

STATE OF ALABAMA
SHELBY COUNTY
SHELBY COUNTY PLANNING COMMISSION MINUTES

September 20, 2021 – 6:00 PM

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

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

Members Absent: Kenneth Wilder

Staff Present: David Willingham, Chief Development Officer; Christie Hester, Manager of Planning & Community Development; Sharman Brooks, Supervisor, Planning & MS4; Kristine Goddard; Principal Planner; Brenda Hungerford, Administrative Assistant

PUBLIC HEARING

Joseph Little, Chairman, called the meeting to order at 6:00 pm. Following roll call, **Commissioner Little** stated there was a quorum with six Commissioners present. He introduced Commissioners and staff and reviewed the meeting procedures. There were five (5) audience members present.

1. Approval of the Minutes of the August 16, 2021, Planning Commission Regular Meeting

Commissioner O’Kelley made a motion to approve the meeting minutes of August 16, 2021, and **Commissioner Davis** seconded the motion. **Commissioner Little** called for a vote and the Planning Commission unanimously approved the meeting minutes of August 16, 2021, with a vote of six to zero (6-0).

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

2. C21-002– Cahaba Valley Fire & EMR – Conditional Use

This is a request from Mac Smith, Five Star Development of Alabama, Inc., on behalf of Women’s Missionary Union Auxiliary, property owners, for the approval of a conditional use to allow the Cahaba Valley Fire & EMR District to construct a new fire station in an O-I(2), Office and Institutional (2) District. The subject property is located at the south west corner of the intersection of Brook Highland Parkway and Missionary Ridge Drive, approximately 1,000 feet north of U.S. Highway 280; Parcel Identification No. 58-03-9-31-0-001-048.002.

Kristine Goddard gave a presentation on agenda item #2 based on the written staff report provided in the meeting information packet. The presentation included a brief overview of the concurrent administrative subdivision application to subdivide acreage into two lots for commercial use, with the Cahaba Valley Fire and EMR District plan to purchase a three-acre lot for the new fire station. Ms. Goddard also reported the recent vote to increase dues for the Cahaba Valley Fire and EMR District was unsuccessful and would likely influence this project timeline.

In response to questions by **Commissioner Davis**, Ms. Goddard stated she was not aware of a timeline for this project, but would have anticipated a site plan submittal within six months of the Conditional Use

approval had the vote to increase dues been successful. She explained County staff reviews site plans, which do not require Planning Commission approval.

Commissioner O’Kelley asked about the process when a time-specific approval expires (i.e., two, three or five years) and whether this approval could identify the conditional use only for the Cahaba Valley fire station, rather than another Fire District. Ms. Goddard explained that (1) a typical expiration period is two years, (2) the Planning Commission can set the specific conditions for this approval, (3) submission of a site plan application is the next step, and (4) site plans are reviewed by staff administratively and do not require a public hearing.

Commissioner Little wondered about another election or alternative source of funds. Ms. Goddard stated another election has not been scheduled.

In response to questions by **Commissioner Norton**, Ms. Goddard stated the proposed station would be consistent with surrounding buildings and that a noise study was not required; she lives behind this area and already hears sirens so she did not believe a fire station at this location would be a noticeable change.

Commissioner Norton asserted this is a busy road for a fire truck and asked if the County Engineer approved the secondary entrance. Kristine Goddard stated the County Engineer did not provide comments related to access during this Conditional Use review and explained the site plan review phase would include a detailed evaluation of the access. Sharman Brooks added the entrances will be reviewed twice—with the administrative subdivision review currently in process and then again with review of the site plan.

There being no further questions, **Commissioner Little** invited the applicant to speak.

Nathan Spence stated he is a civil engineer with Foresite Group, 2101 Magnolia Avenue in Birmingham; he was representing Mac Smith, the applicant, who was traveling out of the country. Mr. Spence thanked Kristine Goddard for the thorough presentation. He reported they had met with Ms. Goddard and John Slaughter prior to this application to talk through the site plan and access, and are considering everything discussed as they develop plans.

Responding to **Commissioner Little’s** question regarding roles, Mr. Spence explained their roles, noting that Mac Smith has direct contact with the Fire Chief in developing their plans and also works directly with him as the engineer for this project.

Mr. Spence replied affirmatively when **Commissioner Norton** asked if the Fire Department intends to purchase this property if the Planning Commission approves the Conditional Use and then deferred to the Fire Chief.

Fire Chief Buddy Wilks discussed the August 31, 2021, vote to increase fire dues for the Cahaba Valley Fire & EMR District, stating a large portion of the proposed increase would have funded the new station. Chief Wilks noted there will be another vote next year although the specific details are not yet known. While they have not yet discussed possible options with Mac Smith, Chief Wilks reported the data confirms there is a need for a new fire station and this property is a good location, noting that Brook Highland and Cahaba Beach Road is their busiest area of the District. He discussed the benefits of this location to serve various areas with the least traffic impact and reduce the need to get on Highway 280. Chief Wilks also talked about the plans related to the Narrows Station, noting with the failed vote their priority focus must be staffing for the Narrows before moving forward with this new station. In conclusion, Chief Wilks stated the Planning Commission’s approval of the Conditional Use would give them time to consider how to move forward and to obtain the necessary funding, with a vote possibly taking two to three years to support a new station.

Responding to questions by **Commissioner Little**, Chief Wilks reported of 1,257 votes cast, the results were 781 against and 476 in favor, noting there is still community support and some individuals who voted against the increased fire dues are helping them raise revenue through donations. Chief Wilks stated he has been in discussion with nearby fire chiefs who also support and recognize the need for a new station. He described the challenges of training for personnel, meeting with the public, and other logistical challenges of not having sufficient space for their firefighters, sometimes requiring them to sleep on air mattresses.

Commissioner Nesbitt asked if they had sufficient money to purchase the land but not build the fire station. Chief Wilks stated they have reserve funds that can be used toward the land purchase; however, with the failed vote, some of the reserve needs to be used for staffing and work force which is the priority and most expensive budget item.

Randy Thomas stated he is with Chase Commercial Real Estate and has worked with the Fire Department for more than a year. The development team approached the Women's Missionary Union Auxiliary to purchase three acres and they were adamantly in support of a fire station at this location. Distraught with the failed vote, Mr. Thomas explained the development team would continue working with Five Star Development on several options to purchase the property and eventually build a new fire station. While not going into detail on financial options, Mr. Thomas mentioned property owned by the Fire Department on Highway 280 that might be a potential ground lease to generate a monthly income. In conclusion, Mr. Thomas stated he has been inside the current fire station where you see firemen crowded, there is no room for expansion, no room to conduct training, the kitchen is small, there is insufficient space for mechanical work on the fire trucks—particularly the ladder truck. He asserted this is a necessity for the community and they would very much like to see this happen.

Citing multiple fire stations as he drives around this area, **Commissioner Davis** asked Chief Wilks about the demarcation of responsibilities. Chief Wilks explained the various districts have great working relationships with agreements in place to provide service to specific areas. **Commissioner Davis** suggested public education regarding fire service would be beneficial as part of their campaign to gain support.

Commissioner O'Kelley surmised the timing of the vote to increase fire dues coinciding with the Chelsea annexation most likely was not good timing. Chief Wilks stated those voting against the increase primarily fell into four groups: (1) definite No, (2) No due to fear of annexation, (3) No because they thought it was a vote about annexation, and (4) while they support the fire district, No because they were against the rate increase.

In response to **Commissioner Davis'** question, Chief Wilks asserted a new fire station would definitely provide the necessary space and facilities for the foreseeable future; in addition to capacity already discussed, he said it would increase sleeping quarters from 6 to 10 and allow a second response fire truck/ambulance out of the station—all anticipated needs as this area continues to grow.

Commissioner Davis thanked Chief Wilks for his service.

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

Commissioner O'Kelley stated he would like to tie the conditional use to this entity and asked about the typical expiration period. Kristine Goddard stated a common timeline is two years but the Planning Commission can make that determination. She explained the applicant could request an extension if more time was required, but as long as a site plan application was received prior to the expiration date; the conditional use would remain in effect. Sharman Brooks added that a conditional use can be extended at the

applicant's request at any time; it would require a new application to extend the timeline and a public hearing.

With no further discussion, **Commissioner Little** called for a motion. **Commissioner Davis** made a motion in **Case C21-002 – Cahaba Valley Fire & EMR – Conditional Use** that the evidence presented in the written staff report and presentation warrants Approval with conditions of the written staff report, with a two-year expiration to submit the Site Plan for a new fire station for the Cahaba Valley Fire & EMR District. A member of the audience asked if he would be allowed to speak, noting he was not against the request but had questions. **Commissioner Little** stated the public comment period was closed; however to allow his questions, **Commissioner Davis** withdrew his motion.

Rod Clark stated he lives at 3812 Kinross Drive. He is in favor of the best fire protection we can get and urged them to talk about insurance rating to be improved. He asked if Brook Highland Parkway will be the main route and asked whether they considered alternative locations, citing a lot of commercial property on Highway 119 near Tattersall. He mentioned certain times and traffic patterns that he believes would be difficult with a fire station at this location. If a fire station is built here, he asked if there would be a traffic light at Brook Highland.

Chief Wilks stated they have looked at a variety of traffic patterns and that property along Highway 119 is far more expensive than this location. He explained the Missionary Ridge location will have two exits and discussed the ability to use a right turn lane for 90 percent of their trips, the use of a traffic light emitter at Highway 280, and a planned emergency signal at Missionary Ridge.

Responding to questions by **Commissioners O'Kelley** and **Little** regarding traffic analysis, Ms. Goddard stated that access will be fully evaluated during the site plan review and also in the current review of the Administrative Subdivision application. She noted that the Fire Department has already considered some traffic alternatives.

Kristine Goddard responded affirmatively when **Commissioner Norton** asked if the Conditional Use was the only public hearing before the Planning Commission related to the fire station and that they would not see the traffic analysis.

With no further discussion, **Commissioner Little** called for a motion. **Commissioner Davis** restated his motion in **Case C21-002 – Cahaba Valley Fire & EMR – Conditional Use** that the evidence presented in the written staff report and presentation warrants Approval with conditions of the written staff report, with a two-year expiration to submit the Site Plan for a new fire station for the Cahaba Valley Fire & EMR District and **Commissioner Winford** seconded the motion. By a unanimous vote of six to zero (6-0), the Planning Commission approved the following resolution:

WHEREAS, Mac Smith, Five Star Development of Alabama, Inc., on behalf of Women's Missionary Union Auxiliary, property owners, has petitioned the Shelby County Planning Commission for the approval of a conditional use to allow the Cahaba Valley Fire & EMR District to construct a new fire station in an O-I (2), Office and Institutional (2) District; and,

WHEREAS, the subject property is located at the south west corner of the intersection of Brook Highland Parkway and Missionary Ridge Drive, approximately 1,000 feet north of U.S. Highway 280; Parcel Identification No. 58-03-9-31-0-001-048.002; and,

WHEREAS, Transportation, communication and utilities are listed as a conditional uses in the O-I (2), Office and Institutional (2) District; and,

WHEREAS, Transportation, communication and utilities are defined in the Shelby County Zoning Regulations as a group of activities that includes “those uses which provide essential or important public services, and which may have characteristics of outdoor storage, or potential nuisance to adjacent properties due to noise, light and glare or appearance,” including emergency service activities such as buildings, garages, parking, and/or dispatch centers for fire and rescue; and,

WHEREAS, in 2020 the Cahaba Valley Fire & EMR District completed a *Strategic Planning Initiative* that began in 2018 to determine a “pathway for the future of the Cahaba Valley Fire & EMR District”; and,

WHEREAS, according to the strategic plan, Cahaba Valley Fire & EMR District provides fire suppression and emergency medical services to approximately 25,000 customers and thousands of drivers in the U.S. Highway 280 corridor each day; and,

WHEREAS, the Cahaba Valley Fire & EMR District offers CPR training, smoke detector installations and checks, fire safety classes, child car seat installation, home safety inspections, storm preparedness, fire extinguisher training and information on defensible space around structures; and,

WHEREAS, the Cahaba Valley Fire & EMR District station (#181) located at Doug Baker Boulevard and U.S. Highway 280, built in the early 1980’s, has no space for viable expansion; and,

WHEREAS, the proposed new station will replace the existing Cahaba Valley Fire & EMR District station (#181) located at Doug Baker Boulevard and U.S. Highway 280; and,

WHEREAS, the proposed fire station for Cahaba Valley Fire & EMR District is a single building that will include offices, living quarters, training space, garage and service bays; and,

WHEREAS, a Cahaba Valley Fire & EMR districtwide vote intended to help fund goals identified in the *Strategic Planning Initiative*, including the new station, was not successful; and,

WHEREAS, the Cahaba Valley Fire & EMR District, Chief Wilks, indicated to the Planning Commission the need of the new station and the desire to move forward with the Brook Highland Station; and,

WHEREAS, Chief Wilks explained that additional options for funding the new station and other strategic plan goals are being discussed and reevaluated; and,

WHEREAS, the Planning Commission specified that the conditional use for a fire station at intersection of Brook Highland Parkway and Missionary Ridge Drive is only granted for the Cahaba Valley Fire & EMR District; and;

WHEREAS, the Planning Commission placed a timeline of two years on the conditional use to allow time for additional funding strategies to be explored; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the request from Mac Smith, Five Star Development of Alabama, Inc., on behalf of Women’s Missionary Union Auxiliary, property owners, for the approval of a conditional use to allow the Cahaba Valley Fire & EMR District to construct a new fire station in an O-I (2), Office and Institutional (2) District and located at the south west corner of the intersection of Brook Highland Parkway and Missionary Ridge Drive, approximately 1,000 feet north of U.S. Highway 280; Parcel Identification No. 58-03-9-31-0-001-048.002 (part) be, and the same is hereby **APPROVED** subject to:

- A subdivision for the fire station property that complies with the *Shelby County Subdivision Regulations* and the *Zoning Ordinance of Shelby County* must be approved and recorded; and,
- A fully engineered site development plan that meets all requirements of the *Zoning Regulations of Shelby County* for review and approval within two years of this resolution and prior to the issuance of any building permits.

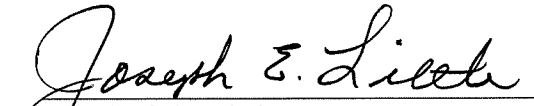
OTHER INFORMATION

David Willingham provided the Planning Commission with an update on the Hillsong at Mt Laurel development approved in July 2020 and currently under construction.

Sharman Brooks confirmed the next scheduled meeting of the Planning Commission would be Monday, October 4, 2021. She distributed the agenda and reviewed the cases, noting the meeting information packet would be mailed Friday, September 24.

There being no further business, **Commissioner Norton** made a motion to adjourn and **Commissioner Davis** seconded the motion. By a unanimous vote of six to zero (6-0) in favor, the Planning Commission meeting of September 20, 2021, adjourned at 7:00 pm.

Christie Hester, Manager
Planning & Community Development



Joseph Little, Chairman
Shelby County Planning Commission