

**Vestavia Hills  
City Council Agenda  
October 26, 2015  
5:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Melvin Turner, Finance Director
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. City Manager’s Report
7. Councilors’ Reports
8. Financial Reports – Melvin Turner III, Finance Director/City Treasurer
9. Approval of Minutes – September 21, 2015 (Work Session), October 12, 2015 (Regular Meeting) and October 19, 2015 (Work Session)

**Old Business**

10. Ordinance Number 2608 – Rezoning & Conditional Use Approval – 4248, 4244, 4240, 4232 Oakview Lane And 4325, 4321 And 4317 Dolly Ridge Road; Rezone From Vestavia Hills R-4, B-1 With Conditions, B-2 With Conditions, B-1.2, B-1.2 With Conditions And INST To Vestavia Hills B-1.2 With Conditional Use For 4-Story Building (*public hearing*)

**New Business**

11. Resolution Number 4766 – A Resolution Declaring Certain Personal Property As Surplus And Directing The City Manager To Sell And/Or Dispose Of Said Property

**New Business (Requesting Unanimous Consent)**

**First Reading (No Action Taken At This Meeting)**

12. Resolution Number 4767 – Annexation – 90-Day – 1724 Vestaview Lane; Charles Farrell III, Owner (*public hearing*)
13. Ordinance Number 2609 - Annexation – Overnight – 1724 Vestaview Lane, Charles Farrell III, Owner (*public hearing*)

14. Resolution Number 4768 - Annexation – 90-Day – 2739 Rocky Ridge Road; Cameron Eaton and Tison Barganier, Owners (*public hearing*)
15. Citizens Comments
16. Motion For Adjournment

**CITY OF VESTAVIA HILLS**  
**CITY COUNCIL**  
**WORK SESSION**  
**MINUTES**

**SEPTEMBER 21, 2015**

The City Council of Vestavia Hills met in a work session on this date at 5:00 PM following posting/publishing pursuant to Alabama law. The Mayor called the work session to order and the City Clerk called the roll with the following:

**MEMBERS PRESENT:**

Mayor Alberto C. Zaragoza, Jr.  
George Pierce  
John Henley  
Jim Sharp\*

**MEMBERS ABSENT:**

Steve Ammons, Mayor Pro-Tem

**OTHER OFFICIALS PRESENT:**

Jeff Downes, City Manager  
Rebecca Leavings City Clerk  
Jim St. John, Fire Chief  
Terry Ray, Asst. Fire Chief  
Dan Rary, Police Chief

*\*Entered at 5:10 PM*

The Mayor called the work session to order. He introduced Martha Cook, Brian Wolfe and Chris Eckroate, members of Leadership Vestavia Hills.

Mr. Eckroate updated the Council on some upcoming missions through Leadership Vestavia Hills including a Community Garden; Bike Race, Wald Park recycling; identifying various events in all commercial areas and working with vendors to direct them to hold events in better locations and finally, updating and branding of the bus stops throughout the City.

The Council heard presentations from the following developers interested in purchasing property from the City: Merchant Retail Partners and Tricor International.

The Mayor gave an update on the proposed Ordinance for the entertainment district. Discussion ensued about possible revisions to the Ordinance to regulate the times for operation of the district and a waiver for the City Manager.

Mr. Downes stated that they have begun negotiations on a possible alternate entrance for the AVCC and details will be forthcoming.

The Mayor reminded the Council that applications will soon be accepted for the City Library Board and the Park and Recreation Board. He stated that November 9 is the deadline for application.

There being no further business, work session adjourned at 7:50 PM.

Alberto C. Zaragoza, Jr.  
Mayor

Attested by:

Rebecca Leavings  
City Clerk



## CITY OF VESTAVIA HILLS

### CITY COUNCIL

### MINUTES

**OCTOBER 12, 2015**

The City Council of Vestavia Hills met in regular session on this date at 5:00 PM. The Mayor called the meeting to order and the City Clerk called the roll with the following:

**MEMBERS PRESENT:**

Mayor Alberto C. Zaragoza, Jr.  
Steve Ammons, Mayor Pro-Tem  
George Pierce  
John Henley  
Jim Sharp

**OTHER OFFICIALS PRESENT:**

Jeff Downes, City Manager  
Patrick H. Boone, City Attorney  
Wendy Appling, Deputy City Clerk  
Melvin Turner, Finance Director  
George Sawaya, Deputy Treasurer  
Danny Rary, Police Chief  
Jim St. John, Fire Chief  
Marvin Greene, Asst. Fire Chief  
Terry Ray, Asst. Fire Chief  
Brian Davis, Public Services Director  
Christopher Brady, City Engineer  
Kevin York, Police Dept.  
Scott Key, Fire Marshal  
Jason Hardin, Police Dept.  
Lori Beth Kearley, Asst. Engineer

Invocation was given by Brian Davis, Public Services Director, followed by the Pledge of Allegiance.

### **ANNOUNCEMENTS, GUEST RECOGNITION, CANDIDATES**

- Mr. Pierce recognized David Sader and Karen Odle, President from the Chamber of Commerce.
- The Mayor announced that the City Council will begin accepting applications for the Vestavia Hills Library Board beginning tomorrow until November 9, 2015.

He stated the appointment is for 4 years and invited all interested individuals to apply. More information can be found on the City's website.

- Mr. Ammons announced that the City Council will begin accepting applications for the Vestavia Hills Park and Recreation Board beginning tomorrow until November 9, 2015. He stated the appointment is for 5 years and invited all interested individuals to apply. More information can be found on the City's website.

### **CITY MANAGER'S REPORT**

- Mr. Downes gave an update on the Altadena Valley Country Club land donation and indicated that the property has not closed yet but is expected to soon. Until the property is deeded to the City, upkeep to the property cannot occur but the Police Department is patrolling the area and crews are cutting the grass on the rights-of-way.
- A new fire engine, Engine No. 2, has just arrived at the City. Mr. Downes stated the engine is parked out in front and invited anyone interested to take a look.

### **COUNCILORS' REPORTS**

- The Mayor explained that a photography contest was held by the City for artwork for the new City Hall facility. He presented certificates and prizes to the winners as follows:
  - Ken Gables
  - David Leong
  - Alan Bates
  - Larry Durham
  - Elizabeth Nance
  - Arjun Lakhanpal
  - David Diodate
  - Gary Ricketts
  - Leslie Cooper
  - Gary Dunavant
  - Alan Stabler
  - Stephen Stair
  - Amrita Lakhanpal
  - Steven Stair
- The Mayor asked Karen Odle, President of the Chamber of Commerce, to explain a new initiative in the City. Ms. Odle explained that there were "pigs" popping up at various businesses throughout the City. She stated that they currently have 4 painted pigs to be displayed in various parts of the City reminding people to investing in "piggy banks" and shop in Vestavia Hills. She stated they hope to

have 20 more in the “herd” and asked people to look out for them and participate in the program.

### **APPROVAL OF MINUTES**

The minutes of September 28, 2015 (Regular Meeting) were presented for approval.

**MOTION** Motion to dispense with the reading of the minutes of September 28, 2015 (Regular Meeting) and approve them as presented was by Mr. Pierce and second by Mr. Henley. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza –yes	Motion carried.

### **OLD BUSINESS**

#### **ORDINANCE NUMBER 2600**

**Ordinance Number 2600 – An Ordinance Establishing the Rocky Ridge Entertainment District** (*public hearing continued from 9/28/2015 meeting*)

**MOTION** Motion to approve Ordinance Number 2600 was by Mr. Ammons and second was by Mr. Henley. (*carried over from 9/28/15*)

The Mayor explained that the Council voted in an amendment at the last meeting to limit the hours of operation of the Entertainment District and held over the Ordinance to allow for disclosure to the public regarding the change. The Mayor opened the floor for a public hearing. There being no one to address the Council regarding this issue, the Mayor the public hearing and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

#### **RESOLUTION NUMBER 4762**

**Resolution Number 4762 – A Resolution Authorizing The City Manager To Execute And Deliver An Agreement For A Multi-Jurisdictional APPLE Project To Study And Further Develop Improvement Plans For A Section Of Acton Road Near The Former Altadena Valley Country Club**

**MOTION** Motion to approve Resolution Number 4762 was by Mr. Ammons and second was by Mr. Henley.

Mr. Downes explained that a westerly entrance into the AVCC is being studied along with the hairpin turn on Acton Road at the older entrance. An opportunity for an APPLE grant to secure a feasibility study has been found to determine improvements of traffic flow on Acton Road with a funding split of the 20% local match to be shared by Jefferson County and Vestavia Hills at \$6,000 each for a total of \$12,000.

Mr. Henley asked about the timeline for the study.

Mr. Downes stated that they hope to expedite the study to have it back as soon as possible.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

**ORDINANCE NUMBER 2602**

**Ordinance Number 2602 – Rezoning – 513 Montgomery Highway; Lot 1, Resurvey Of Lots 4, 8, 9 10, 11 & 12, Fourth Addition To Beacon Hills; Rezone From Vestavia Hills R-2 (Medium Density Residential District) To B-2 (General Business District) With Future Limited Uses; City Of Vestavia Hills, Owner; Getra Sanders, CFA Development Manager, Representing**

**MOTION** Motion to approve Ordinance Number 2602 was by Mr. Sharp and second was by Mr. Ammons.

Mr. Downes explained that this Ordinance is a request to rezone this property for construction of a restaurant. He indicated that this represents hard work and compromise

with neighboring properties and prohibits gas stations and auto services along with the removal of rear signage.

Mr. Sharp reported that the Planning and Zoning Commission voted to recommend approval of this request following a long meeting.

Getra Sanders, Chick Fil-A, stated that the plans have been finalized and sewer arrangements have been met and that an agreement with the neighboring property has been worked out for access to a lighted intersection.

Discussion ensued concerning traffic flow, patterns, access from the neighboring property, parking, parking requirements as shown on the attached documentation and buffering.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

**ORDINANCE NUMBER 2603**

**Ordinance Number 2603 – Conditional Use Approval For A Home Occupation For Property Located At 3794 Poe Drive, S ½ Of Lot 4 And All Of Lot 3, Glass 3<sup>rd</sup> Add To New Merkle; Conditional Use Approval For A Home Occupation With One Fulltime And Two “Drop-In” Employees Who Do Not Reside On The Property; Jon Hinds, Owner**

**MOTION** Motion to approve Ordinance Number 2603 was by Mr. Pierce and second was by Mr. Henley.

Mr. Downes explained that this is a request for a home occupation for a security company who wishes to have one fulltime employee working from the home who is not a resident of the home and two “drop-in” employees who obtain paperwork and leave.

Mr. Sharp stated that this was heard by the Planning and Zoning Commission and the motion to recommend was denied on a 4 to 3 vote.

Mr. Downes stated that the Commission did give some recommendations which were written into the Ordinance to limit the Conditional Use. He read the conditions.

The Mayor indicated that the Council received one email from Kathy Stanford protesting the request. He then opened the floor for a public hearing.

Jason Kessler, 215 W. Linwood Drive, Homewood, stated that he is a former resident of the street and the owner of the property next door. He stated he is about to construct two new homes adjacent to this property and doesn't have a problem with the request. He indicated that Mr. Hinds has been a good neighbor and he asked that the request be approved.

Rex Lysinger, 3767 Poe Drive, stated that it is nice to have a security company truck at the beginning of Poe Drive. He said it's almost like having a police car at the property and asked that the request be approved.

There being no one else to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

### **ORDINANCE NUMBER 2604**

#### **Ordinance Number 2604 – Conditional Use Approval For A Home Occupation For Property Located At 4191 Vestview Drive, Liberty Park; Peggy Vanek-Titus, Owner**

**MOTION** Motion to approve Ordinance Number 2604 was by Mr. Henley and second was by Mr. Sharp.

Mr. Downes explained that this Ordinance is a request to allow the office of a pet sitting business for Ms. Vanek-Titus on Vestview Drive. He stated that the Commission voted unanimously to recommend approval and that the Liberty Park Joint Venture wrote a letter indicating that they have no problems with the request.

Ms. Vanek-Titus was present in regard to this request.

Mr. Sharp reported that the Planning and Zoning Commission voted to recommend approval of this request following a long meeting.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes  
Mr. Ammons – yes  
Mayor Zaragoza – yes

Mr. Henley – yes  
Mr. Sharp – yes  
Motion carried.

**ORDINANCE NUMBER 2605**

**Ordinance Number 2605 – Rezoning – 3127 Blue Lake Drive And 4565 Pine Tree Circle; Lot 10-A, Acton’s Resurvey Of Lot 8 Thru 10 And Lots 11 & 12, Topfield Subdivision; Rezone From Vestavia Hills R-1 (Low Density Residential District) To Vestavia Hills B-1-2 (Planned Business District); Beth A. Holsenback, Kenneth Andrews And Pine Tree Partners, LLC, Owners**

**MOTION** Motion to approve Ordinance Number 2605 was by Mr. Pierce and second was by Mr. Henley.

Mr. Downes stated that this request is for construction of a small shopping area as designated on the attached site plans. This designation was sought in order to allow the center to move closer to Colonnade.

Len Shannon was present in regard to the request and stated that engineering had been done in order to protect the blue line creek that traverses the property with engineering done from Gonzalez Strength.

The Mayor opened the floor for a public hearing.

Jeff Rowe stated that he is the son of the property owners adjacent to this request. He indicated that they are concerned about this rezoning because this is what his parents will be forced to look at for the remainder of their days. He stated that their property currently flows down to that creek and the lighting and potential noise from the development could be detrimental to his parent’s way of life.

Mr. Shannon stated that the drainage will be from underground storage and would be ample enough to contain the drainage that runs on the property. He stated the lighting will not be intense but there will need to be some for the safety of the individuals employed there and/or shopping there.

Discussion ensued into the types of retailers expected, most of which is expected to be personal care and professional tenants, buffering, time limitations on tenants and care in the lighting of the property.

There being no one else to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

**ORDINANCE NUMBER 2606**

**Ordinance Number 2606 – Rezoning – 4209 Autumn Lane; Rezone From Vestavia Hills R-4 (Medium Density Residential District) To Vestavia Hills B-1 (Neighborhood Business District) With Uses Limited To Professional Office; Brent Martina And Tim Coker, Owners, John Whitson, Representing**

**MOTION** Motion to approve Ordinance Number 2606 was by Mr. Pierce and second was by Mr. Henley.

Mr. Downes explained that this Ordinance is a request to rezone this property for renovation and then use of an office building. The ordinance contains a condition that the property be limited to office use only.

Mr. Sharp reported that the Planning and Zoning Commission voted to recommend approval of this request.

John Whitson was present in regard to this request and explained that he will utilize the existing structure the required commercial improvements and construct improved parking in the front adjacent to Cahaba Heights Road.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

**ORDINANCE NUMBER 2607**

**Ordinance Number 2607 – 3117 And 3121 Blue Lake Drive; Lots 29 & 30, Topfield Subdivision; Rezone From Vestavia Hills R-1 (Low Density Residential District) To Vestavia Hills O-1 (Office District); Slate Barganier Holdings, LLC And VGD On Blue Lake, LLC, Owners**



**MOTION** Motion to approve Ordinance Number 2607 was by Mr. Pierce and second was by Mr. Sharp.

Mr. Downes explained that this Ordinance is a request to rezone this property for construction of two small office buildings with shared parking.

Todd Smith, Gonzalez Strength and Associates, was present in regard to this request and explained the request for two offices and shared parking to serve as an office building for Slate Bargainier.

Mr. Sharp reported that the Planning and Zoning Commission voted to recommend approval of this request.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

**NEW BUSINESS**

**RESOLUTION NUMBER 4764**

**Resolution Number 4764 – A Resolution Approving A Beer And Wine License For UAT Inc., D/B/A Cahaba Heights Texaco; Abid Ghani, Executive**

**MOTION** Motion to approve Resolution Number 4764 was by Mr. Ammons and second was by Mr. Henley.

Mr. Downes stated that this is a request for a beer and wine license for a newly renovated convenience store.

Abid Ghani was present in regard to the request.

Mr. Pierce asked about training of his employees.

Mr. Ghani stated he trains his employees to check ID and if there is an ABC sting, he will terminate an employee that’s found violating the rules.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

### **RESOLUTION NUMBER 4765**

**Resolution Number 4765 – A Resolution Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With Alabama Department Of Transportation For Project Number ACAA59495-ATRP(006) ATRIP 37-03-34**

**MOTION** Motion to approve Resolution Number 4765 was by Mr. Ammons and second was by Mr. Henley.

Mr. Downes stated that this is the last remaining ALDOT agreement for the resurfacing of Rocky Ridge Road. He stated that he hopes they'll begin the project soon.

Discussion ensued as to whether or not the project would be done at night, adding guardrails in needed areas, traffic delays, addressing school traffic and funding.

There being no further discussion, the Mayor called for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

### **FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)**

The Mayor stated that the following Resolutions and/or Ordinances will be presented at a public hearing at the Council's next regularly scheduled meeting on October 26, 2015 at 5 PM.

- Ordinance Number 2608 – Rezoning & Conditional Use Approval – 4248, 4244, 4240, 4232 Oakview Lane And 4325, 4321 And 4317 Dolly Ridge Road; Rezone From Vestavia Hills R-4, B-1 With Conditions, B-2 With Conditions, B-1.2, B-1.2 With Conditions And INST To Vestavia Hills B-1.2 With Conditional Use For 4-Story Building

## **CITIZENS COMMENTS**

The Mayor opened the floor for citizen comments.

Abbie Brady, 3987 Natchez Drive, spoke in protest to the rezoning request to be presented at the next meeting.

Jenny Lysinger, 3767 Poe Drive, asked that her statement be made a part of the minutes. *“I’m Jenny Lysinger, 3767 Poe Drive, Mr. Chairman I’d like to have my statement in the minutes. I would like to thank Council men Pierce, Henley and Ammons for attending the August 27<sup>th</sup> Q&A session with Superintendent Phillips and the Parents of the VHECH about the apartment development being proposed next door to the school. There, you and the parents all heard Mrs. Phillips say that ‘there was nothing beneficial in building anything that close to any of our schools and that the development isn’t in the best interest of the school.’ At the Planning and Zoning hearing on September 10<sup>th</sup>, you also heard our Principal, Dr. Cooper, voice her concerns about this proposal. I, respectfully, ask you to consider these expert opinions when voting on this proposal due to the unusual circumstance of locating something this close to one of our City schools – just as you will consider the traffic, crime and infrastructure impact. Superintendent Phillips and Dr. Cooper’s opinions about the impact on our schools should be weighed equally with the other City opinions, because they are our City’s school experts!”*

Margaret Hess, 3033 Martha Drive, stated that Mr. Deloye Burrell of the Vestavia Hills Planning and Zoning Commission voted against recommending approval of the proposed rezoning at the next meeting.

## **EXECUTIVE SESSION**

The Mayor indicated that the Council needed to go into Executive Session for the purchase/sale of property for an estimated 30 minutes. He stated there will be no action following the Executive Session. He then opened the floor for a motion.

**MOTION** Motion to go into Executive Session for an estimated 30 minutes for the sale/purchase of property was by Mr. Pierce and second was by Mr. Ammons. Roll Call vote as follows;

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mr. Sharp – yes
Mayor Zaragoza – yes	Motion carried.

The Council exited the Chambers and entered into Executive session at 6:45 PM. At 7:30 PM, the Council exited Executive Session and entered into the Chambers and the Mayor called the meeting back to order.

**MOTION** Motion to adjourn was by Mr. Henley and second was by Mr. Ammons. Meeting adjourned at 7:32 PM.

Alberto C. Zaragoza, Jr.  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**CITY OF VESTAVIA HILLS**  
**CITY COUNCIL**  
**WORK SESSION**  
**MINUTES**  
**OCTOBER 19, 2015**

The City Council of Vestavia Hills met in a work session on this date at 5:00 PM following posting/publishing pursuant to Alabama law. The Mayor called the work session to order and the City Clerk called the roll with the following:

**MEMBERS PRESENT:**

Mayor Alberto C. Zaragoza, Jr.  
Steve Ammons, Mayor Pro-Tem  
George Pierce  
John Henley  
Jim Sharp

**OTHER OFFICIALS PRESENT:**

Jeff Downes, City Manager  
Rebecca Leavings City Clerk  
Conrad Garrison, City Planner  
Jim St. John, Fire Chief  
Terry Ray, Asst. Fire Chief  
Dan Rary, Police Chief  
Melvin Turner, Finance Director

Mr. Downes gave an update on the following:

- The Bids for Meadowlawn Park were read today with only one submitted bid in the amount of \$685,000 which is far higher than the estimated cost of construction. Mr. Downes indicated they may go back and negotiate some prices and come forward later with a recommendation.
- Chick Fil A wants to begin construction as soon as possible so he is hoping to get the property ready for closing by November 5.
- The sale of the Altadena Valley Country Club will close very soon and the new owners are seeking an appraisal of the 60 +/- acres that they wish to donate to the City. Closing should occur after receipt of the appraisal. Discussion ensued about upkeep of the property.
- Documents have been drafted by Steve Monk regarding the proposed western access to the City's proposed recreation fields at the AVCC.

The Mayor welcomed the following scouts from Troop 4: Patton Waters, Joseph Stuckey and Burch Bullock.

The Mayor stated that the Council needed to enter into Executive Session for an estimated 90 minutes to discuss the purchase and sale of property as well as threatened litigation. He indicated that attorney Bent Owens is present representing the City.

Mr. Owens indicated it is legal for the Council to enter into Executive Session for those reasons and the Mayor opened the floor for a motion.

**MOTION** Motion to enter into Executive Session for an estimated 90 minutes for the purchase/sale of property and threatened litigation was by Mr. Ammons. Mr. Pierce seconded the motion. Roll call vote as follows:  
Mr. Pierce – yes                      Mr. Henley – yes  
Mr. Sharp – yes                      Mr. Ammons – yes  
Mayor Zaragoza – yes                      motion carried.

The Council entered into Executive Session at 5:34 PM in the Executive Council Room.

At 7:50 PM, the Council exited Executive Session and the Mayor called the work session back to order.

There being no further business, work session adjourned at 7:51 PM.

Alberto C. Zaragoza, Jr.  
Mayor

Attested by:

Rebecca Leavings  
City Clerk

**ORDINANCE NUMBER 2608**

**AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS R-1 TO VESTAVIA HILLS O-1**

**BE IT ORDAINED** by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-4 (medium density residential district), B-1 with conditions (Neighborhood Business District), B-2 with conditions (General Business District), B-1.2 (Neighborhood Mixed Use District), B-1.2 with conditions (Neighborhood Mixed Use District), B-2 with conditions (General Business District), INST (Institutional District) to Vestavia Hills B-1.2 with the Conditional Use for a 4-story building (Neighborhood Mixed Use District):

4248 Oakview Lane, 4244 Oakview Lane,  
4240 Oakview Lane, 4232 Oakview Lane,  
4325 Dolly Ridge Road, 4321 Dolly Ridge Road,  
4317 Dolly Ridge Road, Vestavia Hills, Alabama  
Johnnie Rogers, John Boone,  
Maude K. Powell, BEC, Inc. (David Bruno),  
Billano Investments, Inc., (Dr. Retna Billano),  
Cahaba Heights Development, LLC (Thornton Hydingier)  
and JFKE, LLC (John Whitson), Owner(s)

More particularly described as follows:

Commence at the Northeast Corner of the Northeast Quarter of the Southwest Quarter of Section 22, Township 18 S, Range 2 W (not recovered); thence run N 89°14'17" W along the north line of said Quarter for a distance of 338.68 feet to a nail found on the southeast corner of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey, as recorded in the Office of the Judge of Probate for Jefferson County in Plat Book 235 Page 58, said point being the POINT OF BEGINNING of the following described parcel:

Thence run N 89°14'17" W along the south line of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey and along the north line of said Quarter for a

distance of 387.5 feet to a point; thence leaving the North line of said Quarter run N 00°45'43" E for a distance of 95.57 feet to a point; thence run S 88°42'33" E for a distance of 39.08 feet to a point; thence run N 00°00'08" W for a distance of 155.50 feet; thence run N 39°39'22" E for a distance of 69.98 feet to a point on the south line of Lot 5 Cahaba Oaks Garden Homes Subdivision as recorded in the Office of the Judge of Probate for Jefferson County in Plat Book 198 Page 26; thence run S 77°30'27" E along the south line of Lots 5, 8, and 9 of said Cahaba Oaks Garden Homes Subdivision for a distance of 153.75 feet to a point in the center of an alley vacated by INST #9812/3420; thence run N 31°06'43" E along the center of said vacated alley for a distance of 85.18 feet to a point; thence run S 89°12'09" E along the north line of Lot 29 of New Merkle Heights J.D. Acton Survey, as recorded in the Office of the Judge of Probate for Jefferson County in Plat Book 19 Page 92 for a distance of 213.16 feet to a point on the northeast corner of Lot 29 of said New Merkle Heights J.D. Acton Survey said point also being on the Westerly Right-of-Way of Oakview Lane; thence run S 09°49'39" W along the Westerly Right-of-Way of Oakview Lane for a distance of 291.45 feet to a point; thence run N 89°28'33" W Westerly Right-of-Way of Oakview Lane for a distance of 12.01 feet to a point on the Easterly line of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey; thence run S 24°13'51" W along the Westerly Right-of-Way of Oakview Lane for a distance of 31.47 feet to a point on the Easterly line of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey; thence run S 45°06'45" W along the Westerly Right-of-Way of Oakview Lane for a distance of 42.72 feet to the POINT OF BEGINNING; said parcel containing 135,504 square feet (3.11 acres) more or less

**APPROVED and ADOPTED** this the 26<sup>th</sup> day of October, 2015.

Alberto C. Zaragoza, Jr.  
Mayor

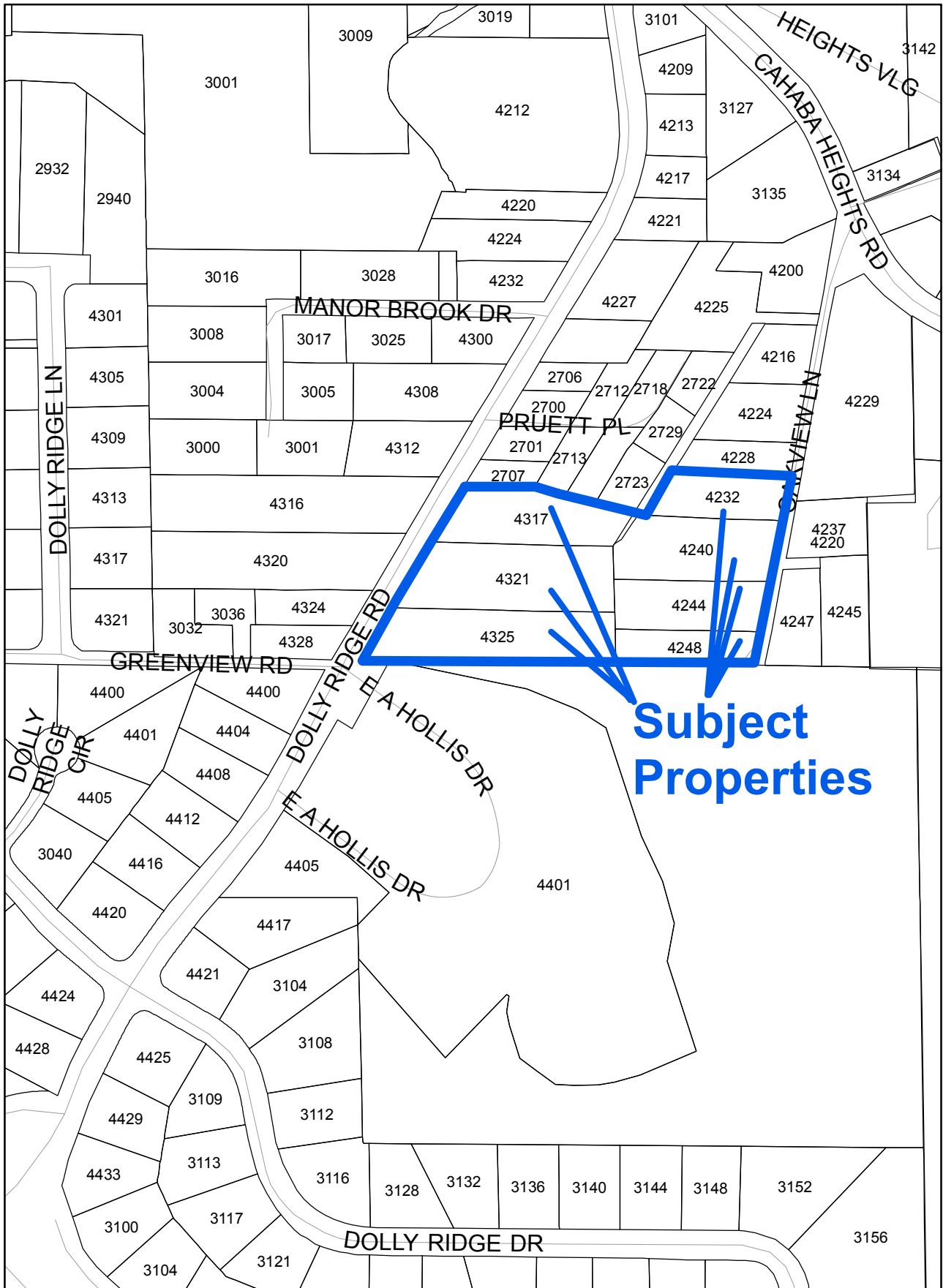
ATTESTED BY:

Rebecca Leavings  
City Clerk



# Subject Properties

4248 Oakview Lane, 4244 Oakview Lane, 4240 Oakview Lane, 4232 Oakview Lane  
4325 Dolly ridge Road, 4321 Dolly Ridge Road, 4317 Dolly Ridge Road



**CITY OF VESTAVIA HILLS**  
**SYNOPSIS AND STAFF RECOMMENDATION CONCERNING**  
**APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION**

Date: SEPTEMBER 10, 2015

- **CASE:** P-0915-52
- **REQUESTED ACTION:** Rezoning from Vestavia Hills B-1.2, Vestavia Hills Inst-1, Vestavia Hills B-1, Vestavia Hills B-2, and Vestavia Hills R-4 to Vestavia Hills B-1.2 with a Conditional Use for a Four Story Building
- **ADDRESS/LOCATION:** Oakview Ln and Dolly Ridge Rd.
- **APPLICANT/OWNER:** BEC, Inc., John Boone, LLC, Maude K. Powell, and Johnnie Rodgers
- **REPRESENTING AGENT:** Steven Hydinger
- **GENERAL DISCUSSION:** Property directly adjacent to Cahaba Heights Elementary. Applicants are seeking rezoning to continue the dense development pattern established in the Cahaba Heights Village amendment and the approval of Billano Dermatology. The applicants have submitted an updated master plan for the entire project. The plan includes a multi-family/retail mixed-use development consisting of 81 units and 15,000 square feet of retail.

The multifamily will be split between two buildings with a pool/common area in the middle. The large multi-family building will front the newly created road will face the new street and Oakview Ln. The second multi-family building will have frontage along Oakview Ln. An additional 13,000 square feet of retail proposed, fronting Dolly Ridge Rd.

Retail will be split between two separate buildings as well. The larger 10,000 sq. ft. 2 story building will front Dolly Ridge Rd. The second retail building will share a wall with the multi-family building along the new road and will have residential above.

A regulating plan showing the various building distances to the property lines are attached.

Parking is shared throughout the development with parking all on one level. Street parking will also be utilized on the new street. A preliminary landscape plan is also attached.

A Conditional Use permit is also requested to allow the mixed use building to be four stories. The Zoning Ordinance caps building height at 3 stories, with any additional

height to go through the CU process. The applicants contend that the slope of the land mitigates any potential unsightliness from an additional story.

If zoning is approved, applicant will replat the site. ROW on the corner of Oakview Ln. and the new street will also need to be vacated.

- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the Cahaba Heights Community Plan for mixed use and pedestrian oriented development.

- **STAFF REVIEW AND RECOMMENDATION:**

1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

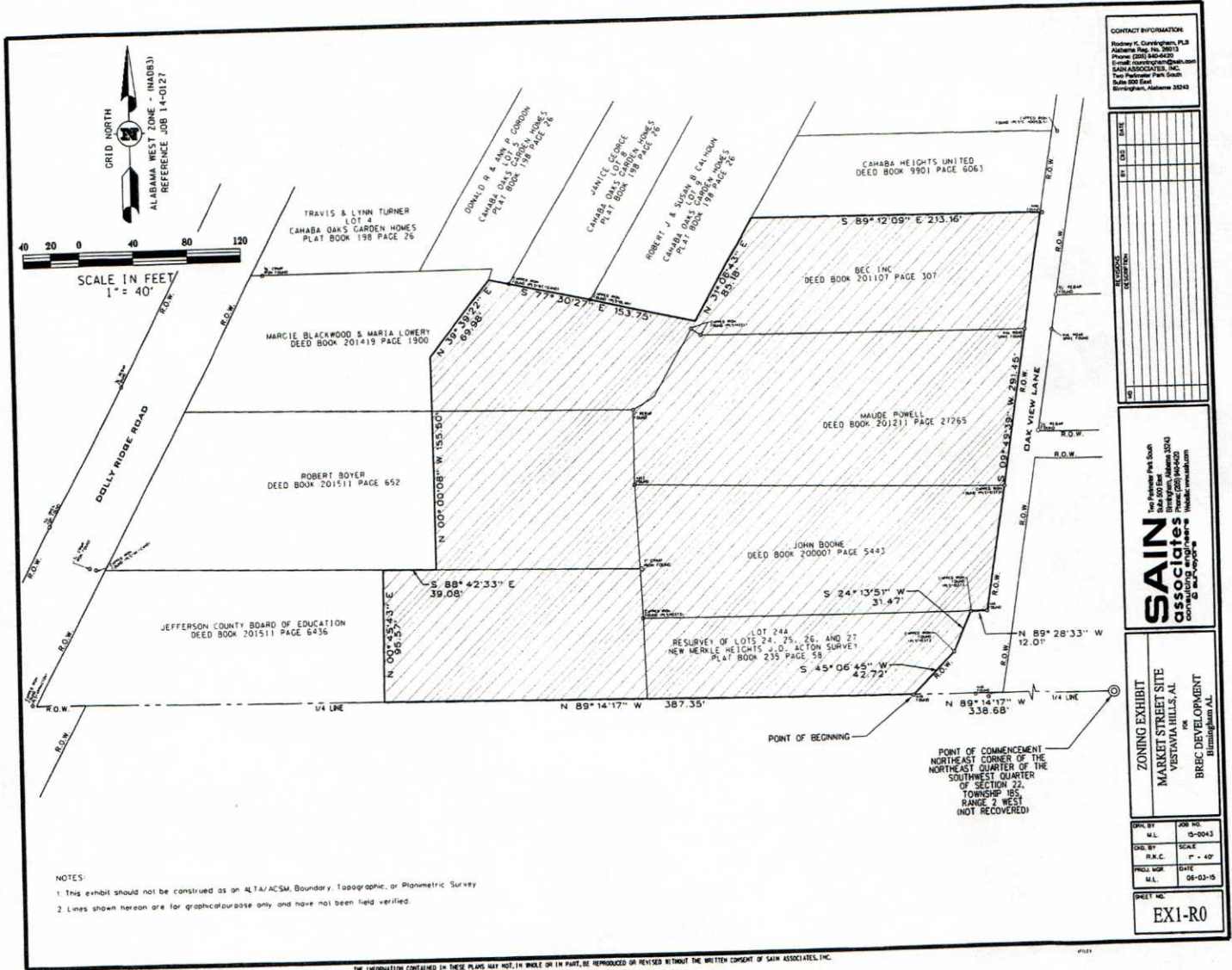
**City Planner Recommendation:** No recommendation

2. **City Engineer Review:** Will review traffic and access.
3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

**MOTION** Mr. Visintainer made a motion to recommend approval of Rezoning at Vestavia Hills B-1.2, Vestavia Hills Inst-1, Vestavia Hills B-1, Vestavia Hills B-2, and Vestavia Hills R-4 to Vestavia Hills B-1.2 with a Conditional Use for a Four Story Building. Second was by Mr. Wolfe. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – no
Mr. Gilchrist – yes	Mr. Sharp – yes
Mr. Wolfe – yes	Mr. House – yes
Mr. Visintainer – yes	Mr. Brooks – yes
Mr. Larson – no	Motion carried.

P0915-52//28-22-2-10-17  
 Oakview Ln & Dolly Ridge Rd.  
 Rezone to VH B 1.2  
 Multiple Owners  
 4,B2, B1 & Inst. 1



**CONTACT INFORMATION**  
 Rodney C. Cunningham, P.L.S.  
 Alabama Reg. No. 20613  
 Phone: (205) 840-6420  
 Email: rodney@rodney.com  
 SAIN ASSOCIATES, INC.  
 7000 Highway Park South  
 Birmingham, Alabama 35240

DATE	BY	REVISION

**SAIN**  
 associates  
 7000 Highway Park South  
 Birmingham, AL 35240  
 Phone: (205) 840-6420  
 Email: info@sain.com  
 Website: www.sain.com

**ZONING EXHIBIT**  
 MARKET STREET SITE  
 VESTAVIA HILLS, AL  
 BREC DEVELOPMENT  
 Birmingham, AL

DATE BY	DATE
M.L.	05-04-13
DATE BY	SCALE
R.K.C.	1" = 40'
DATE BY	DATE
M.L.	06-03-05
SHEET #	
EX1-R0	



P0915-52//28-22-2-10-17

Oakview Ln & Dolly Ridge Rd.

Rezone to VH B 1.2

Multiple Owners

VH R-

4,B2, B1 & Inst. 1

**COMMENCE** at the Northeast Corner of the Northeast Quarter of the Southwest Quarter of Section 22, Township 18 S, Range 2 W (not recovered); thence run N 89° 14' 17" W along the North line of said Quarter for a distance of 338.68 feet to a nail found on the Southeast Corner of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey, as recorded in the Office of the Judge of Probate for Jefferson County in Plat Book 235 Page 58, said point being the **POINT OF BEGINNING** of the following described parcel;

thence run N 89° 14' 17" W along the South Line of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey and along the North line of said Quarter for a distance of 387.35 feet to a point; thence leaving the North line of said Quarter run N 00° 45' 43" E for a distance of 95.57 feet to a point; thence run S 88° 42' 33" E for a distance of 39.08 feet to a point; thence run N 00° 00' 08" W for a distance of 155.50 feet; thence run N 39° 39' 22" E for a distance of 69.98 feet to a point on the south line of Lot 5 Cahaba Oaks Garden Homes Subdivision as recorded in the Office of the Judge of Probate for Jefferson County in Plat Book 198 Page 26; thence run S 77° 30' 27" E along the South line of Lots 5, 8, and 9 of said Cahaba Oaks Garden Homes Subdivision for a distance of 153.75 feet to a point in the center of an alley vacated by INST# 9812/3420; thence run N 31° 06' 43" E along the center of said vacated alley for a distance of 85.18 feet to a point; thence run S 89° 12' 09" E along the North line of Lot 29 of New Merkle Heights J.D. Acton Survey, as recorded in the Office of the Judge of Probate for Jefferson County in Plat Book 19 Page 92 for a distance of 213.16 feet to a point on the Northeast corner of Lot 29 of said New Merkle Heights J.D. Acton Survey said point also being on the Westerly Right-of-Way of Oak View Lane; thence run S 09° 49' 39" W along the Westerly Right-of-Way of Oak View Lane for a distance of 291.45 feet to a point; thence run N 89° 28' 33" W Westerly Right-of-Way of Oak View Lane for a distance of 12.01 feet to a point on the Easterly line of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey; thence run S 24° 13' 51" W along the Westerly Right-of-Way of Oak View Lane for a distance of 31.47 feet to a point on the Easterly line of Lot 24A of a Resurvey of Lots 24, 25, 26, and 27 New Merkle Heights J.D. Acton Survey; thence run S 45° 06' 45" W along the Westerly Right-of-Way of Oak View Lane for a distance of 42.72 feet to the **POINT OF BEGINNING**;

said parcel containing 135,504 (3.11 acres) more or less



PARKING SUMMARY		SPACES
RETAIL:	15,000sf	75
HOUSING:	81 units	136
<b>TOTAL:</b>		<b>210</b>



PROPOSED SITE PLAN  
 SCALE: 1" = 30' - 0"  
 12 AUGUST 2015

NOT FOR  
CONSTRUCTION

WILLIAMS BLACKSTONE  
ARCHITECTURAL SERVICES, P.A.  
DATE: 08-18-15  
DRAWING NUMBER: 14-163

ISSUE DATE  
08-18-15

PROJECT NUMBER  
14-163

ISSUE DATE  
08-18-15

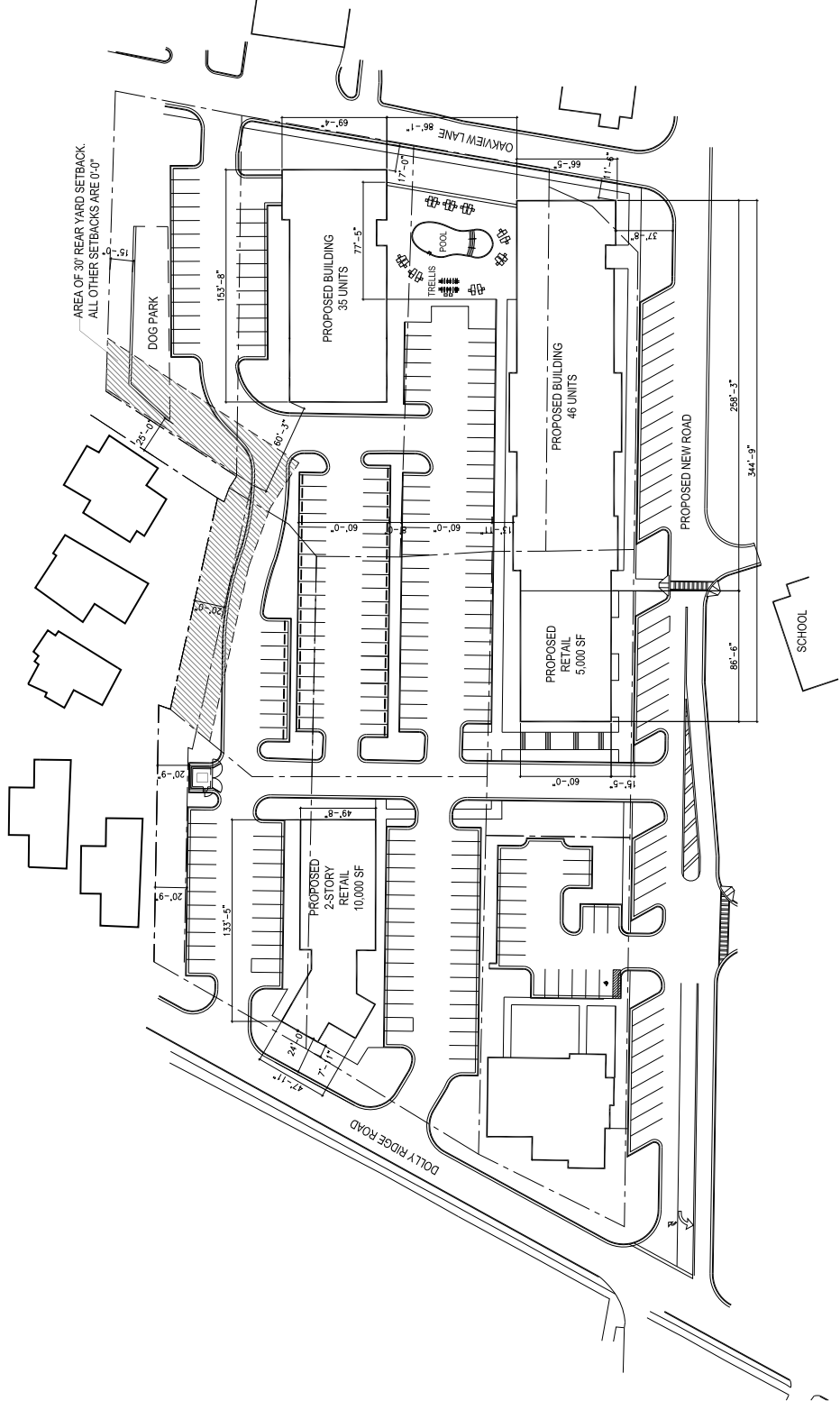
PROJECT NUMBER  
14-163

ISSUE DATE  
08-18-15

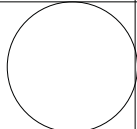
SHEET NUMBER  
A1

PARKING SUMMARY	SPACES
RETAIL:	75
HOUSING:	135
TOTAL:	210

 SITE LAYOUT PLAN  
1/4" = 30'-0"







THE HEIGHTS  
CAHABA HEIGHTS - VESTAVIA HILLS, ALABAMA

NOT FOR  
CONSTRUCTION

WILLIAMS BUCKSTOCK  
ARCHITECTS  
1000 17th St N  
Montgomery, AL 36102  
BIRMINGHAM, ALABAMA 35203  
www.williams-buckstock.com

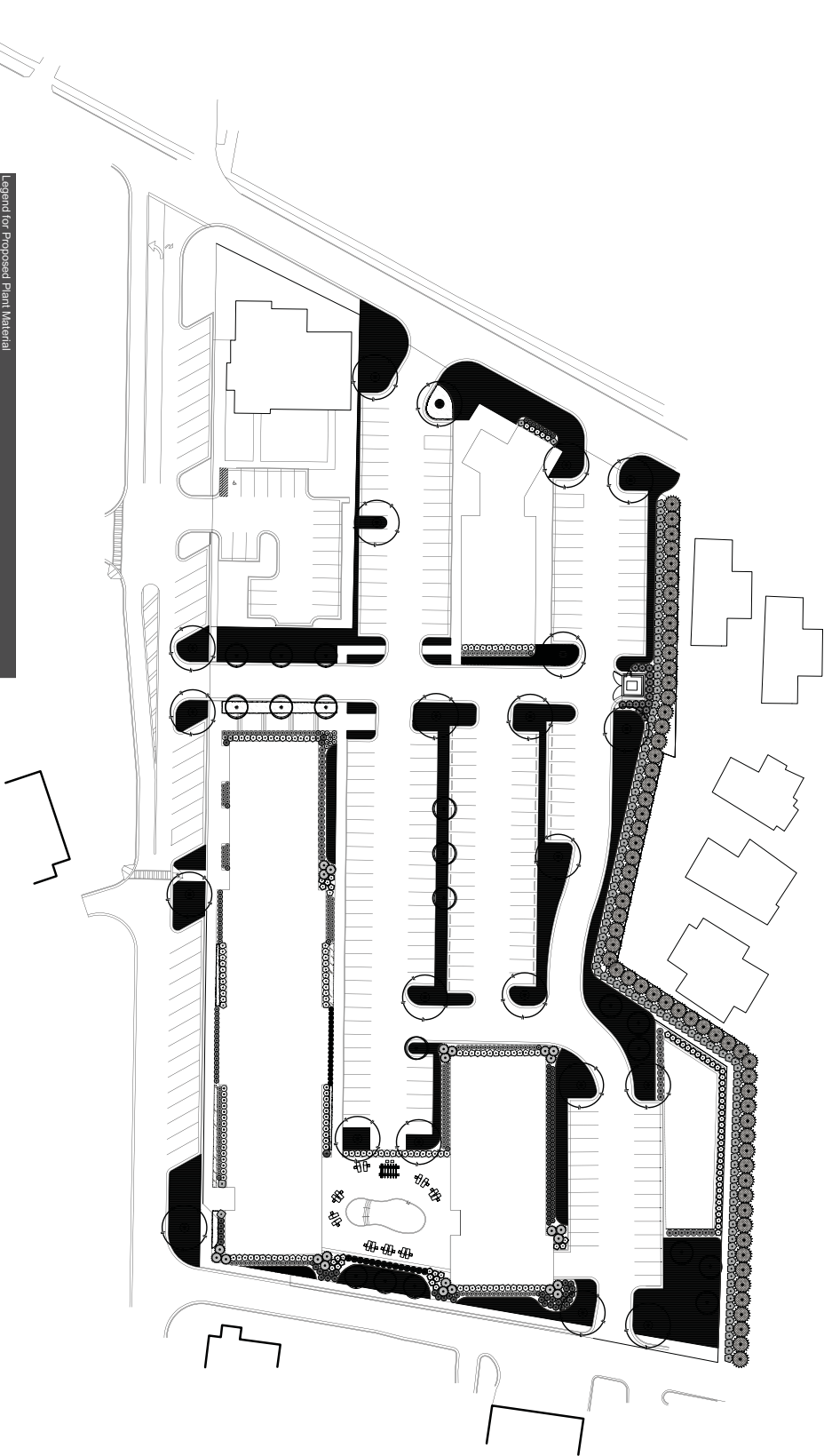
ISSUE DATE  
08-18-15

PROJECT NUMBER  
14-163

DATE FOR TITLE

SCHEMATIC  
PLANTING  
PLAN

L1



Legend for Proposed Plant Material

	Shrub Tree	e.g. Laurel Oak, Red Maple, Chinese Elm	25-30' caliper
	Medium Tree	e.g. Chinese Palmetto, Sweetbay Magnolia, Crape Myrtle	6-10' height
	Evergreen Tree	e.g. Treeform Holly, Southern Magnolia, Wax Myrtle	6-10' height
	Large Evergreen Shrub	e.g. Many Nest Holly, Arborvitae	6-10' height
	Medium Shrub	e.g. Longstalkum, Winter Jasmine, Nandivort Holly	18-30" height
	Small Shrub	e.g. Carissa Holly, Dwarf Yucca Holly	12-24" width
	Groundcover	e.g. Liriodie, Asian Jasmine, Anemalis	4" pad

SCHEMATIC PLANTING PLAN  
1" = 30'-0"





New Street Elevation

A DEVELOPMENT FOR CAHABA HEIGHTS

WILLIAMS BLACKSTOCK ARCHITECTS



New Street Elevation

A DEVELOPMENT FOR CAHABA HEIGHTS

WILLIAMS BLACKSTOCK ARCHITECTS



Oakview Lane Elevation

A DEVELOPMENT FOR CAHABA HEIGHTS

WILLIAMS BLACKSTOCK ARCHITECTS





Oakview Lane Elevation



View looking southeast at back on Building #1





View looking south from Oakview at back of Building #1

A DEVELOPMENT FOR CAHABA HEIGHTS

WILLIAMS BLACKSTOCK ARCHITECTS



View looking northwest at Building #2

A DEVELOPMENT FOR CAHABA HEIGHTS

WILLIAMS BLACKSTOCK ARCHITECTS



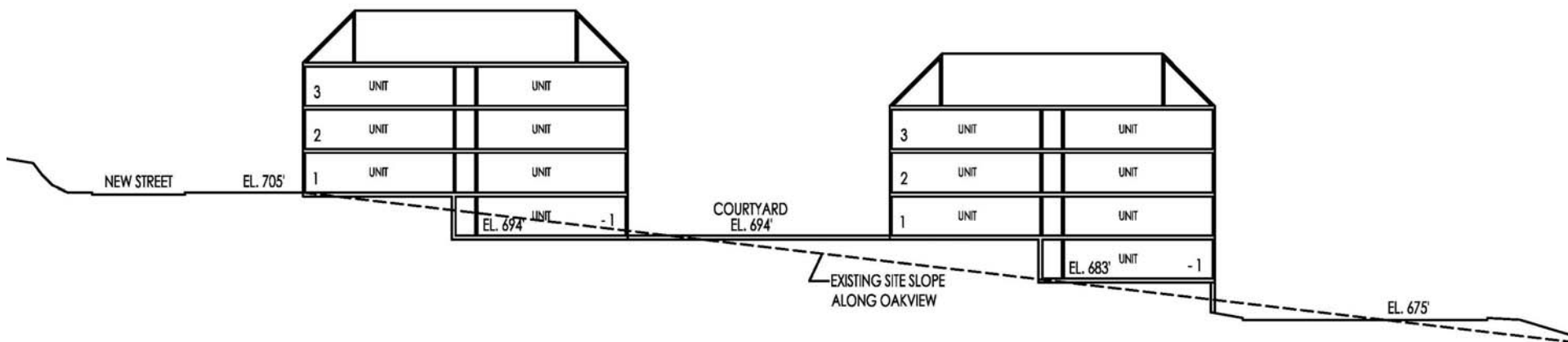


View looking southwest from Oakview

*A DEVELOPMENT FOR CAHABA HEIGHTS*

*WILLIAMS BLACKSTOCK ARCHITECTS*





Site Section along Oakview

A DEVELOPMENT FOR CAHABA HEIGHTS

WILLIAMS BLACKSTOCK ARCHITECTS

## Executive Summary

Sain Associates examined the traffic impacts associated with the proposed construction of a mixed-use development in the Cahaba Heights neighborhood of Vestavia, AL. The purpose of this study is to analyze the traffic conditions in the vicinity of the proposed development, determine any impact that the development may have on the existing transportation network, and recommend improvements that may be necessary to mitigate those impacts.

The proposed development is located off of Dolly Ridge Road near its intersection with Greenview Road in the Cahaba Heights neighborhood of Vestavia Hills, AL. The site is north of Vestavia Hills Elementary School and is currently partially wooded, with residential lots occupying some of the acreage. Three existing residential lots connect to Oakview Lane, and one connects to Dolly Ridge Road.

The conceptual site plan is included in Appendix F. Note that this site plan shows a roadway on the eastern side of the Dolly Ridge Road/Greenview Road intersection, labeled in this report as Market Street, which is planned as a stop-controlled approach to the intersection. It is our understanding that the City of Vestavia intends to connect Market Street and Oakview Lane in the future, but that plans for this connection were not available at the time of this study. The development is proposed to contain a residential building in the northeast corner of the property with 35 dwelling units and a residential building in the southeast corner of the property with 46 dwelling units and 5,000 square feet of retail space. A 5,000 square foot medical office building is planned for the southwest corner of the property at the intersection of Dolly Ridge Road and Market Street, and a 10,000 square foot building intended for restaurant use is planned to occupy the northwest corner of the site.

As shown in the developer's site plan, there are five planned access connections to the development:

- Driveway 1: A full access connection to Market Street at the southwest corner of the property, providing access to the medical office only.
- Driveway 2: A right-in/right-out access connection to Dolly Ridge Road north of the Market Street intersection.
- Driveway 3: A full access connection to Dolly Ridge Road north of Driveway 2.
- Driveway 4: A full access connection to Oakview Lane at the northeast corner of the property.
- Driveway 5: A full access connection to Market Street between Oakview Lane and Driveway 1.

This traffic impact analysis includes a review of traffic operations at each of the proposed access connections and the following existing intersections:

- Dolly Ridge Road at E.A. Hollis Drive (School Entrance)
- Dolly Ridge Road at Vestavia Hills Elementary (Teacher Entrance)
- Dolly Ridge Road at Greenview Road/School Exit
- Dolly Ridge Road at Cahaba Heights Road/Pump House Road

- Cahaba Heights Road at Oakview Lane

According to our analysis, all study intersections are currently operating at acceptable levels of service (LOS), and are expected to continue operating at acceptable levels of service during peak periods of traffic flow in the future. Note that future traffic operations were analyzed with the improvements recommended in this study.

In addition to capacity analysis, Sain Associates evaluated the need for a traffic signal at the intersection of Dolly Ridge Road and Greenview Road. A signal is not warranted based on existing traffic, and this analysis is documented in Appendix B. Future signal warrant analysis was deemed unnecessary because the amount of development traffic expected to utilize Market Street is considered negligible.

Based on our observations and analysis documented in this report, Sain Associates makes the following improvement recommendations:

- Construct Driveway 1 as a full-directional access connection onto the proposed Market Street in accordance with the site plan.
- Construct Driveway 2 as a right-in/right-out access connection onto Dolly Ridge Road approximately 225 feet north of Market Street, measured centerline to centerline.
- Construct Driveway 3 as a full-directional access connection onto Dolly Ridge Road approximately 375 feet north of Market Street, measured centerline to centerline.
  - Based on a turn lane analysis, a southbound left-turn lane is warranted at the intersection of Dolly Ridge Road at Driveway 3 under future conditions. According to Vestavia Hill's Public Works Manual and our analysis, the turn lane should consist of 200 feet of deceleration (which includes 75 feet of taper) and 75 feet of storage capacity to allow vehicles to execute a lateral movement into the storage lane and come safely to a stop. However, a driveway serving a residential community is positioned approximately 160' north of the proposed location of Driveway 3. Given this condition and taking into consideration the measured 85<sup>th</sup> percentile speed of 35 mph at this location, it is our recommendation that the left turn lane be constructed to maximize the full width storage capacity between Driveway 3 and the residential driveway using a 25 foot taper and pavement markings to deter drivers from turning left out of the residential driveway and into the southbound left turn lane.
- Construct Driveway 4 as a full-directional access connection onto Oakview Lane in accordance with the site plan.
- Construct Driveway 5 as a full-directional access connection onto the proposed Market Street in accordance with the site plan.

In conjunction with our recommendations, the following concerns should be considered:

- Based on a turn lane analysis, a southbound left-turn lane is warranted under **existing conditions** at the intersection of Dolly Ridge Road and E.A. Hollis Drive. According to the Vestavia Hills Public Works Manual, the turn lane should contain approximately 50 feet of

storage, and approximately 200 feet of deceleration, which includes 75 feet of taper to allow vehicles to execute a lateral movement into the storage lane.

- The parking spaces on Market Street between Driveway 1 and Dolly Ridge Road are within the intersection area of influence, which increases the number of conflict points in this area. However, the expected queue for the westbound Market Street approach to Dolly Ridge Road is not more than 1-2 vehicles in the peak periods, so conflicts in this area are expected to be minimal.
- Based on a consideration of sight distance and 85<sup>th</sup> percentile speed at the intersection of Oakview Lane with Dolly Ridge Road, Oakview Lane should be converted to a right-in/right-out access connection to Cahaba Heights Road. In addition, raised curbing should be provided along the west side of Oakview Lane as needed for access management and to address concerns related to cut-through traffic from Oakview Lane through the adjacent commercial property.

**RESOLUTION NUMBER 4766**

**A RESOLUTION DETERMINING THAT CERTAIN  
PERSONAL PROPERTY IS NOT NEEDED FOR  
PUBLIC OR MUNICIPAL PURPOSES AND  
DIRECTING THE SALE/DISPOSAL OF SAID  
SURPLUS PROPERTY**

**WITNESSETH THESE RECITALS**

**WHEREAS**, the City of Vestavia Hills, Alabama, is the owner of personal property of miscellaneous furniture and other items determined to no longer be needed following the move from the Vestavia Hills Municipal Center to the new Vestavia Hills City Hall; and

**WHEREAS**, the City has determined that it would be in the best public interest to sell and/or dispose of said property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:**

1. The City Manager is hereby authorized to sell and/or dispose of the above-referenced surplus personal property; and
2. This Resolution Number 4766 shall become effective immediately upon adoption and approval.

**DONE, ORDERED, APPROVED and ADOPTED** on this the 26<sup>th</sup> day of October, 2015.

Alberto C. Zaragoza, Jr.  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

**RESOLUTION NUMBER 4767**

**A RESOLUTION PROPOSING THE ANNEXATION  
OF CERTAIN TERRITORY TO THE CORPORATE  
LIMITS OF THE CITY OF VESTAVIA HILLS,  
ALABAMA.**

**WHEREAS**, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated July 28, 2015, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

**WHEREAS**, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 26th day of October, 2016; and

**WHEREAS**, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

**WHEREAS**, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 28th day of October, 2015.

2. That on the 22nd day of February, 2016, in the Vestavia Hills Municipal Center, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 4767 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

1724 Vestaview Lane  
Charles Farrell III, Owner(s)

More particularly described as follows:

Part of the SE ¼ of the NW ¼ of Section 25, Township 18, Range 3 West, more particularly described as follows:

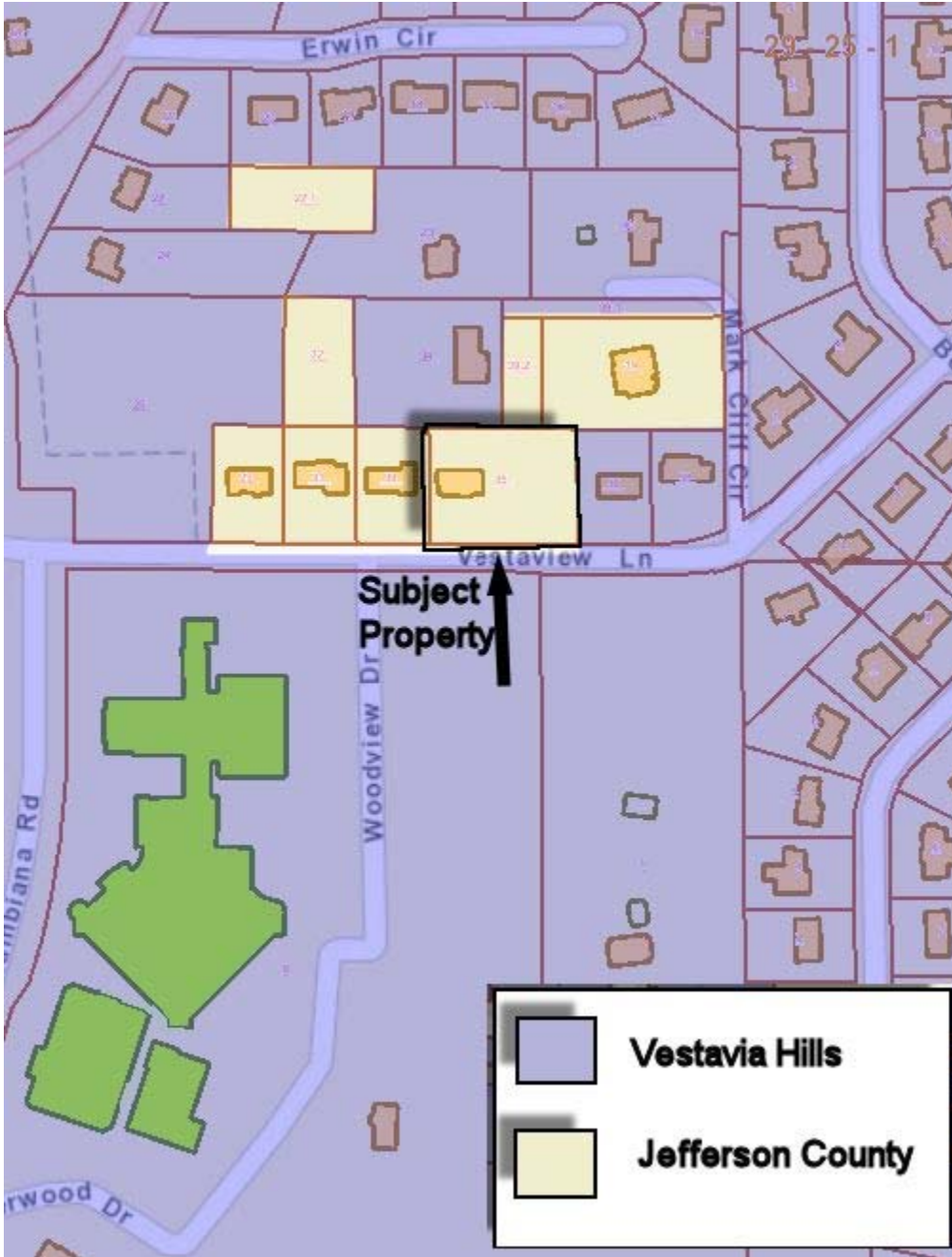
Begin at the Southeast Corner of said quarter-quarter section, thence west along the south line thereof a distance of 231.8 feet to the point of beginning of tract here described, said point being in the center of Rogers Road; thence continue West along said south line a distance of 206.8 feet; thence an an angle to the right of 88 degrees 53 minutes 30 seconds run north 179.92 feet; thence at an angle to the right of 90 degrees, 55 minutes run east 206.78 feet; thence at an angle to the right of 89 degrees 05 minutes run south 180.62 feet to the point of beginning.

**APPROVED and ADOPTED** this the 26th day of October, 2016.

Alberto C. Zaragoza, Jr.  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk





**Annexation Committee Petition Review**

Property: 1724 Vestaview Lane

Owners: C. Stan Farrell, III

Date: 8-25-15

1. The property in question is contiguous to the city limits.  
 Yes  No  Comments: \_\_\_\_\_  
 \_\_\_\_\_
2. The land use of the petitioned property is compatible with land use in the area.  
 Yes  No  Comments: \_\_\_\_\_  
 \_\_\_\_\_
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.  
 Yes  No  Comments \_\_\_\_\_  
 \_\_\_\_\_
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.  
 Yes  No  Comments \_\_\_\_\_  
 \_\_\_\_\_
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 255,600. Meets city criteria: Yes  No   
 Comment: \_\_\_\_\_
6. This street has fewer than 100% of the individual properties within the limits of the city  
 Yes  No   
 Number of total homes 8 Number in city 3
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.  
 Agreed to by petitioner: Yes  No  Comment \_\_\_\_\_  
 \_\_\_\_\_

Property: 1724 VESTAVIEW Lane

8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ \_\_\_\_\_ will be paid to offset costs associated with the annexation. Yes  No \_\_\_\_\_ Comment \_\_\_\_\_

9. Property is free and clear of hazardous waste, debris and materials. Yes  No \_\_\_\_\_ Comment \_\_\_\_\_

10. Are there any concerns from city departments? Yes \_\_\_\_\_ No  Comments: \_\_\_\_\_

11. Information on children: Number in family 0; Plan to enroll in VH schools Yes \_\_\_\_\_ No  Comments: \_\_\_\_\_

Other Comments: \_\_\_\_\_

  
\_\_\_\_\_  
George Pierce  
Chairman

**EXHIBIT "C"**

**CITY OF VESTAVIA HILLS**  
*Department Review of Proposed Annexation*  
*(To Be completed by City Staff)*

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The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 1724 Vestaview Lane

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**Engineering:** \_\_\_\_\_ Date: \_\_\_\_\_ Initials: \_\_\_\_\_

*1724 Vestaview Lane – no concerns noted; pavement in good condition and already maintained by City; we are awaiting completion of inspection of 36" concrete drainage pipe.*

**Public Services:**  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Police Department:** \_\_\_\_\_ Date: 8-7-15 Initials: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Fire Department:** \_\_\_\_\_ Date: 8/12/15 Initials: (SK)

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**PARCEL #:** 29 00 25 2 009 035.000 [ 111-C0 ] Baths: 1.5 H/C Sqft: 1,750  
**OWNER:** GORE LEFOYLE D 18-020.0 Bed Rooms: 3 Land Sch: L1  
**ADDRESS:** 1724 VESTAVIEW LN VESTAVIA AL 35216-1731 Land: 147,200 Imp: 107,300 Total: 254,500  
**LOCATION:** 1724 VESTAVIEW LN VESTAVIA HILLS AL 35216 Acres: 0.000 Sales Info: \$0

<< Prev Next >> [ 1 / 0 Records ] Processing...

Tax Year : 2015

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

**SUMMARY**

**ASSESSMENT**

PROPERTY CLASS: 2 OVER 65 CODE:  
 EXEMPT CODE: DISABILITY CODE:  
 MUN CODE: 01 COUNTY HS YEAR: 0  
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00  
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

**VALUE**

LAND VALUE 10% \$0  
 LAND VALUE 20% \$147,180  
 CURRENT USE VALUE [DEACTIVATED] \$0  
CLASS 2  
 BLDG 001 111 \$107,300

CLASS 3

CLASS USE:  
 FOREST ACRES: 0 TAX SALE:  
 PREV YEAR VALUE: \$255,600.00 BOE VALUE: 0

TOTAL MARKET VALUE [APPR. VALUE: \$254,500]: \$254,480  
 Assesment Override:  
 MARKET VALUE:  
 CU VALUE:  
 PENALTY:  
 ASSESSED VALUE:

**DEEDS**

**PAYMENT INFO**

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
		12/15/2014	2014	-	\$14,568.91
		1/3/2015	2014	-	\$2,561.11
			2013		\$0.00
			2012		\$0.00
		20051231	2005	***	\$890.79
		20050207	2004	***	\$811.15
		19991117	1999	***	\$587.33
		19981030	1998	***	\$425.17
		19971020	1997	***	\$425.17
		19961108	1996	***	\$425.17

**C. Stan Farrell, III  
Two Poinciana Drive  
Birmingham, AL 35209  
205-266-0426**

July 31, 2015

Mrs. Rebecca Leavings  
Vestavia Hills Municipal Center  
513 Montgomery Highway  
Vestavia Hills, AL 35216

RE: 1724 Vestaview Lane  
Annexation Application

Dear Mrs. Leavings,

It was a pleasure to meet you this morning and I appreciate you taking time to walk me through the annexation process.

Please accept this letter as a complete summary of my plans and expectations for the above referenced property which I have applied for annexation in the City of Vestavia Hills.

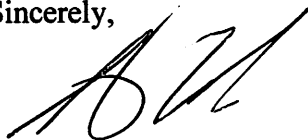
I purchased the property in March, 2015 with plans to recycle the house from the original condition to that of a new one which will include new wiring, plumbing, HVAC, sheetrock, modern and spacious floor plan, exterior, driveway, deck and landscaping.

It is not my intent to occupy the premises because I live in another city.

I believe and the market comps support a market price ranging from \$315,000-\$345,000 based on the size, location and finished product.

Please let me know if you need additional information.

Sincerely,



C. Stan Farrell, III

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE  
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 7/28/2015

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

© STAN FARRELL @ gmail.com  
Stan Farrell  
266 - 0426

**EXHIBIT "A"**

LOT: \_\_\_\_\_

BLOCK: \_\_\_\_\_

SURVEY: \_\_\_\_\_

RECORDED IN MAP BOOK \_\_\_\_\_, PAGE \_\_\_\_\_ IN THE  
PROBATE OFFICE OF \_\_\_\_\_ COUNTY, ALABAMA.

COUNTY ZONING:   R 1  

COMPATIBLE CITY ZONING:   R 1  

LEGAL DESCRIPTION (METES AND BOUNDS):

COM INT E LN OF NW 1/4 & N R/W VESTAVIEW LN  
W 234 FT ALG SD R/W TO POB TH CONT W 207 FT N  
163 FT E 207 S 161 FT TO POB LYING IN SE 1/4 OF  
NW 1/4 SECT 25 TWP 18 S RANGE 3 W





Greater Alabama MLS - IMAPP

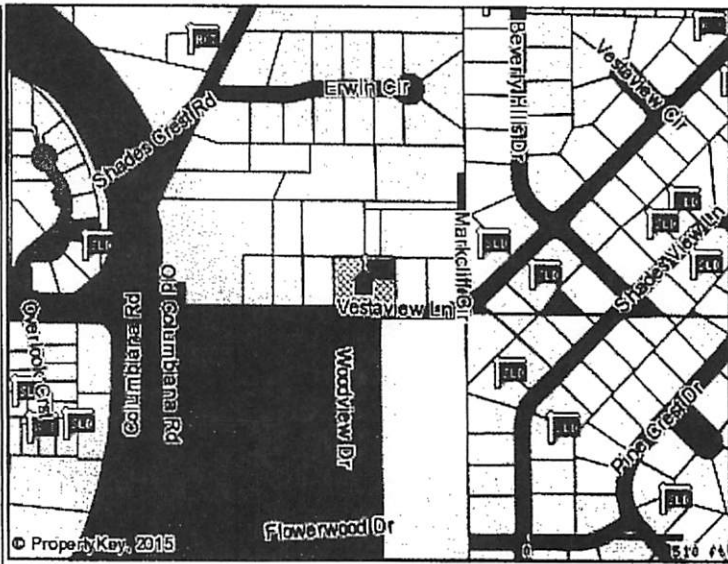
Jefferson County Tax Report - 1724 VESTAVIEW LN, BIRMINGHAM, AL 35216-1731

**PROPERTY INFORMATION**

**PID #** 29-00-25-2-009-035.000  
**Property Type:** Residential  
**Property Address:**  
 1724 VESTAVIEW LN  
 BIRMINGHAM, AL 35216-1731  
**Current Owner:**  
 LEFOYLE D GORE  
**Tax Mailing Address:**  
 1724 VESTAVIEW LN  
 VESTAVIA, AL 35216-1731

**Land Areas:**  
 1. HOUSEHOLD UNITS / 111  
**Lot Size:** 0.77 acres / 33,534 sf  
**Zoning:** R1  
**Frontage:** 207 ft  
**Depth:** 162 ft  
**Tax District:** COUNTY  
**Subdivision:**

**Twn:** 18 / **Rng:** 03 / **Sec:** 25  
**Block:** 009 / **Lot:** 035.000  
**Legal Description:**  
 COM INT E LN OF NW 1/4 & N R/W VESTAVIEW LANE W 234 FT ALG SD R/W TO POB TH CONT W 207 FT N 163 E 207 S 161 FT TO POB LYING IN SE 1/4 OF NW 1/4 SECT 25 TWSP 18S RANGE 3W  
**Plat Book:** / **Plat Page:**  
**Census Tract:** 012915 / **Block:** 5033  
**Lat:** 33.440527 **Lon:** -86.805596



Residential     Agricultural     Government  
 Commercial     Industrial     Other  
 Water  
 Condo

Active     Sold     Pending     Withdrawn     Canceled     Expired

**TAX VALUATION INFORMATION**

	2010 Final	2011 Final	2012 Final	2013 Final	2014 Final
<b>Building Value:</b>	\$120,700	\$120,700	\$108,400	\$108,400	\$108,400
<b>Extra Feature Value:</b>	\$0	\$0	\$0	\$0	\$0
<b>Land Value:</b>	\$147,200	\$147,200	\$147,200	\$147,200	\$147,200
<b>Total Assessed Value:</b>	\$267,900	\$267,900	\$255,600	\$255,600	\$255,600
<b>Percent Change:</b>	- n/a -	0%	-4.59%	0%	0%
<b>Total Exemptions:</b>	\$536	\$536			
<b>Taxable Value:</b>	\$26,790	\$26,790	\$25,558	\$25,560	\$51,120
<b>Tax Amount:</b>	\$0.00	\$0.00	-n/a-	\$0.00	\$2,561.11

[Link To County Tax Collector](#)

**SALES INFORMATION**  
 There are no sales for this property in our database.

**BUILDING/IMPROVEMENT INFORMATION**

<b>1. HOUSEHOLD UNITS</b>	<b>Living Area:</b> 1,750 sf	<b>Year Built:</b> 1955
<b>Bedrooms:</b> 3	<b>Bathrooms:</b>	<b>Stories:</b> 1.0
<b>Rooms:</b> 7	<b>Eff Year Built:</b> 1991	
<b>Base Area:</b> 1,750 sf	<b>Adj Upper Floor Area:</b> 0 sf	<b>Fireplaces:</b> Yes (1)
<b>Heating:</b> HEAT/AC FHA/AC	<b>Flooring:</b> VINYL	<b>Grade:</b> C0
<b>Int Wall:</b> WOOD PANELS	<b>Ext Wall:</b> CEDAR, BEVELED	
<b>Roof Cover:</b> ASPHALT SHINGLES	<b>Roof Type:</b> HIP-GABLE	
<b>Use Code:</b>	<b>Percent Good:</b> 80 %	<b>Bldg Mkt Value:</b> \$55
<b>Building Subareas:</b> MS - MS (44 sf)		
B - BASEMENT - GARAGE UNDER LIVING AREA, NO FINISH (720 sf)		
<b>UTILITIES INFORMATION:</b>	<b>Water:</b> PUBLIC	<b>Sewer:</b> SEPTIC TANK
		<b>Gas:</b> NATURAL

**FLOOD ZONE DETAILS**

**Zone X:** Area that is determined to be outside the 1% and 0.2% chance floodplains.  
**Zone X:** Area that is determined to be outside the 1% and 0.2% chance floodplains.



Foundation	Wood Subfloor	Interior Finish	Drywall(Sheetrock)
Floor System		Air Conditioning	
Exterior Wall	Cedar Beveled	Heat Type	Heat/Ac Fha/Ac
Structural Framing		Bathroom Tile	
Fireplace	Y	Plumbing Fixtures	
<b>Other</b>			
Occupancy		Building Data Source	

**Property Characteristics: Extra Features**  
 No extra features were found for this parcel.

**Property Characteristics: Lot**

Land Use	Household Units	Lot Dimensions	207S X 163S IRR
Block/Lot		Lot Square Feet	33,541
Latitude/Longitude	33.440525°/-86.805577°	Acreage	0.77

**Property Characteristics: Utilities/Area**

Gas Source	Natural	Road Type	Paved
Electric Source	None	Topography	Rolling
Water Source	Public	District Trend	
Sewer Source	Septic Tank	Special School District 1	068
Zoning Code	R1	Special School District 2	
Owner Type			

**Legal Description**

Subdivision		Plat Book/Page	
Block/Lot		Description	Com Int E Ln Of Nw 1/4 & N RW Vestaview Lane W 234 Ft Alg Sd R/W To Pob Th Cont W 207 Ft N 163 E 207 S 161 Ft To Pob Lying In Se 1/4 Of Nw 1/4 Sect 25 Twsp 18S Range 3W
District/Ward	Outside Any Municipality		

**Flood Zone Information**

Zone Code	Flood Risk	BFE	Description	Firm Panel	FIRM Panel ID	Eff. Date
X	Minimal		Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level.		01073C0556H	09/03/2010

Zone Source: FEMA DFIRM Data

Tuesday, July 28, 2015

1724 Vestaview Ln, Vestavia, AL 35216-1731  
 Jefferson County, AL parcel# 29 00 25 2 009 035.000

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 Information Deemed Reliable But Not Guaranteed.  
 Contact Us at (800) 374-7488 ext 3 for Help.



# Property Report

Tuesday, July 28, 2015

1724 Vestaview Ln, Vestavia, AL 35216-1731  
Jefferson County, AL parcel# 29 00 25 2 009 035.000

## Property Report

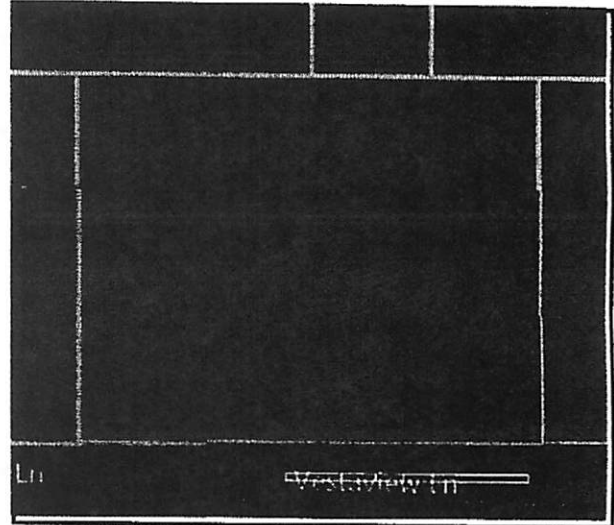
**Location**  
**Property Address** | 1724 Vestaview Ln  
 Vestavia, AL 35216-1731  
**Subdivision**  
**County** | Jefferson County, AL

**Current Owner**  
**Name** | Gore Lefoyle D  
**Mailing Address** | 1724 Vestaview Ln  
 Vestavia, AL 35216-1731

**Property Summary**  
**Property Type** | Residential  
**Land Use** | Household Units  
**Improvement Type** | Household Units  
**Square Feet** | 1750 sf

**General Parcel Information**  
**Parcel/Tax ID** | 29 00 25 2 009 035.000  
**Alternate Parcel ID**  
**Account Number** | 408201  
**District/Ward** | Outside Any Municipality  
**2010 Census Trct/BIK** | 129.15/5  
**Assessor Roll Year** | 2014

**Sales History through 07/02/2015**  
 No sales information was found for this parcel.



*I WOULD GO W/ THIS  
 PROPERTY DESCRIPTION BUT  
 YOU SHOULD DOUBLE CHECK*

## Tax Assessment

Appraisals		Amount	Taxes		Amount
Assessment Year		2014	Tax Year		2014
Appraised Land		\$147,200	City Taxes		\$0
Appraised Improvements		\$108,400	County Taxes		\$0
Total Tax Appraisal		\$255,600	Total Taxes		\$2,561.11
Total Assessment		\$51,120	Exempt Amount		
			Exempt Reason		

## Mortgage History

No mortgages were found for this parcel.

## Property Characteristics: Building

Building #	Type	Condition	Sq Feet	Year Built	Effective Year	BRs	Baths	Rooms	Stories	Units
1	Household Units		1750	1955	1991	3	1	7	1	
Building Square Feet (Living Space)						Building Square Feet (Other)				
Base Area			1750	Garage Unfinished Under Living Area			720			
Construction						Roof Framing		Hip-Gable		
Quality						Roof Cover Deck		Asphalt Shingles		
Shape						Cabinet Millwork				
Partitions						Floor Finish		Carpet Combination		
Common Wall										

**EXHIBIT "B"**

**VESTAVIA HILLS BOARD OF EDUCATION**

**1204 Montgomery Highway  
Vestavia Hills AL 35216**

*(To be completed by the City)*

Date of Annexation Petition \_\_\_\_\_ Action Taken: Grant \_\_\_\_\_  
 Deny \_\_\_\_\_

Resolution: Date: \_\_\_\_\_ Number: \_\_\_\_\_  
 Overnight Ordinance: Date: \_\_\_\_\_ Number: \_\_\_\_\_  
 90 Day Final Ordinance: Date: \_\_\_\_\_ Number: \_\_\_\_\_

*(To be completed by Homeowner)*

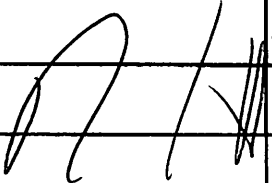
Name(s) of Homeowner(s): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Information on Children:**

**Plan to Enroll In  
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". \_\_\_\_\_

*See attached*

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>[Handwritten Signature]</u>	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

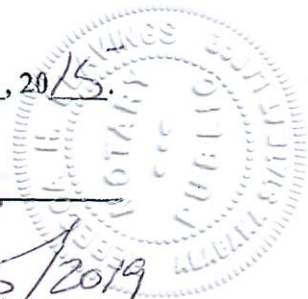
Jefferson COUNTY

C Stan Farrell, III being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Handwritten Signature]  
Signature of Certifier

Subscribed and sworn before me this the 24<sup>th</sup> day of July, 2015.

[Handwritten Signature]  
Notary Public



My commission expires: 7/15/2019

**ORDINANCE NUMBER 2609**

**AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.**

**WHEREAS**, a certain petition signed by Charles Farrell III dated July 28, 2015, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

**WHEREAS**, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

1724 Vestaview Lane  
Charles Farrell III, Owner(s)

More particularly described as follows:

Part of the SE ¼ of the NW ¼ of Section 25, Township 18, Range 3 West, more particularly described as follows:

Begin at the Southeast Corner of said quarter-quarter section, thence west along the south line thereof a distance of 231.8 feet to the point of beginning of tract here described, said point being in the center of Rogers

Road; thence continue West along said south line a distance of 206.8 feet; thence an an angle to the right of 88 degrees 53 minutes 30 seconds run north 179.92 feet; thence at an angle to the right of 90 degrees, 55 minutes run east 206.78 feet; thence at an angle to the right of 89 degrees 05 minutes run south 180.62 feet to the point of beginning.

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

**APPROVED and ADOPTED** this the 26th day of October, 2015.

Alberto C. Zaragoza, Jr.  
Mayor

ATTESTED BY:

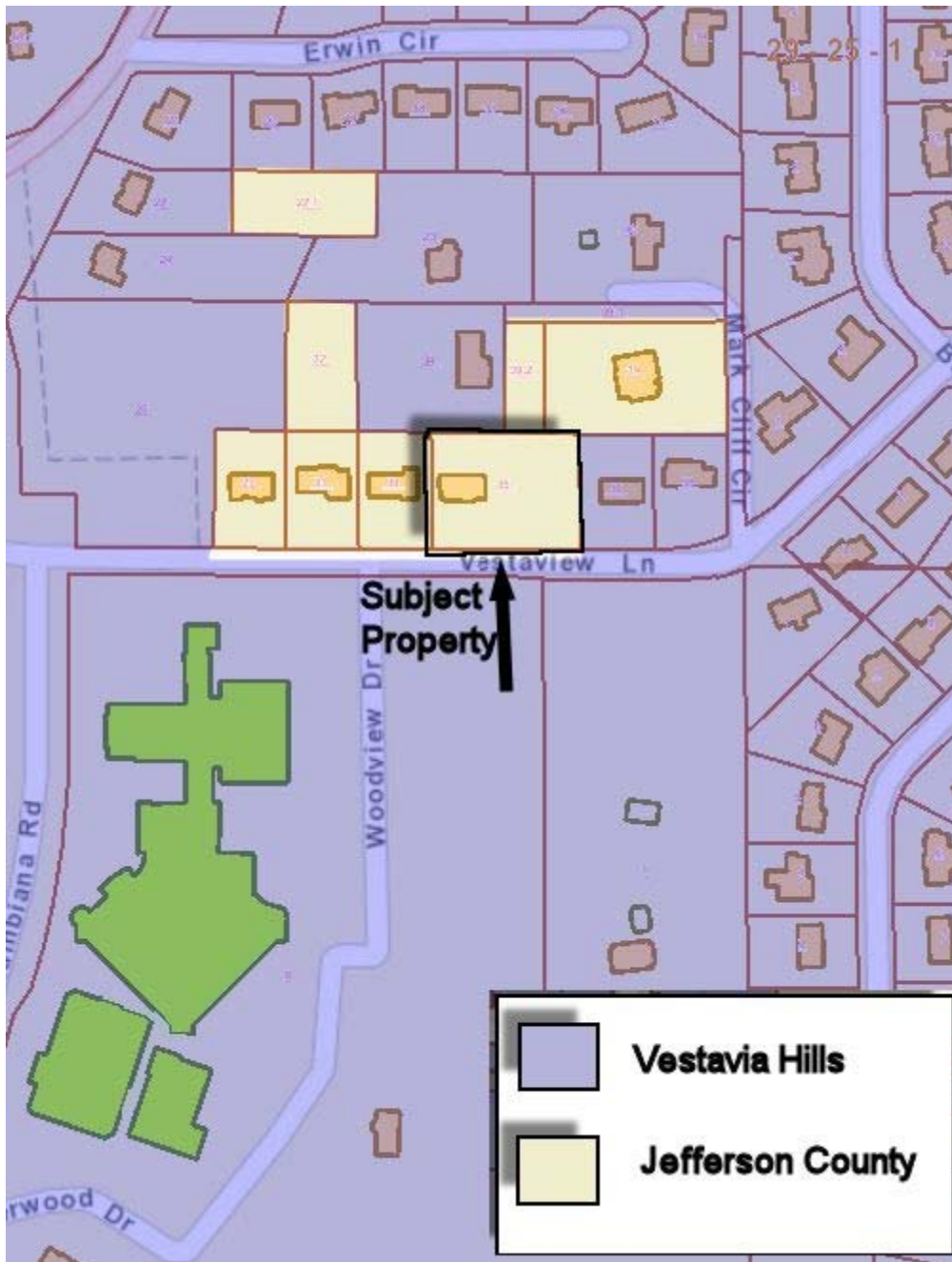
Rebecca Leavings  
City Clerk

**CERTIFICATION:**

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2609 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 26th day of October, 2015, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Rebecca Leavings  
City Clerk





**RESOLUTION NUMBER 4768**

**A RESOLUTION PROPOSING THE ANNEXATION  
OF CERTAIN TERRITORY TO THE CORPORATE  
LIMITS OF THE CITY OF VESTAVIA HILLS,  
ALABAMA.**

**WHEREAS**, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated June 8, 2015, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

**WHEREAS**, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 26th day of October, 2015; and

**WHEREAS**, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

**WHEREAS**, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 28th day of October, 2015.

2. That on the 22nd day of February, 2016, in the Vestavia Hills Municipal Center, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 4768 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2739 Rocky Ridge Road  
Cameron Eaton and Tison Bargainier, Owner(s)

More particularly described as follows:

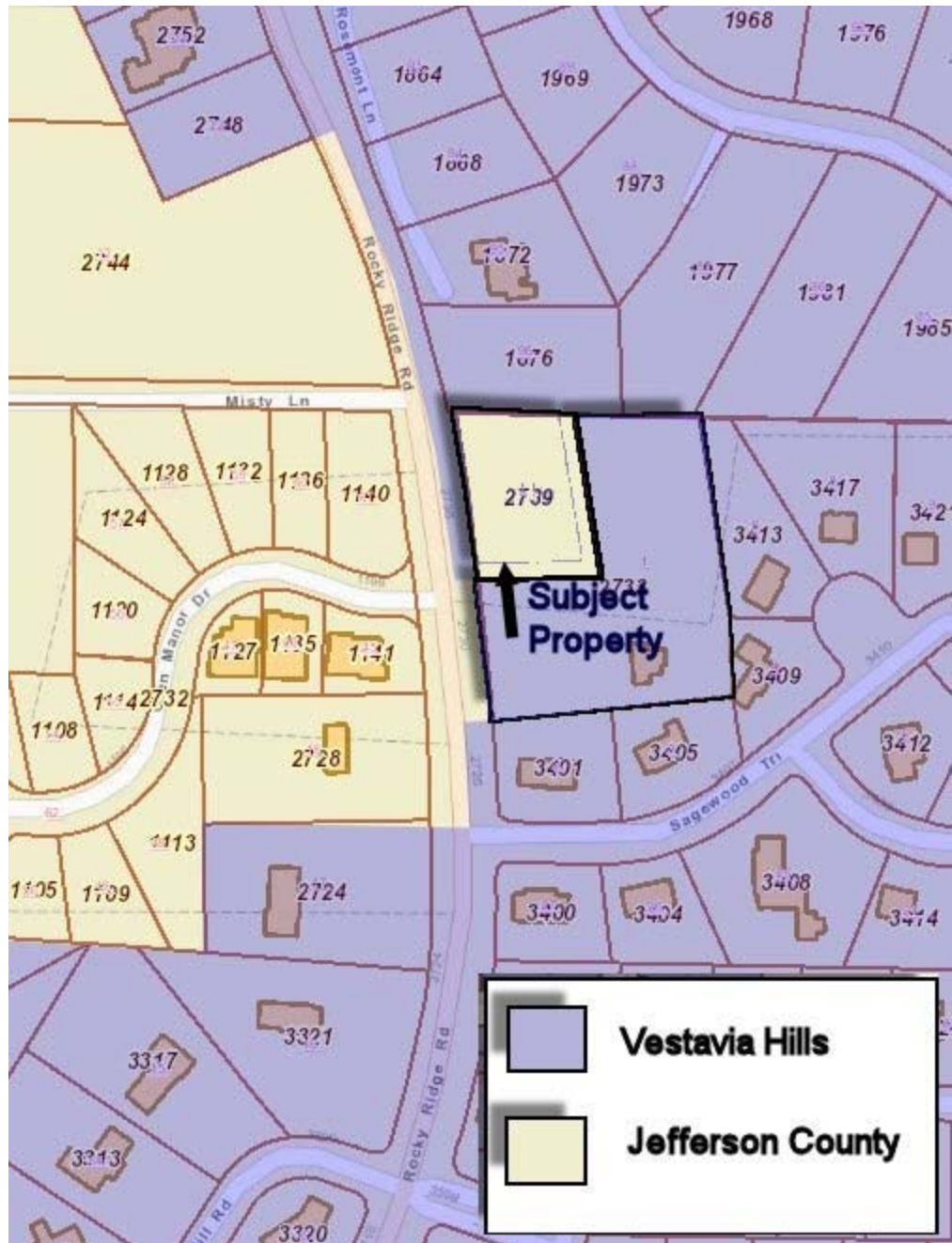
A parcel of land situated in the Northwest Quarter of the Northeast Quarter of Section 29, Township 18 South, Range 2 West. Jefferson County, Alabama, said parcel being a portion of Lot 1 Lloyd's Subdivision as recorded in Map Volume ISO, Page 41, in the Office of the Judge of Probate, Jefferson County, Alabama, being more particular described as follows: Begin at a found rebar marking the Northwest corner of said Lot 1 Lloyd's Subdivision; thence run along the North line of said Lloyd's Subdivision for a distance of 150.00 feet to a set capped rebar stamped CA-560-LS; thence turn and an angle of 98 degrees 06 minutes 56 seconds to the left and run a distance of 200.00 feet to a set 5/8 inch capped rebar stamped GSA, said point marking the city limits of Jefferson County and Vestavia Hills, Alabama; thence turn an angle of 81 degrees 53 minutes 04 seconds to the left and run along the North line of said city limits for a distance of 150.00 feet to a set 5/8 inch capped rebar stamped GSA, said point also lying on the Easternmost right of way of Rocky Ridge Road; thence turn an angle of 98 degrees 00 minutes 57 seconds to the left and run along said right of way for a distance of 60.00 feet to a found capped rebar stamped Weygand; thence turn an angle of 180 Degrees 08 Minutes 33 Seconds to the left and run along said right of way for a distance of 140.00 feet to the POINT OF BEGINNING. Said parcel contains 29,689 Square Feet or 0.68 Acres more or less.

**APPROVED and ADOPTED** this the 26th day of October, 2015.

Alberto C. Zaragoza, Jr.  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk



**Annexation Committee Petition Review**

Property: 2739 Rocky Ridge Road

Owners: Cameron Eaton and Tison Bargainier

Date: 8-25-15

1. The property in question is contiguous to the city limits.  
 Yes  No  Comments: \_\_\_\_\_  
 \_\_\_\_\_
2. The land use of the petitioned property is compatible with land use in the area.  
 Yes  No  Comments: \_\_\_\_\_  
 \_\_\_\_\_
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.  
 Yes  No  Comments \_\_\_\_\_  
 \_\_\_\_\_
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.  
 Yes  No  Comments \_\_\_\_\_  
 \_\_\_\_\_
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 21,500. Meets city criteria: Yes  No   
 Comment: LOT - LOT IS VACANT
6. This street has fewer than 100% of the individual properties within the limits of the city  
 Yes  No   
 Number of total homes \_\_\_\_\_ Number in city Multiple Homes in City
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.  
 Agreed to by petitioner: Yes  No  Comment \_\_\_\_\_  
 \_\_\_\_\_



**EXHIBIT "C"**

**CITY OF VESTAVIA HILLS**  
*Department Review of Proposed Annexation*  
*(To Be completed by City Staff)*

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The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2739 Rocky Ridge Road

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**Engineering:** Date: \_\_\_\_\_ Initials: \_\_\_\_\_

*2739 Rocky Ridge Road – no concerns noted; future development plan will require review and permit for new access to Rocky Ridge Road; Rocky Ridge Road resurfacing planned for near future and anticipated to be maintained by Jefferson County as a multijurisdictional "through road".*

**Public Services:**  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Police Department:** Date: 8-7-15 Initials: 

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Fire Department:** Date: 8/12/15 Initials: 

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**PARCEL #:** 28 00 29 1 001 001.001  
**OWNER:** GULAS ALECK T  
**ADDRESS:** 2043 COUNTRY RIDGE CIR VESTAVIA AL 35243-4307  
**LOCATION:** 2739 ROCKY RIDGE RD BHAM AL 35243

Baths: **0.0** H/C Sqft: **0**  
 18-011.0 Bed Rooms: **0** Land Sch: **A114**  
 Land: **21,500** Imp: **0** Total: **21,500**  
 Acres: **0.000** Sales Info: **\$0**

<< Prev Next >> [ 1 / 0 Records ] Processing...

Tax Year : 2015

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

**SUMMARY**

**ASSESSMENT**

PROPERTY CLASS: 2 OVER 65 CODE:  
 EXEMPT CODE: DISABILITY CODE:  
 MUN CODE: 01 COUNTY HS YEAR: 0  
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00  
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

**VALUE**

LAND VALUE 10% \$0  
 LAND VALUE 20% \$21,540  
 CURRENT USE VALUE [DEACTIVATED] \$0

**CLASS USE:**

FOREST ACRES: 0 TAX SALE:  
 PREV YEAR VALUE: \$21,500.00 BOE VALUE: 0

TOTAL MARKET VALUE [APPR. VALUE: \$21,500]: \$21,540  
 Assesment Override:

MARKET VALUE:  
 CU VALUE:  
 PENALTY:  
 ASSESSED VALUE:

**DEEDS**

**INSTRUMENT NUMBER**

[3162-515](#)

**PAYMENT INFO**

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
04/19/1987	5/18/2015	2014	DAVID P. CONDON	\$400.94
	5/19/2014	2013	-	\$415.20
	5/20/2013	2012	GULAS, THEODORE	\$282.51
	20120315	2011	***	\$246.18
	20110325	2010	***	\$236.88
	20100330	2009	***	\$247.26
	20090327	2008	***	\$247.26
	20080324	2007	***	\$358.46
	20070104	2006	***	\$344.10
	20060216	2005	***	\$174.44
	20041231	2004	***	\$166.83
	20031231	2003	***	\$171.83
	20021231	2002	***	\$106.20
	20011231	2001	***	\$106.20
	20001231	2000	***	\$106.20
	19991231	1999	***	\$106.20
	19990108	1998	***	\$89.38
	19971204	1997	***	\$84.16
	19961231	1996	***	\$79.16

**STATE OF ALABAMA**

JEFFERSON COUNTY

**PETITION FOR ANNEXATION TO THE  
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: June 8, 2015

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.



**EXHIBIT "A"**

**LOT:** 1 (PID:28-00-29-1-001-001.001)

**BLOCK:** 001

**SURVEY:** LLOYD'S SUBDIVISION

RECORDED IN MAP BOOK 150, PAGE 41 IN THE  
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: E-2

COMPATIBLE CITY ZONING: R-1

**LEGAL DESCRIPTION (METES AND BOUNDS):**

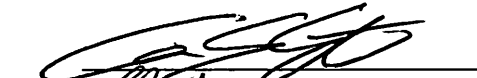
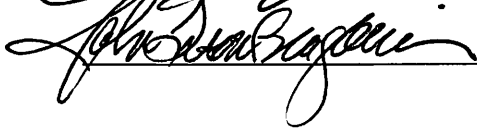
A parcel of land situated in the Northwest Quarter of the Northeast Quarter of Section 29, Township 18 South, Range 2 West. Jefferson County, Alabama, said parcel being a portion of Lot 1 Lloyd's Subdivision as recorded in Map Volume 150, Page 41, in the Office of the Judge of Probate, Jefferson County, Alabama, being more particular described as follows:

Begin at a found rebar marking the Northwest corner of said Lot 1 Lloyd's Subdivision; thence run along the North line of said Lloyd's Subdivision for a distance of 150.00 feet to a set capped rebar stamped CA-560-LS; thence turn and an angle of 98 degrees 06 minutes 56 seconds to the left and run a distance of 200.00 feet to a set 5/8 inch capped rebar stamped GSA, said point marking the city limits of Jefferson County and Vestavia Hills, Alabama; thence turn an angle of 81 degrees 53 minutes 04 seconds to the left and run along the North line of said city limits for a distance of 150.00 feet to a set 5/8 inch capped rebar stamped GSA, said point also lying on the Easternmost right of way of Rocky Ridge Road; thence turn an angle of 98 degrees 00 minutes 57 seconds to the left and run along said right of way for a distance of 60.00 feet to a found capped rebar stamped Weygand; thence turn an angle of 180 Degrees 08 Minutes 33 Seconds to the left and run along said right of way for a distance of 140.00 feet to the POINT OF BEGINNING. Said parcel contains 29,689 Square Feet or 0.68 Acres more or less.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

**SIGNATURE(S)**

**DESCRIPTION OF PROPERTY**

	Lot <u>1</u> Block <u>001</u> Survey <u>Lloyd's Subdivision</u>
	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

*(Use reverse side hereof for additional signatures and property descriptions, if needed).*

**STATE OF ALABAMA**

Jefferson COUNTY

CAMERON S. EATON being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

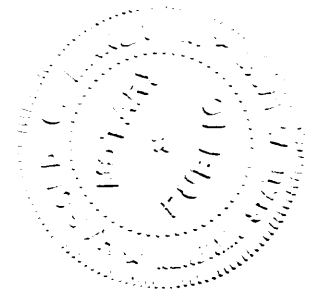
  
Signature of Certifier

Subscribed and sworn before me this the 8<sup>th</sup> day of June, 2015.

  
Notary Public

**MY COMMISSION EXPIRES FEBRUARY 13, 2016**

My commission expires: \_\_\_\_\_



**EXHIBIT "B"**

**VESTAVIA HILLS BOARD OF EDUCATION**

1204 Montgomery Highway  
Vestavia Hills AL 35216

*(To be completed by the City)*

Date of Annexation Petition \_\_\_\_\_ Action Taken: Grant \_\_\_\_\_  
Deny \_\_\_\_\_

Resolution: Date: \_\_\_\_\_ Number: \_\_\_\_\_  
Overnight Ordinance: Date: \_\_\_\_\_ Number: \_\_\_\_\_  
90 Day Final Ordinance: Date: \_\_\_\_\_ Number: \_\_\_\_\_

*(To be completed by Homeowner)*

Name(s) of Homeowner(s): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Information on Children:**

**Plan to Enroll In  
Vestavia Hills School?**

	<b>Name(s)</b>	<b>Age</b>	<b>School Grade</b>	<b>Yes</b>	<b>No</b>
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". \_\_\_\_\_



