	09/29/2021	09/17/2024	Dump

0330	Optiplex SFF Plus 7010	11/01/2023	09/17/2024	Dump
0513	HP ProDesk 400 G5 Desktop	03/13/2019	09/17/2024	Dump
0515	HP Prodesk 260 G2 DM Desktop Mini	12/22/2016	09/17/2024	Dump
0517	HP Prodesk 600 G2 Desktop Mini	12/22/2016	09/17/2024	Dump
0521	HP Prodesk 600 G2 Desktop Mini	12/22/2016	09/17/2024	Dump
0524	HP Prodesk 600 G2 Desktop Mini	12/22/2016	09/17/2024	Dump
0528	HP ProDesk 400 G1 Desktop	03/13/2019	09/17/2024	Dump
0551	HP Prodesk 600 G1 Desktop Mini	12/22/2016	09/17/2024	Dump
0559	HP Prodesk 600 G1 Desktop Mini	12/22/2016	09/17/2024	Dump
0573	HP Elite Desk 800 G1	11/18/2019	09/17/2024	Dump
0576	HP Prodesk 600 G2 Desktop Mini	12/22/2016	09/17/2024	Dump
100150	Panasonic CF-53-Laptop	12/01/2018	09/17/2024	Dump
100132	Panasonic CF-53-Laptop	12/01/2018	09/17/2024	Dump
100134	Panasonic CF-53-Laptop	12/01/2018	09/17/2024	Dump
100136	Panasonic CF-53-Laptop	12/01/2018	09/17/2024	Dump
100133	Panasonic CF-53-Laptop	12/01/2018	09/17/2024	Dump
0611	Dell Optiplex 3070	10/28/2020	09/17/2024	Dump
D0057	Panasonic CF-53	10/27/2015	09/17/2024	Dump
03DIS2021	HP 260 G2 Desktop Mini	11/08/2018	09/17/2024	Dump
CNU351BMKW	HP EliteBook 840 G1	07/01/2014	09/17/2024	Dump
	Dell 48 Port Switch			
	Dell 48 Port Switch			
	Crystal Express 24 Port Switch			
	Lacie			

Council Member Byers moved that Resolution No. R-2024-48 is adopted. Council Member Turner seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Morgan, Graham, Cost, Byers, Turner

NAYS: None

Mayor Graham declared Resolution No. R-2024-48 adopted.

Adopted this 7th day of October 2024

Connie Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2024-49

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, AS FOLLOWS:

WHEREAS, the Calera Police Department is reviewing and adopting New Department Policies and Procedures through Lexipol

WHEREAS, during the Fiscal Year needs may arise to amend the Calera Police Department's Policies and Procedures; and

WHEREAS, these new Policies and Procedures are needed for the day-to-day operations of this department; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Calera that the following policies, as attached to this Resolution and incorporated herein, are approved and adopted, to take effect immediately;

1007	Communicable Diseases
409	Crisis Intervention Incidents
427	Homeless Persons
414	Immigration Violations
410	Involuntary Commitments
701	Personal Communication Devices

Council Member Turner moved that unanimous consent of the Council be given for immediate action upon Resolution No. R-2024-49. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Council Member Byers moved that Resolution No. R-2024-49 be adopted. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Byers, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Mayor Graham declared Resolution No. R-2024-49 adopted.

Adopted this 7th day of October 2024.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2024-50

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

WHEREAS, the City of Calera, Alabama has inventoried all Departments Inventory and requesting approval to Surplus the following items for the Police Department.

WHEREAS, the City has found the following items for the City of Calera no longer needed.



CALERA POLICE DEPARTMENT

10947 HIGHWAY 25
POST OFFICE BOX 730
CALERA, ALABAMA 35040

—
DAVID HYPHE
Police Chief

October 2, 2024

The Calera Police Department would like to surplus the following property:

MWRAP w/ camera mast
2 jet skis
8 zodiacs
OTS Communications system
8 Nerd systems
Cascade compressor
Sea View drop camera
2 boxes dive fins and boots
1 box wet suit undergarments
8 lift bags and 2 sets of air hoses
10-15 wet suits
8 dry suits
original Hummingbird sonar
2 viking dry suits (with bad seals)
1 box miscellaneous weight pouches/nets/mask valves
1 box miscellaneous storage bags
5 body bags

Council Member Turner moved that Resolution No. R-2024-50 is adopted. Council Member Byers seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Morgan, Graham, Cost, Byers, Turner

NAYS: None

Mayor Graham declared Resolution No. R-2024-50 adopted.

Adopted this 7th day of October 2024

Connie Payton, City Clerk

Jon G. Graham, Mayor

City of Calera – City Council
Work Session Minutes

October 7, 2024

The members of the Calera City Council met on October 7, 2024, at 5:45 p.m. with Mayor Graham presiding. The meeting was held at Calera City Hall.

The following members were present:

Mayor: Jon G. Graham

Council Members: Debbie Byers, Kenny Dale Cost, Calvin Morgan, Ernest Montgomery, Kay Snowden Turner, Alan Watts

City Attorney: Brian Kilgore

Department Heads: James Fuller, David Hyche, Bill Hilyer, Kelly Ellison, Sean Kendrick, Kevin Shirey, Stacy Walkup, Reggie Darden

Guests: Richard Byers, Dawn Cost, Jackie Batson, Dennis Torrealba, Bill and Ann Davis, Jennifer Flournoy, Dee Starkey, Tip Edwards, John Reamer, Mike Phillips, Sherry Millard, Robbie Grant, Cisco Miculek, Cheryl Gilliam, Jason Reid, Cleyera Shelby, Lydia Godwin, Bart Pitchford

The meeting was called to order.

Reports from the following:

Department Heads

Council Members

Mayor

The Council discussed the agenda for the Council meeting.

There being no further business, the meeting was adjourned at 6:30 p.m.

Respectfully Submitted:

Approved:

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. PZ2024-09

WHEREAS, on **August 12, 2024**, the Planning Commission of the City of Calera, Alabama conducted a public hearing recommending approval of the Waterford Subdivision Master Plan subject to the express condition that Waterford, LLC abide by all terms and provisions of the Developer's Agreement with the City as referenced in **Attachment A: July 7, 2014, Agreement** (the "Agreement"); and

WHEREAS, on **September 3rd, 2024**, the Council of the City of Calera, Alabama (herein "the Council") conducted a public hearing and reiterated that no additional development at or adjacent to the Waterford Development, including any development using any Waterford street and/or streets to provide access to Alabama Highway No. 70, will be approved until Village Ridge Parkway (as shown on the map of Waterford Village Sector 5 Phase 5 and the associated improvements to Alabama Highway No. 70) is completed pursuant to all Alabama Department of Transportation (herein "ALDOT") specifications and expressly accepted by Calera; and

WHEREAS, on September 3rd, 2024, the Council alternatively reiterated that Waterford, LLC can provide a sufficient bond for the referenced Improvements in accord with the Agreement; and

WHEREAS, the Council continued this matter from the September 3rd, 2024 Council Agenda so that these express conditions could be properly established by ordinance and proper notification could be sent to all adjacent landowners of a new public hearing on this matter; and

WHEREAS, the Council of the City of Calera, Alabama has conducted a second public hearing on **October 21, 2024**, after proper legal and actual notice to landowners to consider approval of the Waterford Subdivision Master Plan recommended by the Planning Commission.

IT IS THEREFORE ORDAINED BY THE MAYOR AND
COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

1. The City Council conditions its approval of the Waterford Subdivision Master Plan on Waterford, LLC and its successor interest's full compliance with all terms and provisions of **Attachment A: July 7, 2014, Agreement**; and
2. Waterford, LLC and its successor interests shall execute any and all additional documents required for compliance with the Agreement and take any additional actions necessary to carry out the terms of such Agreement; and
3. The Council ORDAINS that no additional development will be approved at the Waterford Development until those improvements to Alabama Highway No. 70, as specified in **Attachment A: July 7, 2014**, are completed, approved by ALDOT and such improvements are expressly accepted by the City of Calera; and
4. Waterford, LLC shall provide the City with a bond in full compliance with the City of Calera's Section 6.2.3 bonding regulations for any existing streets or roads used for construction traffic.

Council Member _____ moved that unanimous consent of the Council be given for immediate action upon Ordinance No. PZ2024-09 Council Member _____ seconded said motion and upon vote, the results were as follows:

AYES:

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member _____ moved that Ordinance No. PZ 2024-09 be adopted.
Council Member _____ seconded said motion and upon vote, the results were as follows:

AYES:

NAYS: None

Mayor Graham declared Ordinance No. PZ2024-09 adopted.

Adopted this ____ day of _____, 2024.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Thomas Lee Oliver III
toliver@bradley.com
205.521.8141 direct
205.488.6141 fax



April 5, 2024

VIA ELECTRONIC MAIL

Tammy Smith
Zoning Clerk of the City of Calera
City of Calera City Hall
7901 Highway 31
Calera, AL 35040
tsmith@calera.org

RE: Protest concerning Waterford PUD North Master Plan Approval

Dear Ms. Smith:

Adams Homes, LLC ("Adams") recently became aware that Waterford, LLC ("Waterford") submitted an application seeking Master Plan Approval for the Waterford PUD North subdivision (the "PUD Submission"). Upon receipt of the PUD Submission, Adams sent a letter to Waterford's attorneys requesting that Waterford withdraw its PUD Submission. A copy of the letter sent by Adams to Waterford, which details the numerous reasons that Waterford's submission is improper and to be denied, is attached hereto.

Adams respectfully requests that the City of Calera's Planning and Zoning Committee deny the PUD Submission.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Thomas Lee Oliver III".

Thomas Lee Oliver III

TLO/tw

Enclosure

cc: Donald H. Brockway, Jr.

Thomas Lee Oliver III
toliver@bradley.com
205.521.8141 direct
205.488.6141 fax



April 4, 2024

VIA ELECTRONIC MAIL

Donald H. Brockway, Jr., Esq.
650 Farley Building
1929 Third Avenue North
Birmingham, AL 35203
don_law@bellsouth.net

**RE: Notice of Default and Demand to Cease and Desist
Adams Homes, LLC v. Waterford, LLC, et al
Shelby County Circuit Court; Civil Action No.: 58-CV-2020-900422**

Dear Don:

Adams Homes, LLC ("Adams") recently became aware that Waterford, LLC ("Waterford") submitted an application seeking Master Plan Approval for the Waterford PUD North subdivision (the "PUD Submission"). The PUD Submission seeks to amend the zoning for certain lots under contract with Adams as 70' foot lots instead of the contractually agreed-upon 60' foot lots in the Purchase Agreements. **Please allow this letter to notice Waterford of its breach of the Purchase Agreements, as defined in the Amended Complaint of the above-referenced matter, and serve as Adams' demand that Waterford cease and desist the PUD Submission until Waterford's application conforms with the Lots under contract in the Purchase Agreements.**

The Purchase Agreements do not allow for Waterford to seek such action unilaterally and without an amendment to the Purchase Agreements. The Purchase Agreements provide that Waterford may "make minor changes in such documents as Seller, governmental authorities having jurisdiction over the property, title insurance companies or mortgage lenders may require or deem necessary, provided that such changes do not materially alter the boundaries of the property or the dimensions of the proposed Lots covered by this Agreement(s) from that reflected on the preliminary plat provide to Purchase or otherwise materially adversely affect the rights of Purchaser or the value of the Lots." The PUD Submission is in clear breach of the Purchase Agreements in that it alters the dimensions of the proposed Lots.

Adams takes issue with Waterford's PUD Submission for several other reasons in addition to the fact that the Submission violates the Purchase Agreements:

First, Waterford submitted the PUD Submission without providing notice to Adams of its intention to do so. This is not the first time that Adams discovered Waterford had or intended to submit an application that was in violation of the Purchase Agreements. After Adams' prior objection, the parties agreed that Waterford would provide notice to Adams of any future proposed submission to be made to the City of Calera such that Adams could ensure the proposed submission complied with the Purchase Agreements or was otherwise agreeable by the parties. For some

Donald H. Brockway, Jr.
April 4, 2024
Page 2

unbeknownst reason, Waterford no longer appears to be abiding by that agreement and its representations that it would work with Adams to abide by the Purchase Agreements.

Second, Waterford's PUD Submission improperly seeks to amend Lots subject to the Purchase Agreement based on current zoning ordinances, despite Waterford's rights in these Lots being grandfathered into the previous zoning ordinance and Waterford's rights in the property having already vested. The City of Calera Zoning Ordinance provides a grandfather clause that applies to each parcel of property upon which Waterford is seeking to amend lot sizes. Furthermore, Waterford is seeking to amend the 60' foot Lots subject to the Purchase Agreement to 70' foot Lots where Waterford has already completed significant infrastructure with the City of Calera's approval. Waterford's rights on that set of Lots have clearly vested, and Waterford cannot claim that it must conform with the current zoning ordinances as reason for violating the Purchase Agreements.

Third, even if Waterford's rights were not grandfathered in or vested (which they are), Waterford's PUD Submission ignores that the City of Calera has *never* denied an application by Waterford to amend the Lots subject to the Purchase Agreements. To the contrary, at numerous hearings before the Planning and Zoning Commission and the City Council, members of both committees considered and, in many cases, stated that they were open to approving Waterford to proceed with honoring its Purchase Agreements with Adams if Waterford would honor its agreement with the City to construct a second entrance to service the North side of the Waterford Subdivision.

Last, at the City Council hearing discussing a proposed amendment to the Waterford PUD to allow for a new subdivision on the South of Highway 70, members of the City of Calera's City Council urged Adams and Waterford to work on a resolution to allow for a second entrance to be constructed for the North side of the Waterford Subdivision and the completion of the Lots within the same. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Adams hereby requests that Waterford notify Adams, in writing, that it has withdrawn the PUD Submission with the City of Calera by 1:00PM on Friday, April 5, 2024.

Very Truly Yours,



Thomas Lee Oliver III

TLO/tw

cc: C. Meade Hartfield (via email at mhartfield@bradley.com)
Hilary Williamson (via email at hwilliamson@bradley.com)

Tammy Smith

From: amc2051@yahoo.com
Sent: Monday, April 8, 2024 9:31 AM
To: Tammy Smith
Subject: [EXTERNAL]Waterford Building Project

As per our telephone conversation, I am opposing expansion of Waterford project. It will create too much traffic congestion to the area. It will also impose safety hazard with utility vehicles or service vehicles such as ambulances from entering the area. Alabama's road system is TERRIBLE.

Sincerely,
Antoinette Crispin
2051 Village Ridge Circle
Calera, Alabama 35040

Tammy Smith

From: amc2051@yahoo.com
Sent: Thursday, August 1, 2024 10:00 AM
To: Tammy Smith
Subject: [EXTERNAL]Waterford PUD North Hearing

Hi Tammy.

I live at 2051 Village Ridge Circle. I am opposed to any further development of this subdivision. There was suppose to have been a new entrance and exit to this area. I am opposed to that if it runs next to my property. I will not be able to attend the meeting as I am not well. I am scheduled to have surgery on August 15th. Please inform me of the outcome of this meeting.

Sincerely,

Antoinette Crispin

PUBLIC HEARING NOTICE

CITY COUNCIL

CITY OF CALERA, AL

You are hereby notified of a public hearing of the City Council of Calera to be held at Calera City Hall (7901 Hwy 31) at 6:30 P.M. on October 21, 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 October 10, 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

2.013

STATE OF ALABAMA
COUNTY OF SHELBY

AGREEMENT

This Agreement is made the 7TH day of July, 2014, between the City of Calera, Alabama ("Calera") and Waterford, L.L.C..

WHEREAS, Waterford L.L.C. has owned and developed certain residential subdivisions within the corporate limits of Calera which are accessed from Alabama Highway No. 70, including all sectors and phases of Waterford Cove, Waterford Highlands, Waterford Townhomes, Waterford Village, and the streets and common areas located on the various recorded plats of these subdivisions (collectively "Waterford"); and

WHEREAS, large portions of the Waterford streets have never been completed or are in disrepair, including Waterford Parkway, which currently is the sole access to Waterford, and Waterford L.L.C. or parties associated with Waterford L.L.C. are currently in negotiations to provide funds which will be applied to the completion or repair of the Waterford streets ("Funds"); and

WHEREAS, Waterford L.L.C. has previously named Calera as beneficiary on certain Certificates of Deposit (and all amounts evidenced by such Certificates of Deposit) held by First American Bank, or its successors or assigns, with account numbers 3041661, 3041662, and 3041664, or successor accounts thereto as security or "bond" to secure the completion of portions of the Waterford streets (collectively, the "Certificates of Deposit"); and

WHEREAS, Waterford L.L.C. wishes to apply the Certificates of Deposit to the cost of the completion or repair of the Waterford streets should the Funds prove to be insufficient, as shown by a separate document titled "AGREEMENT REGARDING EXISTING CERTIFICATES OF DEPOSIT"; and

WHEREAS, Calera is willing to apply the Certificates of Deposit as requested by Waterford L.L.C., which may include street completion and repairs for areas of Waterford not covered by the Certificates of Deposit, provided that no additional development at or adjacent to Waterford which uses any Waterford street or streets to provide access to Alabama Highway No. 70 will be approved until Village Ridge Parkway as shown on the map of Waterford Village Sector 5 Phase 5 and the associated improvements to Alabama Highway No. 70, is completed and accepted by Calera, or until sufficient bond equal to one-hundred-fifty percent (150%) of an acceptable bid from either Dunn Construction Company, Inc. or Wiregrass Construction Company, Inc. for such completion is accepted and approved by Calera.

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. No additional development at or adjacent to Waterford which uses any Waterford street or streets to provide access to Alabama Highway No. 70 will be approved until Village Ridge Parkway as shown on the map of Waterford Village Sector 5 Phase 5 and the associated improvements to Alabama Highway No. 70, is completed and accepted by Calera, or until sufficient bond for such completion is accepted and approved by Calera.

2. The parties agree to execute any additional documents and take any additional actions necessary to carry out the terms of this Agreement.

City of Calera, Alabama

Waterford, L.L.C.

by _____
Mayor

by _____
as its MEMBER

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jon Graham, whose name as Mayor of the City of Calera, Alabama, a municipal corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and official seal, this the _____ day of _____, 2014.

Notary Public

STATE OF ALABAMA
COUNTY OF _____

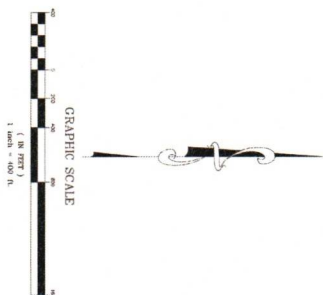
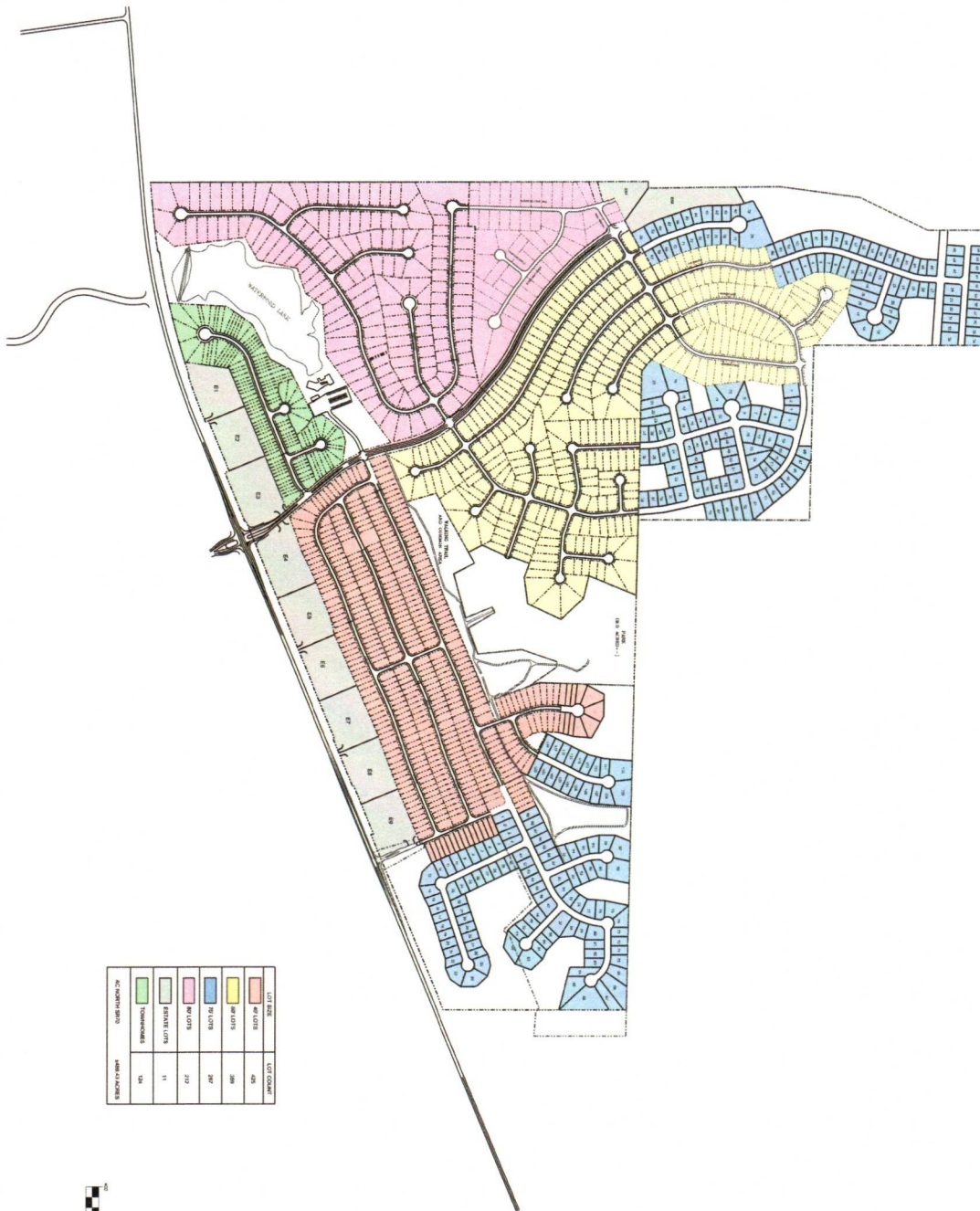
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JOHN G. REAMER JR. whose name as MEMBER of Waterford, L.L.C., a limited liability company, is signed to the foregoing instrument, and who is

known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal, this the 7th day of July, 2014,
2014.

Heather Dugan
Notary Public
my commission expires 3/15/15





EXB1 PROJECT NO. 05-30-2024	PROJECT NAME: WATERFORD A PROPOSED RESIDENTIAL SUBDIVISION	PROJECT ADDRESS: WATERFORD SUBDIVISION CALERA, ALABAMA	SHEET TITLE: OVERALL MASTER PLAN	REVISIONS:	PREPARED BY: PROJECT NO.: 05-30-2024	CHECKED BY: PROJECT NO.: 05-30-2024	DRAWN BY: PROJECT NO.: 05-30-2024	DATE: 05-30-2024	EDG ENGINEERING DESIGN GROUP 2100 SOUTH GARDENWAY SUITE 100 CALERA, AL 35008 (205) 422-1000 FAX: (205) 422-1001 WWW.EDGALABAMA.COM	PRELIMINARY NOT FOR CONSTRUCTION
	Page 37 of 72									

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

INDEX

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.

q. 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.

Tammy Smith

Zoning Clerk

City of Calera

tsmith@calera.org

October 4, 2024

Allen C. Foster III

583 Shadow Bend Drive

Odenville, AL 35120

Email: mikephillips700@gmail.com

Re: Proposed Dunsmore Subdivision Master Plan Approval

Ms. Smith:

I, Allen Foster, own 40 acres that the proposed Dunsmore subdivision borders on three sides. I also own an easement for ingress and egress from Highway 70 through the proposed Dunsmore subdivision. I have owned and maintained and continuously used this property and easement since 1978. I have included documentation and pictures.

As stated in the proposed Development Plan under Paragraph 5,l,(2.) "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."

The proposed Master Plan does not show my easement. It does show a proposed alternate access which is unacceptable to me. Therefore, I protest the approval of the Proposed Dunsmore Subdivision Master Plan Approval.

I will be unable to attend the Hearing September 3, 2024, but I will send my son, Mike Phillips in my stead.

Sincerely,

A handwritten signature in cursive script that reads "Allen C. Foster III". The signature is written in dark ink and is positioned below the word "Sincerely,".

Allen C. Foster, III

This instrument prepared by John C. Hensley
1935 C, Hoover Ct., B'ham, Ala.

19781229000171750 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/29/1978 12:00:00AM FILED/CERT

STATE OF ALABAMA)

SHELBY COUNTY)

1029

INDENTURE between Mr. Milford Lee and wife, Jonnie Ruth Lee, of the
first part, herein referred to as the "Grantor", and Clyde H. Earnest and wife,
Donna H. Earnest and Allen Foster III, of the second part,
herein referred to as the "Grantee":

In consideration of the sum of Fourteen Hundred Eighty-Five and NO/100
(\$1485.00) Dollars, in hand paid to the Grantor by the Grantee, the receipt of
which is hereby acknowledged, the Grantor does hereby grant to the Grantee,
but without warranty, express or implied or otherwise, the right, privilege and
easement of constructing and maintaining a road along, over and across a strip
of land hereinafter described, located in Shelby County, Alabama, as follows,
to-wit:

Commence at the NW corner of the SE 1/4 of the SW 1/4 of Section 35,
Township 21 South, Range 2 West; thence Eastwardly along the North
line of said 1/4-1/4 for a distance of 197.22 feet to the point of
beginning of a strip of land 60 feet in width, lying 30 feet on each
side of the following described line: thence turn left an angle of
98° 59' 26" for a distance of 307.81 feet; thence turn left an angle
20° 38' 36" for a distance of 126.11 feet; thence turn left an angle
of 32° 27' 30" for a distance of 232.32 feet; thence turn right an
angle of 13° 13' 48" for distance of 163.03 feet; thence turn left an
angle of 31° 13' 30" for a distance of 71.05 feet; thence turn right
an angle of 48° 14' 30" to the southern most line of Shelby County
Highway #70 a distance of 82.0 feet more or less. Extending and
shortening the ends of side line so as to terminate at the property
lines of the grantors.

TO HAVE AND TO HOLD the aforegranted right, privilege and easement unto
the Grantee, his heirs and assigns, subject, however, to the following conditions
which are assented to by the Grantee, as is evidenced by his acceptance hereof:

1. There is excepted from the foregoing grant and reserved unto
the Grantor the right to construct, operate and maintain over,
under and across the said strip of land such private and public
roads, highways, railroads, tramroads, pipe lines, sewers,
electric transmission lines, telephone lines and other facilities
and use as the Grantor may from time to time deem proper, and
such other rights and privileges as may be reasonably necessary
for the full and complete enjoyment of the above lands of which

James M. Boe Jr.
3077 Whispering Pine Circle
B'ham 35226

BOOK 317 PAGE 56



19781229000171750 2/2 \$.00
 Shelby Cnty Judge of Probate, AL
 12/29/1978 12:00:00AM FILED/CERT

- 2 -

this easement is a part, provided, however, that the exercise of any right or privileges shall not materially interfere with the construction, maintenance and use on and over the said strip of land of the right, privilege and easement herein granted.

2. The rights herein granted shall not in any way be construed to be superior to, but are subject to rights-of-way for public roads, telephone, telegraph and electric transmission lines and other existing easements.

3. The Grantor, its successors and all assigns, shall have the free and unrestricted right to use any road constructed on, over and across said strip of land. If said strip of land is used for any other purpose than as a road, or in the event the Grantee shall cease to use said strip of land as a road for a continuous period of twelve (12) months, unless such non user is for the purpose of reconstructing or repairing the road on said strip of land, then and in either event the title thereto shall revert to and be vested in the Grantor, its successors or assigns.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed this 28th day of December 1978.

BOOK 317 PAGE 57

STATE OF ALABAMA, SHELBY CO.

I CERTIFY THIS

INSTRUMENT WAS FILED

DECEMBER 29 PM 12:00
 RECORDED - 150
 R.C. 300
 100
 550

Milford Lee

Jonnie Ruth Lee

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Milford Lee and wife, Jonnie Ruth Lee, whose names are signed to the foregoing conveyance, and who are known to me acknowledged before me on this day, that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of December 1978.

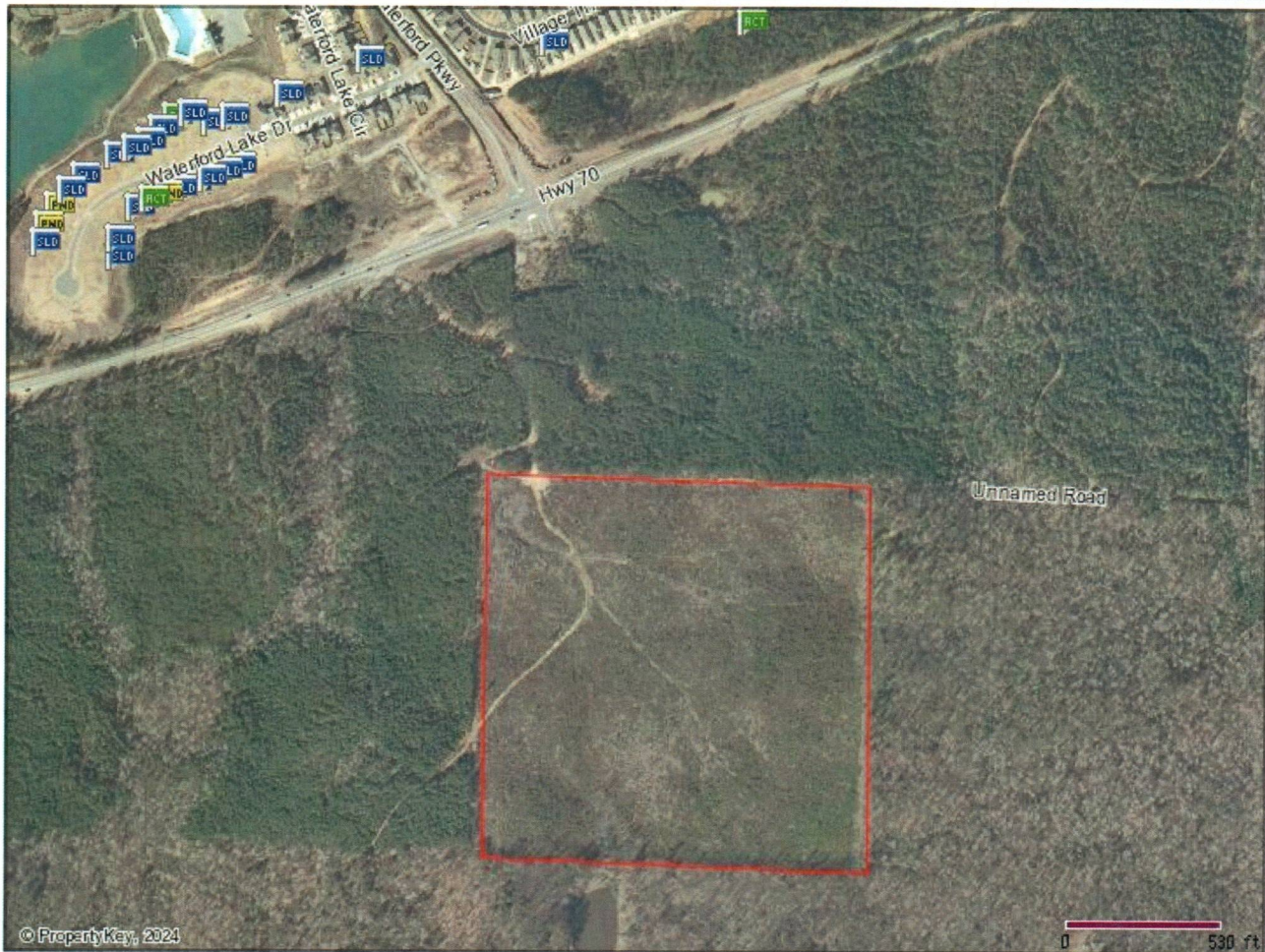
Notary Public





Greater Alabama MLS - IMAPP

Shelby County Tax Report - 40 ACRES BETWEEN HWY 70 & HWY 42, CALERA, AL 35040



ACT Active SLO Sold PND Pending W Withdrawn C Cancelled X Expired
Residential Agricultural Government Water
Commercial Industrial Other Condo
 based on general land use classification not zoning

Property Information



PID # 22-7-35-3-001-006.000

Property Type: Residential

Property Address:

40 ACRES BETWEEN HWY 70 & HWY 42
CALERA, AL 35040

Current Owner:

ALLEN C FOSTER III

Tax Mailing Address:

583 SHADOW BEND DR
ODENVILLE, AL 35120-5541

Land Areas:

1. UNDEVELOPED LAND / 910

Lot Size: 40 acres / 1,742,400 sf

Tax District:

Subdivision:

Twn: 21S / Rng: 02W / Sec: 35

Block: 000 / Lot:

Legal Description:

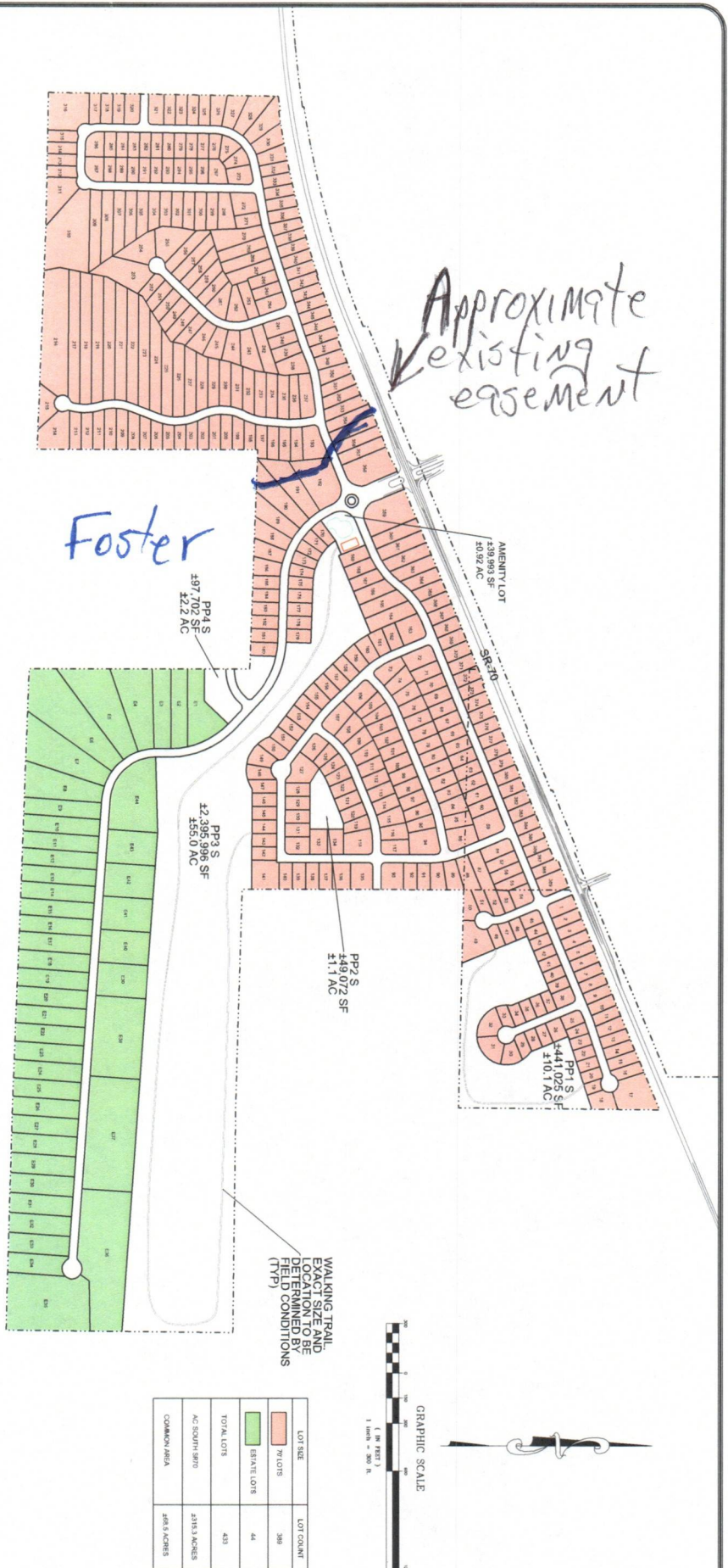
- SE1/4 OF SW1/4 SEC35

Plat Book: 00 / Plat Page: 000

Census Tract: 030502 / Block: 1015

Lat: 33.154812 Lon: -86.720806

DUNSMORE SUBDIVISION ON AL-SR70 CALERA, AL



Tammy Smith

From: c <c@reagan.com>
Sent: Tuesday, September 3, 2024 3:24 PM
To: Tammy Smith
Subject: [EXTERNAL]Please REJECT the Zoning Proposal for Dunsmore/Waterford

Dear Mayor Graham and City Council,

Please reject the latest proposal from the Waterford developer for a new subdivision which borders my property (and others on Hwy. 42). After attending many public hearings, it is obvious that Mr. Reamer, the developer, failed to meet his prior commitments regarding his other development and could very easily fail to meet any of his commitments regarding this latest subdivision.

None of my neighbors are in favor of this, and adding another high-density town (in one subdivision, no less) makes Calera a worse place to live because of the added traffic, crime, and burden on the school systems.

But I would like to ask you all to go even further and consider a "growth plan" for Calera which ensures our city will remain a nice place to live or become an even nicer area. Instead of filling up every square inch of land with houses, think about requiring minimum lot sizes which would increase the value of everybody's land. (I don't mean 70 foot minimums. A good minimum would be 3-10 acres.) Instead of focusing on jamming as much population as possible into the tiniest of areas, consider reserving land for parks or farms, possibly even purchasing land just to let it stay natural.

People don't move to Calera just to live in an urban environment, and it's ridiculous to have all the problems city-dwellers have out here in the country. We are just hurting our quality of life by accepting new subdivisions and high-density housing projects. Please consider this when you vote on this latest one.

Thank you,

Cullen Miculek
585 Hwy. 42
Calera, AL 35040

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. PZ2024-12

WHEREAS, on **November 13, 2023** the Planning Commission of the City of Calera, Alabama conducted a public hearing recommending approval of the Dunsmore Subdivision Master Plan subject to the express condition that Waterford, LLC complete construction of the second entrance to the Dunsmore Development upon the building of one-hundred fifty (150) homes in accord with all Alabama Department of Transportation (“ALDOT”) specifications and that no additional permits be issued until said “Second Entrance” is expressly accepted by the City; and

WHEREAS, on **September 3rd, 2024**, the Council of the City of Calera, Alabama (herein “the Council”) conducted a public hearing and proposed additional conditions for acceptance of the Dunsmore Master Plan that include Waterford, LLC complete construction of the second entrance to the Dunsmore Development upon the building of one-hundred fifty (150) homes, ALDOT provide approval of substantial completion of the second entrance to the Dunsmore Development, Waterford, LLC provide a bond for all existing roads used for construction traffic, and that no additional permits will be issued for the Dunsmore Development until the City Council’s expressly accepts the dedication of “Second Entrance;” and

WHEREAS, the Council continued this matter from the September 3rd, 2024 Council Agenda so that all these express conditions could be properly established by ordinance and proper notification could be sent to all adjacent landowners of a new public hearing on this matter; and

WHEREAS, the Council of the City of Calera, Alabama has conducted a second public hearing on **October 21, 2024**, after proper legal and actual notice to landowners to consider approval of the Dunsmore Subdivision Master Plan as recommended by the Planning Commission and subject to the express conditions stated herein.

IT IS THEREFORE ORDAINED BY THE MAYOR AND
COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

1. The City Council conditions its approval of the Dunsmore Subdivision Master Plan on the condition that Waterford, LLC and any successor interest fully comply with all conditions of this Ordinance; and
2. Waterford, LLC and its successor interests shall execute all additional documents required for compliance with this Ordinance.
3. The Council ORDAINS that no additional permits shall be issued for the Dunsmore Development until one hundred (150) homes are built and the Second Entrance is completed, approved by ALDOT and the dedication of the Second Entrance is expressly accepted by the City of Calera; and
4. Waterford, LLC shall provide the City with a bond in full compliance with the City of Calera's Section 6.2.3 bonding regulations for any existing streets or roads used for construction traffic pending final acceptance of the 2nd Entrance.

Council Member _____ moved that unanimous consent of the Council be given for immediate action upon Ordinance No. PZ2024-12 Council Member _____ seconded said motion and upon vote, the results were as follows:

AYES:

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member _____ moved that Ordinance No. PZ 2024-12 be adopted.
Council Member _____ seconded said motion and upon vote, the results were as follows:

AYES:

NAYS: None

Mayor Graham declared Ordinance No. PZ2024-12 adopted.

Adopted this ____ day of _____, 2024.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

PLANNED UNIT DEVELOPMENT
DEVELOPMENT PLAN
FOR
DUNSMORE SUBDIVISION

Submitted by

WATERFORD, LLC

To

The City of Calera, September 17, 2023

DUNSMORE SUBDIVISION
PLANNED UNIT DEVELOPMENT
DEVELOPMENT PLAN

INDEX

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

DUNSMORE SUBDIVISION
Planned Unit Development Application
and
Development Plan

THIS PLANNED UNIT DEVELOPMENT APPLICATION AND DEVELOPMENT PLAN (the Development Plan) , dated May 12, 2023, 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, 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 315 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, and Playground comprise approximately 21 acres. Dunsmore is comprised off 315 acres with 68.5 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 Dunsmore 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 Dunsmore 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 Dunsmore Homeowners Association and Architectural Review Committee will be formed with the recording the Restrictive covenants. In the event of any conflict between the terms and conditions of the Restrictive Covenants a6nd 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

(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 Developer or 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.

q. 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 September 17, 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 315 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:

70' Foot and larger lots

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

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	10' on each side – 20' total

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

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

70' 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 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.

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2024-51

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

WHEREAS, the City of Calera, Alabama has inventoried all Departments Inventory and requesting approval to Surplus the following items for the Police Department.

WHEREAS, the City has found the following items for the City of Calera no longer needed.

CALERA POLICE DEPARTMENT

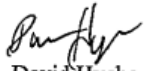


10947 HIGHWAY 25
POST OFFICE BOX 730
CALERA, ALABAMA 35040

DAVID HYPHE
Police Chief

October 16, 2024

The Calera Police Department would like to surplus the remaining half of the old dispatch console and donate it to our neighboring agency, Harpersville Police, for use at their agency.


David Hyche
Chief of Police
Calera Police

Council Member _____ moved that Resolution No. R-2024-51 is adopted. Council Member _____ seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Morgan, Graham, Cost, Byers, Turner

NAYS: None

Mayor Graham declared Resolution No. R-2024-51 adopted.

Adopted this 21st day of October 2024

Connie Payton, City Clerk

Jon G. Graham, Mayor