

AGENDA
CITY OF MONTEVALLO
PLANNING AND ZONING COMMISSION

February 18, 2021 – 6:00 P M

**City of Montevallo
City Hall
541 Main Street
Montevallo, AL 35115**

PUBLIC HEARING

- 1. Verification of Quorum.**
- 2. Call to Order.**
- 3. Approval of minutes from the previous meeting of the Planning and Zoning Commission.**
- 4. Case No. SN20-026 – Colonial Oaks Phase 7 – Preliminary Plat**

This is a request from Jeff Werszner, on behalf of Esplanade Communities of Florida, LLC, for the approval of a preliminary plat to subdivide 35.76 acres into 74 residential lots to be known as Colonial Oaks Phase 7.

The subject property is identified as Colonial Oaks Residential Subdivision and is located in the City of Montevallo off Revolutionary Way, adjacent to and north of County Road 24 and east of Montevallo Road (Alabama Highway 119). The subject property is zoned R-2 SD, Single Family Special District and situated in Section 35, Township 21 South, Range 03 West; Parcel Identification No. 58-23-7-35-1-001-016.000.

DISCUSSION ITEMS

- 1. Parking requirements for properties located within the Urban Core.**
- 2. Site plan review and approval procedures.**

REPORT TO THE CITY OF MONTEVALLO

PLANNING & ZONING COMMISSION

Department of Development Services

February 18, 2021

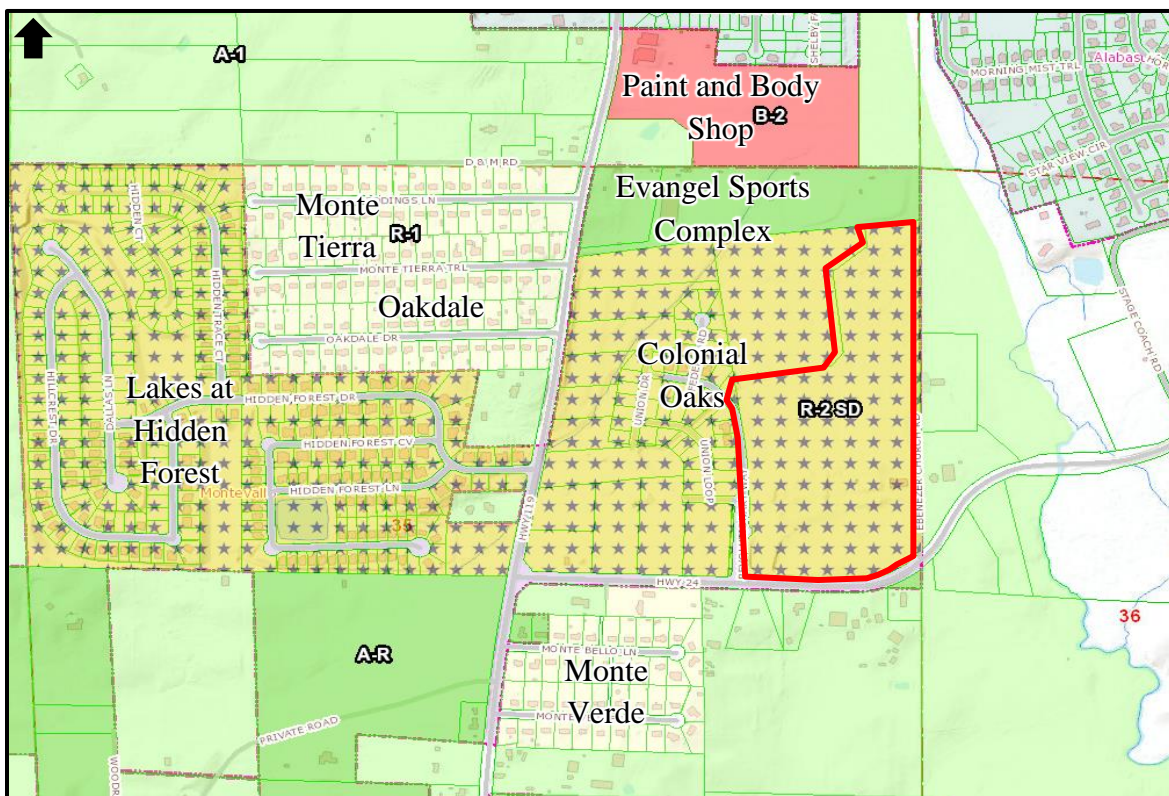
SN20-026 Colonial Oaks Phase 7-Preliminary Plat

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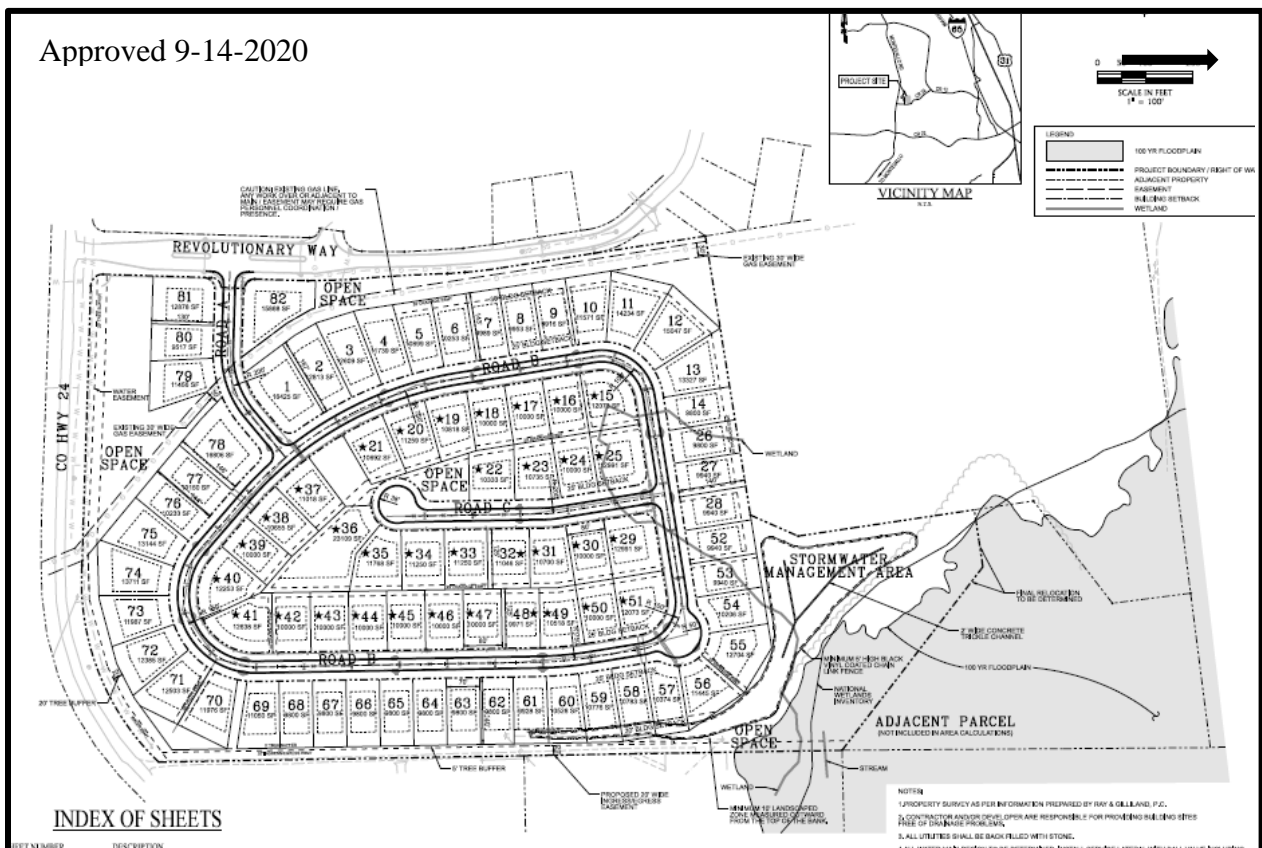
DISCUSSION

Colonial Oaks Residential Subdivision is located in the City of Montevallo off Revolutionary Way, adjacent to and north of County Road 24 and east of Montevallo Road (Alabama Highway 119). Properties surrounding the subject property include residential subdivisions. South of the subject property is Monte Verde, zoned R-1, Single Family Residential District in unincorporated Shelby County and other single family and rural properties zoned A-1, Agricultural District. West of the subject property are the subdivisions Monte Tierra and Oakdale, zoned R-1, Single Family Residential District, in unincorporated Shelby County and the Lakes at Hidden Forest, zoned R-2 SD, Single Family Residential Special District within the city limits of Montevallo. North of the subject property includes Evangel Sports Complex zoned A-R, Agricultural Residential District in the city of Montevallo; single family residential subdivisions located in the city limits of Alabaster; and agricultural property zoned A-1, Agricultural District, and the Professional Paint and Body Shop zoned B-2, General Business District located in unincorporated Shelby County.



Colonial Oaks Subdivision was established as a master planned community under the previous regulatory standards (D-2, Development District zoning) for Montevallo and received Master Plan approval in 2003. At that time, the total buildout for the subdivision included 228 lots with standard R-2 district type lots ranging in size from 9,000 to 12,000 square feet and eight estate lots, containing approximately 22,000 square feet in area. In 2010, the City of Montevallo and Shelby County Development Services entered into a Development Services Agreement that included updating Zoning, Subdivision and Flood Regulations; and the implementation and administration of those regulations. The current Zoning Regulations were adopted by the City Council in February 2012. The SD, Special District designation was applied to those developments that included areas where expansion of the existing development could occur.

The Montevallo Planning & Zoning Commission reviewed and recommended approval of an amendment to Phase 7 of the Colonial Oaks Special District (SD 20-005) on August 20, 2020, to allow 82 total lots with 48 70-foot wide lots and 34 80-foot wide lots that range in size from 9,600 square feet to 23,109 square feet with an average lot size of 11,565 square feet and an overall density of 2.29 units per acre. The City Council approved the amendment to Phase 7 of the Colonial Oaks Special District on September 14, 2020. The approved master plan is shown below.



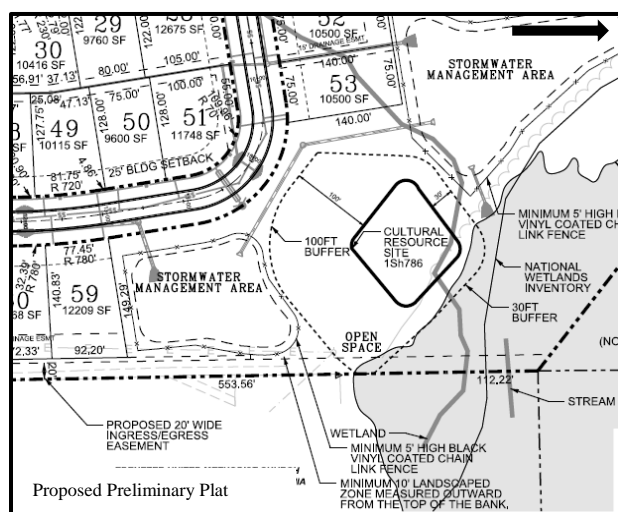
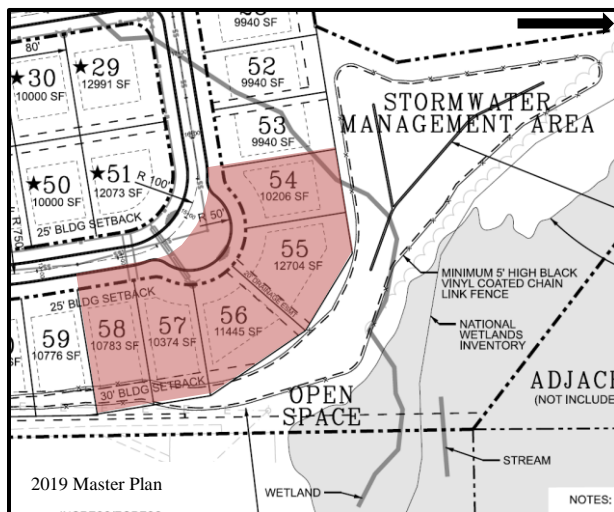
Preliminary Plat

The applicant proposes to subdivide 35.7 acres into 74 residential lots and common area in accordance with the approved 2020 amended master plan for Phase 7. The proposed preliminary plat includes three minor modifications to the original plan; (1) increasing the lot width of approximately 80% of the 70-foot lots to 75-foot wide lots, (2) reducing the total lot count from 82 lots to 74 lots, and (3) reconfiguring the storm water management area.

These minor changes do not affect the general lot layout, road network or approved density of the project. The difference in lot distribution is identified in the chart below.

Colonial Oaks-Phase 7	Total Lots	70 ft. Wide Lots	75 ft. Wide Lots	80 ft. Wide Lots
Approved SD20-005	82	48	0	34
Proposed SN20-026	74	8	30	36

Increasing the majority of the 70-foot wide lots to 75-feet reduced the total lot count in Phase 7 by three lots. The increase in lot widths is intended to better accommodate future home footprints within the approved setbacks for the Special District. The reduction of five additional lots is directly related to the U.S. Army Corps of Engineers, Waters of the United States (WOTUS) permit review. Cultural Resources were identified on the property and the applicant is required to avoid the designated area. This was achieved by removing lots 54 through 58; eliminating the knuckle in the curve of the roadway and reconfiguring the storm water management area into two detention ponds.

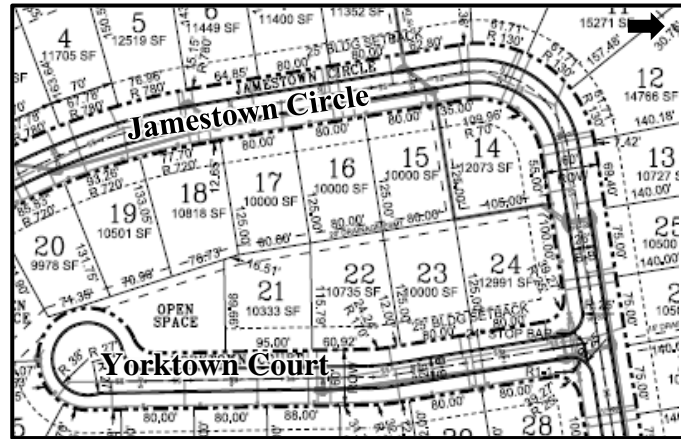
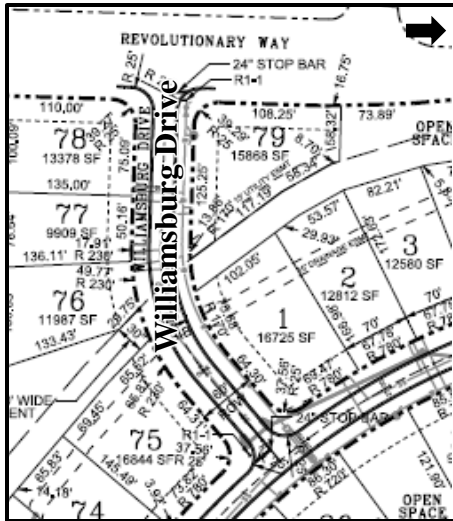


Lots in the preliminary plat were not reordered with the removal of lots 54-58 for the cultural resource area, to provide a clear visual representation of the changes between the approved master plan and the proposed preliminary plat due to the requirements of the U.S. Army Corps of Engineers. The design modifications to the storm water management areas related to the Cultural Resource Site are currently in review with the U.S. Army Corps of Engineers and the applicant anticipates a final permit to be issued in March 2021.

The modifications to the preliminary plat were reviewed by the City Engineer and Shelby County Development Services in accordance with Article 3, Section 5(f) of the *Montevallo Subdivision Regulations*. The reduction of three lots and increase in the minimum lot size did not constitute a major change as the general lot configuration, open spaces, road layout and storm water management areas remained unchanged. The deletion of an additional five lots was a direct result of environmental constraints on the property and requirements under the U.S. Army Corps of Engineers Permit. The lot layout, road configuration, open spaces, and storm water management area remain consistent with the approved master plan.

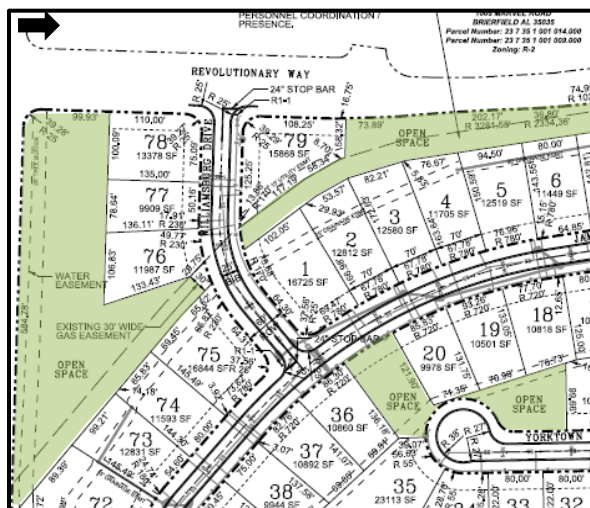
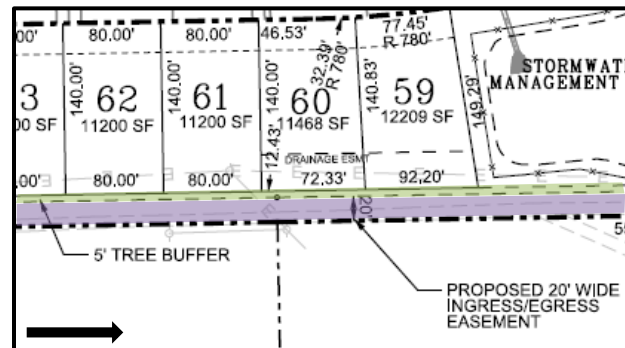
Access

Colonial Oaks Phase 7 will use the existing pavement cut at Revolutionary Way. The entrance road to the development phase is identified as Williamsburg Drive. Williamsburg Drive will terminate at a “T” intersection with Jamestown Circle that will continue as a circular roadway in Phase 7. Yorktown Court is a single internally accessed cul-de-sac off of Jamestown Circle.



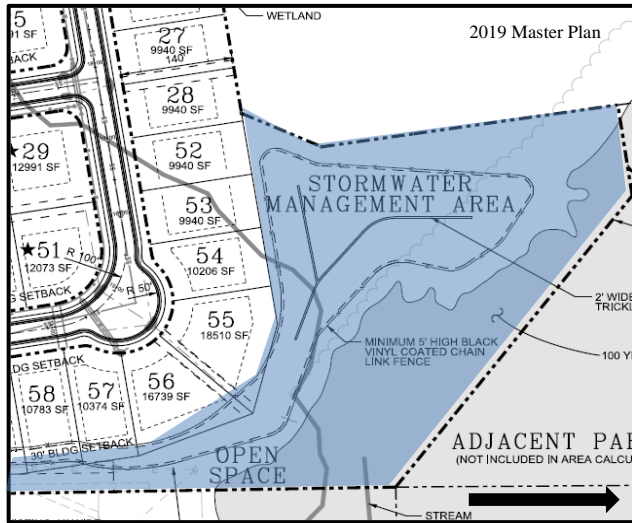
In accordance with the approved special district, sidewalks are not proposed in Phase 7 due to the proximity to Ebenezer Swamp, a highly sensitive and protected ecosystem. The elimination of sidewalks provides a reduction of impervious surface created by the development while having a neutral effect on the overall internal circulation patterns for residents and emergency services.

A private 20-foot ingress/egress access easement is maintained along the eastern boundary of the subject property known as Ebenezer Church Road. The easement is not a part of any proposed lot and a five-foot wide tree buffer will create a visual separation between the rear property line and private drive. The easement is located on an existing drive that provides access to a private residence and Ebenezer United Methodist Church.



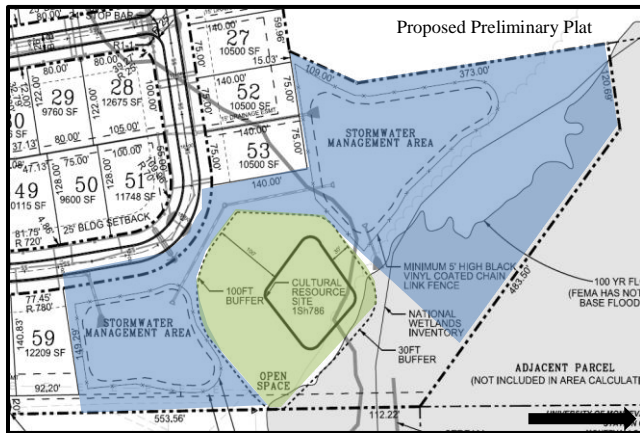
Open Space

Four designated open space areas are identified in the preliminary plat including the storm water management area. These open space areas total 10.5 acres or approximately 28% of the total site area. Two of the designated open space areas are located along the outer fringe or boundary of the property along both County Road 22 and Revolutionary Way. Two additional areas of open space are located at the bulb of the Yorktown Court cul-de-sac and adjoin Jamestown Circle north of the intersection with Williamsburg Drive.



Grading and Storm Water

Storm water for the proposed development will be collected through a street curb and gutter system built into the roads and by sheet flow capture into two detention ponds located in the southeast corner of the property. The storm water detention ponds were redesigned per the U.S. Army Corps of Engineers evaluation of the permit request and requirement to leave an identified cultural resource area protected, undisturbed and buffered. Storm water collected via the street curb and gutter system will be divided into two detention ponds.



The detention ponds create a physical buffer and provide filtration of storm water runoff prior to discharge into the neighboring Ebenezer Swamp. The area shown in green on the map (*see left*) includes the identified cultural resource boundary and a buffer surrounding it to remain undisturbed. The designation and buffers have been reviewed by the Alabama Historical Commission who has provided a letter of concurrence included at the end of this report.

Impact on Community Facilities and Infrastructure

The City Engineer recommended a conditional approval of the preliminary plat including text corrections and clarifications that would not impact the design layout of the project.

The Water Works and Sewer Board provided a checklist of general comments related primarily to text corrections and clarifications.

The applicant submitted revised drawings to address each of the comments provided by the City Engineer and the Water Works and Sewer Board that are in review at the time of this staff report.

Additional Approvals

Following a preliminary plat approval the applicant is required to complete a Land Disturbance Permit and Best Management Plan for the project to be reviewed, approved and bonded prior to land clearing activities that will be required for the development of the roadways and storm water management.

The U.S. Army Corps of Engineers and Alabama Department of Environmental Management permits related to WOTUS and the NPDES must be in place as a requirement of the Land Disturbance Permit. The City Council provides the final approval for the Land Disturbance permit.

Summary

The preliminary plat is consistent with the approved master plan for the Colonial Oaks-Phase 7 Special District and the requirements of the *Montevallo Subdivision Regulations*. **Approval** of the subdivision should be subject to:

- Applicant submitting a revised preliminary plat that addresses all comments of the City Engineer and the Water Works and Sewer Board; and
- Applicant submitting copies of permit from all reviewing agencies including ADEM and the U.S. Army Corps of Engineers; and
- Approval of the Land Disturbance Permit by the Montevallo City Council; and
- Applicant submitting an application for final plat approval within two (2) years of approval of the preliminary plat since failure to apply may necessitate reapplication for preliminary plat approval; and
- Compliance with the regulations, policies and guidelines of the City of Montevallo.



ALABAMA HISTORICAL COMMISSION

468 South Perry Street
Montgomery, Alabama 36130-0900

Lisa D. Jones
Executive Director
State Historic Preservation Officer

Tel: 334-242-3184
Fax: 334-242-1083

January 22, 2021

Courtney Shea
Corps of Engineers
600 Vestavia Parkway Suite 203
Vestavia Hills, AL 35216

Re: AHC 21-0267
Colonial Oaks Residential Development- SAM-2020-00517-KMN
Shelby County

Dear Ms. Shea:

Upon review of the cultural resource assessment provided for the above referenced permit area, we find that we agree with the author's findings. We agree with your agency's determination of no adverse effect to historic properties, with the stipulation that the proposed 30-meter buffer is maintained around archaeological site ISH786.

Consultation with the State Historic Preservation Office does not constitute consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public. If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal, and glass objects. The federal agency or the applicant receiving federal assistance should contact our office immediately. If human remains are encountered, the provisions of the Alabama Burial Act (Code of Alabama 1975, §13A-7-23.1, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed. This stipulation shall be placed on the construction plans to ensure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's historic archaeological and architectural resources. Should you have any questions, please contact William Lowe at 334.230.2670 or William.Lowe@ahc.alabama.gov. Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

Lee Anne Wofford
Deputy State Historic Preservation Officer

LAW/EDS/law

COLONIAL OAKS - PHASE 7

PARCEL NUMBER 23 7 35 1 001 016.000
SITUATED IN NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 3 WEST,
SHELBY COUNTY, ALABAMA

OWNER
ESPLANADE COMMUNITIES
3000 GULF BREEZE PARKWAY
GULF BREEZE, FL 32563
(205) 427-8521

ENGINEERING BY:
CIVIL CONSULTANTS, INC.
3528 VANN ROAD, SUITE 105
BIRMINGHAM, AL 35235
(205) 655-1991

SURVEYING BY:
RAY & GILLILAND, P.C.
122 NORTH CALHOUN STREET
SYLACAUGA, AL 35150
(256) 245-3243

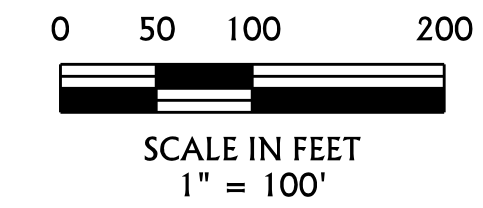
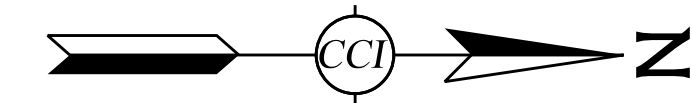
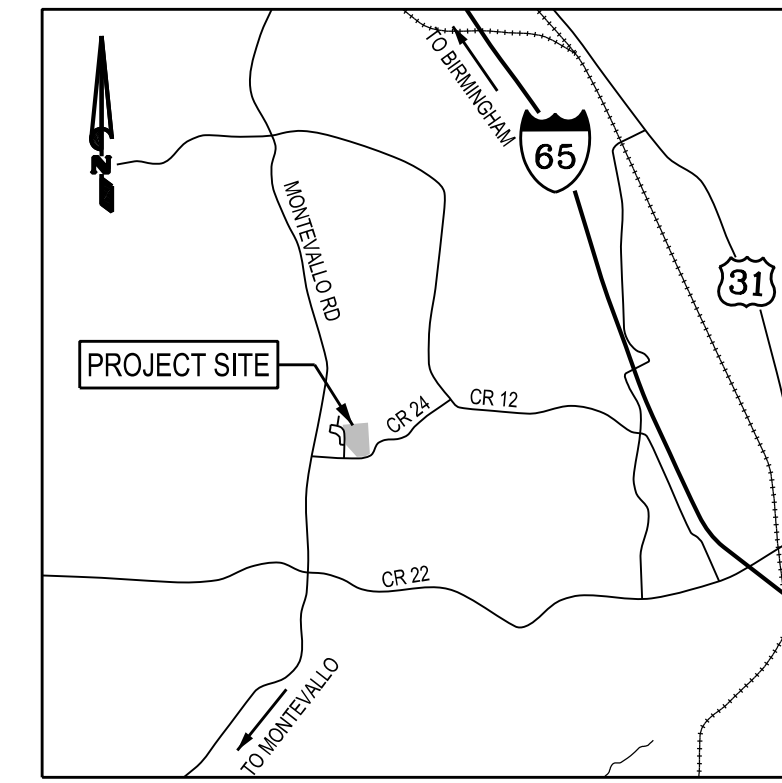
DATE: 10-29-2020

CITY OF MONTEVALLO, ALABAMA JURISDICTION

ZONING = SPECIAL DISTRICT

WATER SERVICE = MONTEVALLO WATER AND SEWER BOARD
SANITARY SEWER SERVICE = MONTEVALLO WATER AND SEWER BOARD

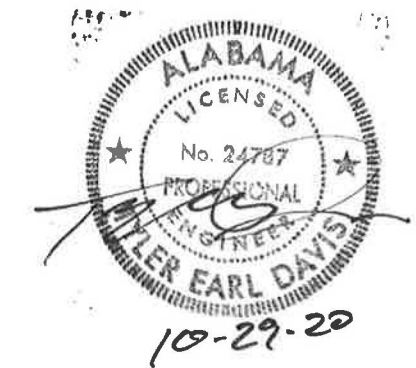
SITE DATA	
SITE AREA =	±35.7 ACRES
OPEN SPACE (10% MIN) =	±8.9 ACRES (25.0%)
70' WIDE LOTS =	8 LOTS
75' WIDE LOTS =	30 LOTS
80' WIDE LOTS =	41 LOTS
TOTAL LOTS =	79 LOTS
RESIDENTIAL DENSITY (82 LOTS / 35.7 ACRES) =	±2.3 LOTS PER ACRE
MINIMUM YARDS (BUILDING SETBACKS)	
FRONT = 25'	
REAR = 25'	
ONE SIDE = 6'	
TOTAL BOTH SIDES = 14'	
MINIMUM LOT WIDTH = 70'	
MINIMUM LOT AREA = 9600 SF	



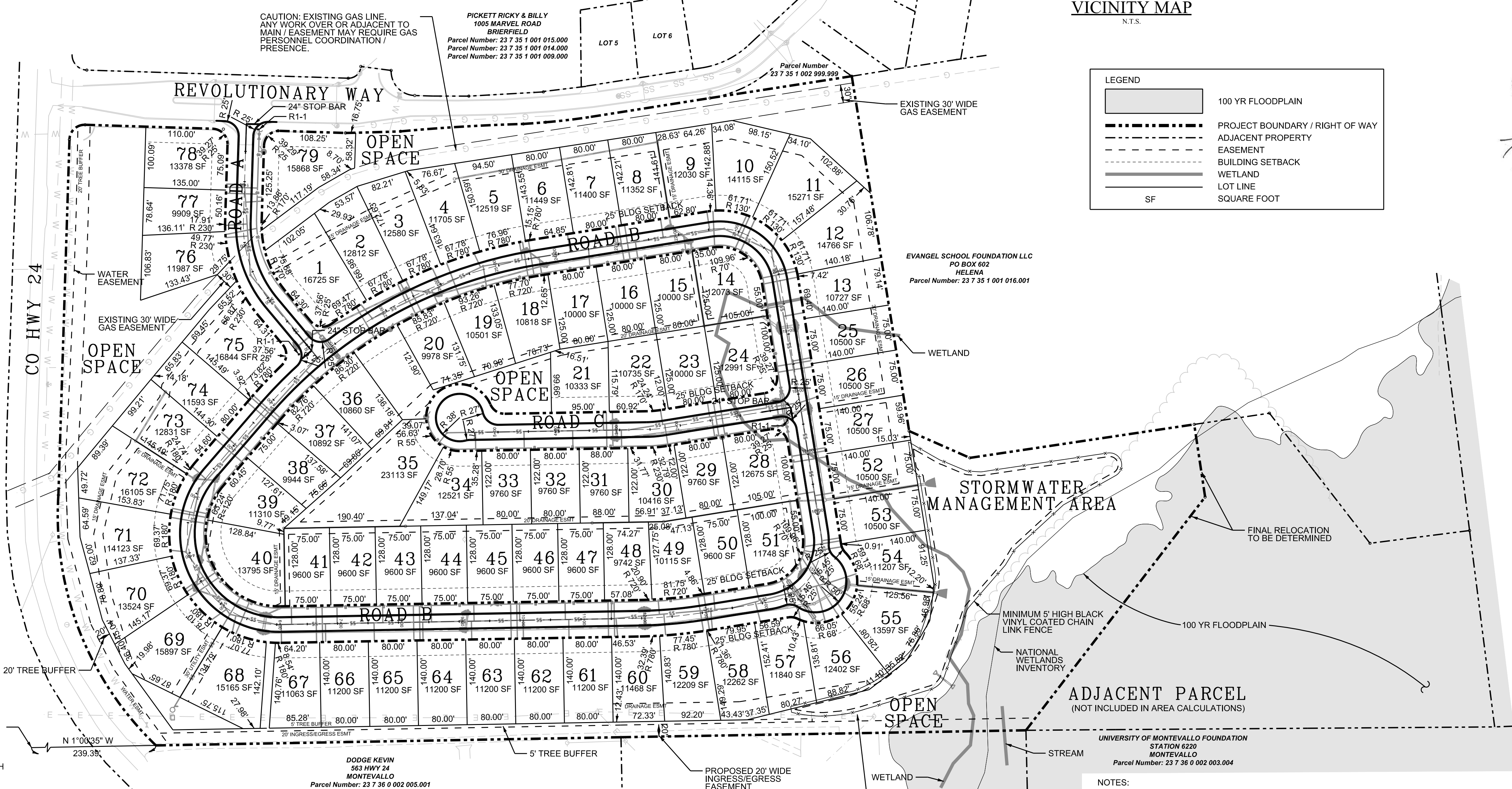
SCALE IN FEET
1" = 100'

VICINITY MAP
N.T.S.

LEGEND	
	100 YR FLOODPLAIN
	PROJECT BOUNDARY / RIGHT OF WAY
	ADJACENT PROPERTY EASEMENT
	BUILDING SETBACK
	WETLAND
	LOT LINE
	SQUARE FOOT



PARCEL TABLE			
PARCEL NUMBER	AREA	PARCEL NUMBER	AREA
1	16725 SF	42	9600 SF
2	12812 SF	43	9600 SF
3	12580 SF	44	9600 SF
4	11705 SF	45	9600 SF
5	12519 SF	46	9600 SF
6	11449 SF	47	9600 SF
7	11400 SF	48	9742 SF
8	11352 SF	49	10115 SF
9	12030 SF	50	9600 SF
10	14115 SF	51	11748 SF
11	15271 SF	52	10500 SF
12	14766 SF	53	10500 SF
13	10727 SF	54	11207 SF
14	12735 SF	55	13597 SF
15	10000 SF	56	12402 SF
16	10000 SF	57	11840 SF
17	10000 SF	58	12262 SF
18	10818 SF	59	12209 SF
19	10501 SF	60	11468 SF
20	9978 SF	61	11200 SF
21	10333 SF	62	11200 SF
22	10735 SF	63	11200 SF
23	10000 SF	64	11200 SF
24	12991 SF	65	11200 SF
25	10500 SF	66	11200 SF
26	10500 SF	67	11063 SF
27	10500 SF	68	15165 SF
28	12675 SF	69	15897 SF
29	9760 SF	70	13524 SF
30	10416 SF	71	14123 SF
31	9760 SF	72	16105 SF
32	9760 SF	73	12831 SF
33	9760 SF	74	11593 SF
34	12521 SF	75	16844 SF
35	23113 SF	76	11987 SF
36	10860 SF	77	9909 SF
37	10892 SF	78	13378 SF
38	9944 SF	79	15868 SF
40	13795 SF		
41	9600 SF		



1/2" IRON PIN IN PLACE SE CORNER 1/4 NE 1/4 SECTION 35 TOWNSHIP 21 SOUTH RANGE 3 WEST SHELBY COUNTY ALABAMA

DODGE KEVIN
563 HWY 24
MONTEVALLO
Parcel Number: 23 7 36 0 002 005.001

EBENEZER UNITED METHODIST CHURCH
TRUSTEES FRANCHER CECL AND VIRGINIA
ALABASTER AL 35007
Parcel Number: 23 7 36 0 002 003.001

UNIVERSITY OF MONTEVALLO FOUNDATION
STATION 620
MONTEVALLO
Parcel Number: 23 7 36 0 002 003.004

- NOTES:
- PROPERTY SURVEY AND TOPOGRAPHIC INFORMATION AS PER INFORMATION PREPARED BY RAY & GILLILAND, P.C.
 - CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING BUILDING SITES FREE OF DRAINAGE PROBLEMS.
 - ALL UTILITIES SHALL BE BACK FILLED WITH STONE.
 - ALL WATER MAIN DESIGN TO BE DETERMINED. INSTALL SERVICE LATERAL WITH BALL VALVE INCLUDING A LOCKING DEVICE PER THE WATER AUTHORITY REQUIREMENTS (TYPICAL FOR ALL SERVICES LATERALS).
 - THIS PROPERTY IS LOCATED IN FLOOD ZONE X AS PER FLOOD INSURANCE RATE MAP OF SHELBY COUNTY, ALABAMA COMMUNITY PANEL NO. 01117C0390C EFFECTIVE DATE: FEBRUARY 20, 2013
 - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF MONTEVALLO SPECIFICATIONS.
 - CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION FOR THE PROTECTION OF ADJACENT PROPERTIES, ROADWAYS AND WATERWAYS.
 - STORM WATER RUNOFF PRODUCED FROM THIS SITE DEVELOPMENT WILL NOT ADVERSELY EFFECT OTHER PROPERTIES. FURTHERMORE, THE STORM DRAINAGE SYSTEM IS DESIGNED IN ACCORDANCE WITH STANDARD, ACCEPTED ENGINEERING PRACTICES AND WILL PERFORM AS DESIGNED IF CONSTRUCTED IN ACCORDANCE WITH THE PLANS, SPECIFICATIONS, AND APPLICABLE REGULATIONS.
 - ALL CONSTRUCTION TO MEET OSHA SAFETY GUIDELINES. SAID SAFETY PROCEDURES SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
 - ALL COMPACTION ON LOTS OR IN BUILDING AREAS SHALL BE CERTIFIED BY A LICENSED GEOTECHNICAL ENGINEER TO MEET BUILDING CODE REQUIREMENTS OR PROJECT SPECIFICATIONS, WHICH EVER IS GREATER.
 - NO FENCES SHALL BE CONSTRUCTED WITHIN ANY EASEMENTS OR DRAINAGE WAYS.
 - SEE DRAWINGS C-6.00 AND C-6.01 FOR ADDITIONAL NOTES, SPECIFICATIONS AND REQUIREMENTS RELATIVE TO WORK TO BE PERFORMED AS PART OF THE PROJECT.
 - THE CITY OF MONTEVALLO IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY EASEMENTS SHOWN ON THIS PLAT OUTSIDE OF THE PUBLIC RIGHTS-OF-WAY. ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES AND MAY BE USED FOR SUCH PURPOSES TO SERVE THE PROPERTY BOTH WITHIN AND WITHOUT THE SUBDIVISION.

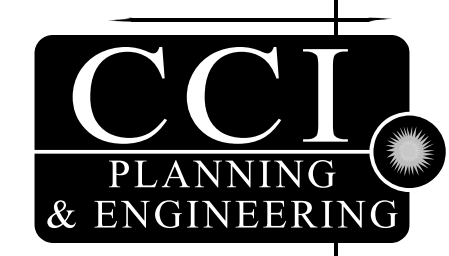
CONTRACTOR TO EXERCISE CAUTION WHILE WORKING AROUND OR NEAR EXISTING TREES IN EFFORT TO RETAIN AS MANY TREES AS POSSIBLE.

- CITY OF MONTEVALLO NOTES:
- ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES, AND MAY BE USED FOR SUCH PURPOSES TO SERVE THE PROPERTY BOTH WITHIN AND WITHOUT THE SUBDIVISION. NEITHER THE CITY OF MONTEVALLO NOR SHELBY COUNTY IS RESPONSIBLE FOR THE MAINTENANCE OF ANY EASEMENTS SHOWN ON THIS PLAT OUTSIDE OF THE PUBLIC RIGHT-OF-WAY.
 - CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING BUILDING SITES FREE OF DRAINAGE PROBLEMS.
 - NO FURTHER SUBDIVISION OF ANY PARCEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE CITY OF MONTEVALLO PLANNING COMMISSION.
 - DRIVEWAYS SHALL BE RESTRICTED TO THE LOCATIONS AS SHOWN ON THIS PLAT. DRIVEWAY ACCESS PERMIT REQUIRED PRIOR TO INSTALLATION OF DRIVEWAY(S). CONTACT THE CITY OF MONTEVALLO AT 665-2555 TO OBTAIN ACCESS PERMIT.
 - THIS ENTIRE PROPERTY IS LOCATED IN FLOOD ZONE X AS SHOWN ON THE LATEST FEDERAL INSURANCE RATE MAPS (PANEL NUMBER 01117C0390C), DATED FEBRUARY 20, 2013.
 - MAINTENANCE OF DETENTION PONDS AND ALL ASSOCIATED STRUCTURES AND APPURTENANCES ARE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
 - ANY CONSTRUCTION OR ENCROACHMENT IN A DESIGNATED FLOOD PLAIN MUST COMPLY WITH THE CITY OF MONTEVALLO FLOOD DAMAGE PREVENTION ORDINANCE.
 - NO ENCROACHMENTS, INCLUDING STRUCTURES OR FILL MATERIAL, SHALL BE PLACED WITHIN A DESIGNATED FLOOD PLAIN UNLESS AND UNTIL A FLOOD PLAIN DEVELOPMENT PERMIT HAS BEEN SUBMITTED AND APPROVED BY THE CITY ENGINEER. ALL DEVELOPMENT WITHIN A DESIGNATED FLOOD PLAIN MUST COMPLY WITH THE CITY OF MONTEVALLO FLOOD DAMAGE PREVENTION ORDINANCE.
 - THE CITY OF MONTEVALLO OR SHELBY COUNTY ARE NOT NOW, NOR WILL BE IN THE FUTURE, RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE ROADS OR EASEMENTS SHOWN ON THIS PLAT.

THE MONTEVALLO WATER AND SEWER BOARD HAS REVIEWED THE SUBMITTED INFORMATION FOR THE PROPOSED DEVELOPMENT AND DETERMINED THAT WATER SERVICE CAN BE MADE AVAILABLE. ALL CONSTRUCTION SHALL BE RESPONSIBILITY OF THE DEVELOPER.

THE MONTEVALLO WATER AND SEWER BOARD HAS REVIEWED THE SUBMITTED INFORMATION FOR THE PROPOSED DEVELOPMENT AND DETERMINED THAT SEWER SERVICE CAN BE MADE AVAILABLE. ALL CONSTRUCTION SHALL BE RESPONSIBILITY OF THE DEVELOPER.

S-1 PRELIMINARY PLAT SHEET 1 OF 1



3528 Vann Road
Suite 105
Birmingham, AL 35235
Phone: (205) 655-1991
www.ccipe.com

