Vestavia Hills City Council Agenda April 24, 2017 6:00 PM

- 1. Call to Order
- 2. Roll Call
- 3. Invocation Sam Williamson, Associate Pastor, Canterbury United Methodist Church
- 4. Pledge Of Allegiance
- 5. Announcements and Guest Recognition
- 6. City Manager's Report
- 7. Councilors' Reports
- 8. Presentation Child Care Resources Joan Wright, Executive Director
- 9. Financial Reports Melvin Turner III, Finance Director
- 10. Approval of Minutes April 10, 2017 (Regular Meeting)

Old Business

- 11. Resolution Number 4942 Annexation 90-Day 3308 Misty Lane; Lot 1, The Woods At Rocky Ridge; Will And Jill Smith, Owners *(public hearing)*
- 12. Ordinance Number 2706 Annexation Overnight 3308 Misty Lane; Lot 1, The Woods At Rocky Ridge; Will And Jill Smith, Owners (public hearing)
- 13. Ordinance Number 2703 An Ordinance Approving Conditional Use Approval For A Home Occupation For Property Located At 4648 Jackson Loop, Lot 1041, Heritage Hills, Phase III, Sector 2; Tammy Williamson, Owner. The Property Is Currently Zoned Vestavia Hills PUD PR-1 (public hearing)
- 14. Ordinance Number 2704 Rezoning 3111 And 3115 Timberlake Road; Rezone From Vestavia Hills R-1 (Residential District) To Vestavia Hills O-1 (Office District); Eiffel Partners, LLC, Owners (public hearing)
- 15. Ordinance Number 2705 Rezoning 3700 Cahaba Heights Road; Rezone From Vestavia Hills B-3 (Business District With Conditions) To Vestavia Hills R-9 (Planned Residential District); Black Box Management, LLC, Owners (public hearing)
- 16. Resolution Number 4943 A Resolution Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With The Regional Planning Commission Of Greater Birmingham For An APPLE Project To Study And Further Develop Improvement Plans For A Section Of Crosshaven Drive From Cahaba Heights Road To Overton Road (public hearing)

New Business

- 17. Resolution Number 4938 Alcohol License Reconsideration New Season LLC D/B/A Texas Taco Grill For The On-Premise Sale Of Restaurant Retail Liquor; Denis Jerome Gavlik And Larry Maddox Beasley, Jr, Executives (*Public Hearing*)
- 18. Resolution Number 4944 Alcohol License Edward Scott LLC D/B/A Snapper Grabbers For A 040 Retail Beer (On- Or Off-Premises) And A 060 Retail Table Wine (On- Or Off-Premises); Pamela Jo Scott And Edward Kent Scott, Executives (NOTE: This Changes This Vendor From Sale Of Wine Only To Also Allow Sale Of Beer) (Public Hearing)
- 19. Resolution Number 4945 Alcohol License Jacquelins, Inc., D/B/A 3rd Annual Crawfish Boil Event; A 140 Special Events Retail License For 2531 Rocky Ridge Road; Suite 107; Maris Esperanza Adan, Executive (*Public Hearing*)
- 20. Resolution Number 4946 A Resolution Rescinding Resolution Number 3721 And Providing For The Annual Participation Of The City Of Vestavia Hills In The Back To School Sales Tax Holiday As Authorized By 40-23-210 Through 40-23-213, *Code Of Alabama*, 1975
- 21. Resolution Number 4947 Alcohol License Turner Food Systems LLC D/B/A Wing Ding 2017; 140 Special Events Retail Parking Lot Of City Hall, 1032 Montgomery Highway; Donna Leigh And Trenton Turner Jr., Executives
- 22. Resolution Number 4948 Appointing A Member To The Vestavia Hills Board Of Education

New Business (Unanimous Consent Requested)

First Reading (No Action Taken At This Meeting)

- 23. Citizen Comments
- 24. Motion For Adjournment

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

APRIL 10, 2017

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM. The Mayor called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT: Mayor Ashley C. Curry

Kimberly Cook, Councilor Paul Head, Councilor George Pierce, Councilor

MEMBERS ABSENT: Rusty Weaver, Mayor Pro-Tem

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager

Rebecca Leavings, City Clerk Jason Hardin, Police Captain Kevin York, Police Captain

Jimmy Coleman, Compliance Officer

Jim St. John, Fire Chief

Marvin Green, Deputy Fire Chief Terry Ray, Deputy Fire Chief Melvin Turner, Finance Director George Sawaya, Asst. Treasurer Brian Davis, Public Services Director Lori Beth Kearley, Assistant City Engineer

Invocation was given by Ben Acton, Southminster Presbyterian Church, followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- Mayor Curry announced that Councilor Weaver could not be present tonight because of a death in the family.
- Mr. Pierce welcomed Chamber of Commerce members Rachel Patterson, Roger Steur and President of the Chamber, Karen Odle.

- Mrs. Cook stated that the Council has received five applications for the Board of Education vacancy. The dates/times of interviews are still in negotiations but will be announced soon.
- Mrs. Cook announced that the Board of Education will have a work session on Wednesday, April 12, beginning at 5 PM and the Board meeting is scheduled to begin immediately after that meeting. She indicated that they will be discussing operational costs for the various options presented in the demographers report.
- Mr. Downes announced a work session April 17 from 10 to 3 for the Council to interview for a potential program manager to help the City implement the Community Spaces Plan. The regular work session of the Council will be at 6 PM that night.

PROCLAMATION

The Mayor presented a proclamation for "Safe Digging Month." Mr. Downes read the proclamation and the Mayor presented it to Brian Davis, Public Services Director.

CITY MANAGER'S REPORT

- Mr. Downes announced that Friday, April 14, 2017, City offices are closed in observance of Good Friday.
- Mr. Downes stated that the Regional Planning Commission of Greater Birmingham offered the City a grant totaling \$60,000, which includes a local match of \$20,000, for the purpose of studying the improvement of Crosshaven Drive. He indicated acceptance of that grant is on for a first read tonight with public hearing at the next meeting.
- Mr. Downes updated the council on the progress of the Community Spaces Plan.
 He stated that this will be discussed tonight in relation to the Gold's Gym
 property and the next step will be retaining a program manager to see the City
 through the next several phases. The Community Spaces Committee has
 appointed leaders to form subcommittees, who will be reaching out for committee
 members to encourage greater community engagement in the planning process.

COUNCILOR REPORTS

- Mrs. Cook welcomed David Powell, Board of Education, to the meeting.
- Mrs. Cook stated that there have been concerns over through traffic and unsafe situations at the schools in Liberty Park during peak carpool times. She stated that they have worked with various school administrators, Public Works and the police for re-routing of traffic. The new routes have been implemented and appear to be working well. She thanked everyone for cooperation in the endeavor.

- Mr. Pierce stated that some sections of Sicard Hollow have been resurfaced and it is much better.
- Mr. Pierce stated that he attended a new Leadership Vestavia Hills class when they presented their annual projects. All of them were very impressive and he hopes they will continue on with these projects.
- Mr. Pierce stated that the 6th Annual Wing Ding will be Saturday, May 20 here at City Hall.
- Mr. Head welcomed Park and Recreation Board members Tommy Coggin, Anne Smyth, Earl Gibson and David Myers to the meeting and indicated that there will be a work session this Thursday beginning at 10 AM.
- The Mayor stated that, last Saturday, the City entertained visitors from Kazakhstan, including two members of their Parliament. The visitors were sponsored by a government exchange program, called Open World, established by Congress in 2000 to promote an exchange of ideas between the U.S. and countries of the post-Soviet era. The local affiliates, called Friendship Force, contacted Vestavia Hills about participating. He commended Julie Harper from Parks and Recreation who facilitated the program.
- The Mayor stated that the Legislature is in session and there are several bills that have impact on all cities within the State. He indicated that he has met with Jabo Waggoner concerning Senate Bill 316 that was just released out of committee and exempts small out-of-jurisdiction businesses from obtaining a license when delivering goods into our City. He asked everyone to contact legislators to urge them to vote against bills like this one that adversely affect the City's revenues. Mr. Pierce stated that contact information for all legislators is on the City's website.

APPROVAL OF MINUTES

The minutes of the March 13, 2017 (Work Session), March 20, 2017 (Work Session) and April 10, 2017 (Regular Meeting) were presented for approval:

MOTION

Motion to dispense with the reading of the minutes of March 13, 2017 (Work Session), March 20, 2017 (Work Session) and approve them as presented was by Mrs. Cook and second by Mr. Pierce. Roll call vote as follows:

Mrs. Cook – yes
Mr. Pierce – yes
Mr. Gook – yes
Mayor Curry – yes
Motion carried.

MOTION

Motion to dispense with the reading of the minutes of March 13, 2017 (Work Session), March 20, 2017 (Work Session) and March 27, 2017 (Regular Meeting) and approve them as presented was by Mrs. Cook and second by Mr. Pierce. Roll call vote as follows:

Mrs. Cook – yes Mr. Head – abstained

Mr. Pierce – yes

Mayor Curry – yes Motion carried.

OLD BUSINESS

RESOLUTION NUMBER 4935

Resolution Number 4935 – Accepting A Sanitation Bid For The City Of Vestavia Hills, Alabama (public hearing)

MOTION Motion to approve Resolution Number 4935 was by Mr. Pierce and second was by Mrs. Cook.

Mr. Downes explained that bids were invited for a new sanitation contract to become effective October 1, 2017.

Mr. Davis explained that seven bids were returned, two were "no bid". He explained the results of the bids received. He explained the City's Action Center process and the discussed changes for this new contract to allow the contractor to answer the requests directly. He stated that they hope services will be improved through this new policy. With the new contract, the contractor will make some capital investments into newer boom equipment to assist in picking up debris and recyclables. He indicated that after review of the bids, recommendation is to accept the bid proposal from Republic Services.

Gary Stigani, Republic Services, stated that they have agreed to these streamlining changes and upgrades and look forward to continuing to serve the City's needs.

Discussion ensued regarding the condition of some of the containers, replacement of worn equipment, a supervisor dedicated solely to the City, terms of the contract and pickup limits, etc.

The Mayor opened the floor for a public hearing.

Gayle England, 808 Vestavia Lake Drive, stated that garbage was her project years ago when she served on the City Council. She asked if there has been any consideration to cutting service back to one day per week. She also asked that there be more publicity to let residents know that leaf and grass debris needs to be bagged.

Mr. Davis stated that it was studied and determined not to be feasible. He stated that they attempt to publicize the leaf pickup procedures as much as possible.

Barbara Powell, 2114 Hickory Ridge Circle, echoed that she believes that twice a week pickup is "silly."

David Harwell, 1803 Catala Road, stated that when this came up for renewal, it was explained it is best to leave pickup to two days because you still have to pick up the same amount of garbage regardless of the number of days for pickup. It would reduce the cost, but not enough to justify leaving off that entire day of pickup. He added that the City will still have two garbage days of pickup, one recycling and some leaf and boom pickup.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes
Mr. Head – yes
Mr. Pierce – yes
Mayor Curry – yes
Motion carried.

RESOLUTION NUMBER 4936

Resolution Number 4936 – Authorizing A General Fund Supplemental Appropriation And Authorizing The City Manager To Employ A Communication Manager (public hearing)

MOTION Motion to approve Resolution Number 4936 was by Mrs. Cook and second was by Mr. Pierce.

Mr. Downes stated that this Council had a strategic planning work session and noted that a higher priority was an enhanced communication plan which included hiring additional personnel to improve communication efforts. A committee was formed to work with the city manager to look at the best way to efficiently utilize existing communication staff resources employed by the Library in the Forest. Following extensive study, the committee recommended the hiring of a part-time person to oversee the communications in the Library, which will be filled by Cinnamon McCulley, following the Council's approval of this Resolution. The additional salary cost will be \$18,000 through the remainder of this fiscal year. A Communications Committee made up of various department communications personnel, the Council, community representatives and the City Manager will draft a policy for the City.

Mr. Pierce asked the chain of command for the new personnel. Mr. Downes explained that the new employee would directly report to Mrs. Tucker, the library director, and to the city manager second.

The Mayor opened the floor for a public hearing.

Robert DeBuys, 3467 Mossbrook Lane, asked about the status of the existing contract with Zeekee. Mr. Downes explained that the City no longer has a contract with Zeekee.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes
Mr. Head – yes
Mr. Pierce – yes
Mayor Curry – yes
Motion carried.

ORDINANCE NUMBER 2702

Ordinance Number 2702 - An Ordinance Authorizing And Directing The Purchasing And Closing Of The Sale Of Real Estate (public hearing)

MOTION Motion to approve Ordinance Number 2702 was by Mr. Pierce and second was by Mr. Head.

Mr. Downes explained this Ordinance allows the Mayor and himself to execute agreements to purchase the property adjacent to City Hall by the end of May. Financing terms are within the Ordinance. He presented the Community Spaces Plan and the reason this request is being made, how the property will be financed and how the payments on the property will be made for the next four years. This will allow the City to fully implement the plan and, later, refinance the property should the City decide to make this into a Civic Center. He explained the aspects of the proposal, including plans for usage of the proposed facility and how it will all work together to meet future needs of the City, along with financing terms and how to manage the payments.

David Myers, representing the Community Spaces Committee, gave a background of this request, which was prompted by the recommendations from the Brailsford and Dunlavey Parks and Recreation study. An indoor facility with an aquatics center was needed in order to meet existing demands as well as basketball courts, etc. The study recommended additional court spaces, so the committee explored options to maximize space in a proposed recreational building at Wald Park, but the committee felt additional space would be needed. Gold's Gym became an option to provide this additional space, along with providing other community meeting space, etc., and would be a strategic option for the City. He pointed out that the proposed facility provides five acres adjacent to the City Hall and is contiguous to City Hall, making this a logical purchase and one that would be ideal to meet the community needs of the future.

Brian Davis discussed the programming needs of the City and the need for space within the City including needs for rooms with audio-visual capacity, larger seating capacity, etc.

Karen Odle, President of the Chamber of Commerce, stated that their little conference room allows smaller businesses to have meetings, etc. She stated that they get calls for meeting space, learning classes, etc. and there's just not enough space within the

City. She pointed out that the spaces at Wald Park, including the Lodge, are located in areas that are congested during carpool peak times.

David Powell, Board of Education, stated that the Board does not have much contiguous land adjacent to their facilities to allow for expansion. If the space adjacent to West were to become available, the Board would be interested in a conversation regarding acquisition of more property in that area. He indicated that the school system is at capacity and growing.

Mrs. Cook asked what would happen if Gold's Gym had to terminate their lease. Mr. Downes stated that the City reviewed Gold's Gym corporate financials, which appear to be strong, and they cannot find any evidence of the corporate entity breaking a lease at any other facility.

Mrs. Cook asked about the poor condition of the access road that runs past CVS and whose responsibility it would be to fix that access. She also asked what are the current operational costs of the facility.

Mr. Downes stated that there is a dedicated easement for the access road and that the property owner is responsible for the repairs.

Ms. Leavings that stated the maintenance of the easement is CVS's responsibility.

Mr. Pierce stated that the access does need to be reviewed.

Discussion ensued that the purchase of this building might reduce the need for construction of more space at Wald Park. Mr. Downes agreed.

Mrs. Cook asked about the total amount of space required by the Community Spaces Plan and how the two options, (1) purchase Gold's Gym and build a smaller building at Wald Park or (2) build a larger building at Wald Park, might meet those space requirements. Mr. Downes explained the difference in the two options.

The Mayor opened the floor for a public hearing.

Ned Hunt, general manger at Gold's Gym, Colonnade, asked about member services and expressed his concerns for the members at this facility. He asked about the amount per month Gold's Gym would be paying when the lease renews.

Mr. Downes stated that he is under a confidentiality agreement and that Mr. Hunt would have to get this information from his employer, Gold's Gym.

Blake Crowe, Southpace Properties, stated that this information would need to be delivered by Gold's Gym because of their wishes not to make this public at this time. Mr. Downes stated that that information is private at this time because the contract is between two private entities.

David Harwell, 1803 Catala Road, stated that he joined Gold's Gym in 2007 and it was built for the purpose of a gym. He disputed Mr. Downes' figures for the purchase of the property and that the property tax revenue totaled about \$85,000 to the City. He pointed out that this property is not contiguous with the Wald Park property but separated by a church and an apartment property. He pointed out that there was no estimation of renovations for the office space area of the building and that this is information needed before purchasing.

Mr. Downes explained that the renovation cost allowance by the architects is \$2 million and provided some details regarding what can be done if the space plan moves forward.

Mayor Curry asked who was responsible for major repairs (roof, HVAC, etc.). Mr. Downes stated that there are certain costs that the tenant has to pay for repairs and some that are the property owners.

Mrs. Cook asked, if the City determines massive costs of renovation during due diligence, can the City can walk away from the purchase. Mr. Downes said yes.

Mr. Pierce stated that the City is also looking at another property that is located adjacent to Wald Park that would allow some access between the properties. Mr. Downes indicated that this contract will be forthcoming soon.

Barbara Powell, 134 Panorama Drive, stated that there are already Vestavia Hills residents using that facility and the City should not replicate services for citizens that are provided by a private business.

John Evans, Mountainview Drive, stated that he is opposed to the City purchasing the Gold's Gym property because there are several hundred residents who use that gym; he asked the City to do a survey of the people who utilize that gym. He stated that he pays essentially nothing to use that gym because he is a senior citizen. He also added that it is a destination for people in other communities who shop here in the City.

Gayle England, 808 Vestavia Lake Drive, stated that she is the coordinator for the Senior Transportation Program and they cannot get the car in or out from the current civic center during carpool times. She stated that is one program that needs to be relocated. The schools are landlocked and need expansion and that should be considered. The purchase is a good move if space is needed at West for expansion,. She encouraged a change in the Civic Center, which was constructed more than seven decades ago, and an update to these facilities to make them more accessible to all people.

Mr. Pierce stated that he is a long-time member of Gold's Gym also. He stated there is a perception that the city's purchase is a reason to run Gold's Gym off. He explained the lease terms will allow them to occupy the property the next 4 years, maybe even the next 8. This Community Spaces program says we need a large building and this

is not needed tomorrow, but will be needed soon enough. This is an opportunity for the City to buy a building to evaluate whether or not it should be needed in the future.

Barbara Powell, Panorama Drive, asked why the City's facilities are so run down. Why not take this money and simply upgrade the facilities?

Lane Brown, 3145 Dolly Ridge Drive, asked about other financial means that might be available to the City. Mr. Downes explained that the Council will evaluate that at another time.

Ms. Brown stated that buying a property without a plan to pay for it starts a bad precedent for financing these projects.

Deloye Burrell, 3273 Farrington Wood Drive, stated that the older facilities need updating. However, if the Gold's Gym is purchased, the old facilities will still be used and still require updating, so why do this now?

Robert Debuys, 3467 Mossbrook Lane, stated that they are not voting on the Community Spaces Plan, which should be voted upon before the City takes these steps of purchase the adjacent property to the City Hall. He stated that financing is a short-term loan before the longer-term loan is designed. The discussion to implement and fund the Community Spaces program before taking piecemeal steps, with no long-term solution for the funding, is not a good idea.

Mrs. Cook stated she that has done a lot of research on this issue. She has studied the Community Spaces Plan and toured the Gold's Gym building. She stated that her first impression, after her tour, was that the building was very large. She said it is an attractive facility, with good location. She stated that she is concerned about the timing of the proposal because the Community Spaces Plan is still very conceptual and highlevel. Mr. Downes stated that if the Council approves this request, an implementation program will be devised for the long-term financing of this property. She stated she is concerned that a funding strategy has not been adopted, nor a timeline for when it should all occur. That makes tonight's decision difficult. She stated she is concerned that this purchase is about 25% of the total estimated cost of the Plan and there is not an adopted strategy. She is not sure of the level of need for the City when that level of study has not been attained. She stated that she believes that the renovation of the Civic Center should take priority at this time. She pointed out that, once this purchase is made, the decision to move the Civic Center has been made.

Mr. Pierce stated that several years ago, when Gold's Gym was built, individuals would comment about that building making a great civic center. Also, the schools are in need of property and space in order to expand. The West School is in need of that space and this would help them to expand as well. He stated that his concerns are more for the school system than for the location of the civic center.

Mayor Curry stated that this purchase does not force the City into this plan but opens the opportunity for one particular phase of the Plan. If they just focus on the next four years, there is financing for the City and the current lease covers the cost of that loan. If the City passes on this purchase and the owner leases the office space, this could negate the City ever being able to purchase this property.

Mr. Head stated that surveys have been conducted and the response was low but, by and large, in discussions with various individuals are comments that the City needs to pursue some changes in the Park and Recreation Department. He stated that, if the City renovates the current Civic Center, it would be money wasted because the facilities are just too old.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – no Mr. Head – yes
Mr. Pierce – yes Mayor Curry – yes
Motion carried.

NEW BUSINESS

RESOLUTION NUMBER 4937

Resolution Number 4937 – Liquor License – Liberty Park LLC D/B/A YP Your Pie For The On- And Off-Premise Sale Of Retail Beer And Retail Table Wine; Lloyd Chandler Peeples, III, Executive (public hearing)

Mr. Downes stated that this is a new restaurant and was reviewed by the Police Department.

MOTION Motion to approve Resolution Number 4937 was by Mrs. Cook and second was by Mr. Head.

Mr. Peeples explained his business.

Mr. Pierce asked about training.

Mr. Peeples explained that all employees attend a serve safe alcohol program.

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

Mrs. Cook – yes
Mr. Pierce – yes
Mr. Gook – yes
Mayor Curry – yes
Motion carried.

RESOLUTION NUMBER 4938

Resolution Number 4938 – Liquor License – New Season LLC D/B/A Texas Taco Grill For The On-Premise Sale Of Restaurant Retail Liquor; Denis Jerome Gavlik And Larry Maddox Beasley, Jr, Executives (public hearing)

MOTION Motion to approve Resolution Number 4938 was by Mrs. Cook and second was by Mr. Head.

Max Beasley, manager partner, stated that the restaurant opened up recently and this application is for an alcohol license for beer, wine and a frozen margarita machine.

Chief Rary stated that he has reviewed the background checks of the applicants and has attempted to talk to them prior to the meeting, but has been unable to actually discuss the background checks with the applicants. He stated that he recommends that the Council review this application.

Mr. Pierce asked about the applicant's records and noted that the application shows older and more recent arrests of the applicants. He asked the applicant to explain.

Mr. Beasley stated that the arrest of Mr. Gavlik was right after high school and he was homesless, living on the beach and selling fish for a living. He got into a vehicle looking for something to eat and got arrested. He stated that his arrests stemmed during a time when he was a wild young man and since 1994 he has remained out of trouble. He stated he was saved in 1995 and changed. He explained that in 2013 he went to Destin and stayed with a friend and, in 2014, he and his wife came back from Mexico and a friend later died in an accident and he went there to speak at the funeral. In reuniting with his old friends, he made the acquaintance of a landscaper who requested a ride home. He stated he took the man home and made a stop at one house so the man could pick up his tools. He stated he waited in the man's house and the police showed up at the door, came in and searched the premises and charged him with drug possession. He later pled for a lesser sentence.

Mrs. Cook stated that the charge says possession.

Chief Rary stated that there are different forms of information that can be supplied and the information that was supplied was of the strictest form--FBI form,--and the applicant's story does match the information that he reviewed.

Mr. Head asked if he owns any other restaurants.

Mr. Beasley stated that this is their first restaurant. He also gave a description of the location of the restaurant.

The Mayor opened the floor for a public hearing.

Mr. Pierce asked if there is another partner who could apply for this license. He stated that it concerns him when an applicant who has a criminal record requests a liquor license and families will patronize this restaurant.

Mr. Beasley stated that the executives had to apply for this license through fingerprinting and the FBI; they are the only two executives in the LLC.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes Mr. Head – no
Mr. Pierce – no Mayor Curry – yes
Motion failed.

RESOLUTION NUMBER 4939

Resolution Number 4939 – A Resolution Authorizing A Special Economic Development Agreement By The City Of Vestavia Hills Alabama And Slice 280 LLC

Mr. Downes explained that this request is for an incentive agreement for construction of a sewer line along Timberlake during the construction of this new restaurant along with some sidewalk construction, etc. This Resolution approves that agreement in light of the extraordinary requests of the City which add to the construction costs for the developers. He highlighted the cost of the incentive agreement, the time line, etc.

MOTION Motion to approve Resolution Number 4939 was by Mrs. Cook and second was by Mr. Head.

Heyward Househ, Maynard, Cooper and Gale, stated that this is done under Amendment 772 of the Alabama Constitution and is like other agreements previously approved by the Council. He explained the terms of the agreement.

Mr. Pierce asked about the infrastructure improvements. Mr. Downes explained the sewer and the sidewalk improvements and their potential impact on the area, spurring potential future commercial development within the area.

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

Mrs. Cook – yes
Mr. Pierce – yes
Mr. Gook – yes
Mayor Curry – yes
Motion carried.

RESOLUTION NUMBER 4940

Resolution Number 4940 – A Resolution Authorizing A Special Economic Development Agreement By The City Of Vestavia Hills, Alabama And Crosshaven 6, LLC

MOTION Motion to approve Resolution Number 4940 was by Mrs. Cook and second was by Mr. Head.

Mr. Downes explained that this Resolution is an agreement for the Leaf and Petal development, which is related to the next resolution to be considered for Satterfield's Restaurant. He explained both owners are present to answer questions. He explained that the incentive agreement helps mitigate extraordinary costs for development and the acquisition of right-of-way needed to install a needed sidewalk. He explained the terms of both agreements.

Mr. Househ confirmed the terms and explained.

Jamie Pursell, owner, stated that they have moved the homes from the property and are waiting to subdivide the property and have Satterfield's close on their portion of the development. He explained that the contractor who removed the homes left the property in a bad condition and he is working to clean it up.

Mr. Pierce implored the owners to clean the property and put up silt screening as soon as possible.

Mr. Downes read a listing of the infrastructure that this development needs to install.

Discussion ensued as to the required geotechnical testing of the properties, the reduction of bad soils, installation of a guardrail to protect pedestrians and the changing cost within the budget.

Mrs. Cook asked where the poor soils will be stored on-site.

Mr. Pursell explained that the soil can be worked into the landscaped areas. The site development work is estimated between \$1 and \$3 million.

Mr. Pierce asked about a large tree at the north end of the property.

Mr. Pursell stated that the tree needs to be removed and would be removed soon when it is safe to do so.

Mrs. Cook asked about silt screening. Mr. Brady explained that they will be permitted through ADEM. The only work they have done so far is to remove the homes and that does not require installation of screening.

The Mayor opened the floor for a public hearing.

Lane Tolliver, 3213 Paige Lane, also representing another resident of Paige Lane, asked who will oversee the issues of the development of this property.

Mr. Downes stated that the Department of Building Safety regularly visits the site along with the City Engineer. All of these and ADEM will oversee the site as a combination of City staff.

Robert Debuys, 3467 Mossbrook Lane, stated that Cahaba Heights has suffered with the condition of Crosshaven and this development will make this area better. He cannot think of any financial agreement more deserving than this one.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes
Mr. Head – yes
Mr. Pierce – yes
Mayor Curry – yes
Motion carried.

RESOLUTION NUMBER 4941

Resolution Number 4941 – A Resolution Authorizing A Special Economic Development Agreement By The City Of Vestavia Hills And Satterfield's

MOTION Motion to approve Resolution Number 4941 was by Mr. Pierce and second was by Mrs. Cook.

Mr. Downes explained that this Resolution is within the same development as the previous request.

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

Mrs. Cook – yes
Mr. Head – yes
Mr. Pierce – yes
Mayor Curry – yes
Motion carried.

Mr. Downes recognized Jamie Pursell who has been working with Brian Davis, Christopher Brady and Tony Renta in the placement and landscaping of the new Cahaba Heights sign located on Dolly Ridge Road, which has been much improved with the removal of the guardrail at the location.

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 regular meeting on April 24, 2017, at 6:00 PM.

- Resolution Number 4942 Annexation 90-Day 3308 Misty Lane; Lot 1, The Woods At Rocky Ridge; Will And Jill Smith, Owners (public hearing)
- Ordinance Number 2706 Annexation Overnight 3308 Misty Lane; Lot 1,
 The Woods At Rocky Ridge; Will And Jill Smith, Owners (public hearing)
- Ordinance Number 2703 An Ordinance Approving Conditional Use Approval For A Home Occupation For Property Located At 4648 Jackson Loop, Lot 1041, Heritage Hills, Phase III, Sector 2; Tammy Williamson, Owner. The Property Is Currently Zoned Vestavia Hills PUD PR-1 (public hearing)
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- Ordinance Number 2705 Rezoning 3700 Cahaba Heights Road; Rezone From Vestavia Hills B-3 (Business District With Conditions) To Vestavia Hills R-9 (Planned Residential District); Black Box Management, LLC, Owners (public hearing)
- Resolution Number 4943 A Resolution Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With The Regional Planning Commission Of Greater Birmingham For An APPLE Project To Study And Further Develop Improvement Plans For A Section Of Crosshaven Drive From Cahaba Heights Road To Overton Road

CITIZEN COMMENTS

None.

At 9:25 PM, Mr. Head made a motion to adjourn, seconded by Mr. Pierce. The meeting adjourned at 9:26 PM.

Ashley C. Curry Mayor

ATTESTED BY:

Rebecca Leavings City Clerk

RESOLUTION NUMBER 4942

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 September 1, 2016, 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 24th day of April, 2017; 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 26th day of April, 2017.
- 2. That on the 28th day of August, 2017, in the Vestavia Hills City Hall, 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 4942 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:

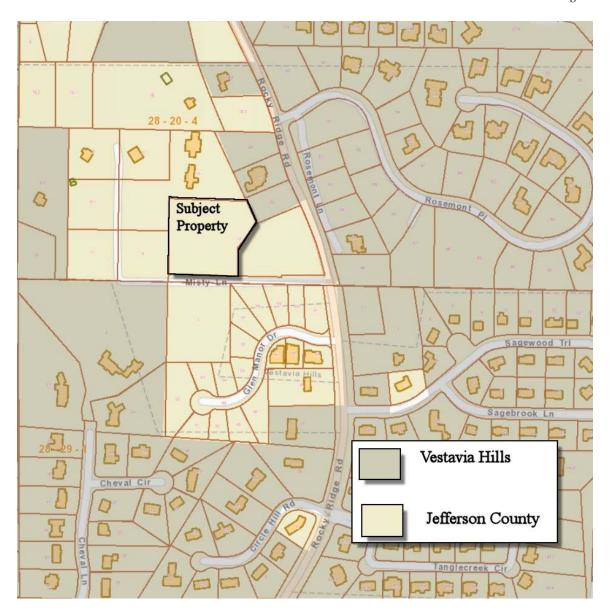
3308 Misty Lane Lot 1, The Woods at Rocky Ridge Will and Jill Smith, Owner(s)

APPROVED and ADOPTED this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

Rebecca Leavings City Clerk



PARCEL #: 28 00 20 4 002 012.000

OWNER: SMITH JILL R

ADDRESS: 3308 MISTY LN BIRMINGHAM AL 35243

LOCATION: 3308 MISTY LN AL 35243

[111-A+] Baths: 3.5 H/C Sqft: 4,460 18-011.0 Bed Rooms: 4 Land Sch: A414

Land: **214,500** Imp: **560,700** Total: **775,200**

Acres: 0.000 Sales Info: 08/13/2014

\$425,000

<< Prev Next >> [1/0 Records] Processing... Tax Year: 2016 ✓

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT				VALUE		
PROPERTY CLASS:	3	OVER 65 CODE:		LAND VALUE 10% LAND VALUE 20%		\$214,500 \$0
EXEMPT CODE:	2-2	DISABILITY CODE:		CURRENT USE VALUE	[DEACTIVATED]	\$0
MUN CODE:	01 COUNTY	HS YEAR:	2016			
SCHOOL DIST:		EXM OVERRIDE AMT:	\$0.00	CLASS 2		
OVR ASD VALUE:	\$0.00	TOTAL MILLAGE:	50.1	CLASS 3 UTILITY WOOD OR	26WCCEX	\$9,100
				TENNIS COURT CO	46TCCON	\$38,300
CLASS USE:				POOL GUNITE 30	29G0300	\$12,600
FOREST ACRES:	0	TAX SALE:		BLDG 001	111	\$500,700
PREV YEAR VALUE:	\$214,500.00	BOE VALUE:	0			. ,

TOTAL MARKET VALUE [APPR. VALUE: \$775,200]: \$775,200

Assesment Override:

MARKET VALUE: CU VALUE: PENALTY:

ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$77,520	\$503.88	\$4,000	\$26.00	\$477.88
COUNTY	3	1	\$77,520	\$1,046.52	\$2,000	\$27.00	\$1,019.52
SCHOOL	3	1	\$77,520	\$635.66	\$0	\$0.00	\$635.66
DIST SCHOOL	3	1	\$77,520	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$77,520	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$77,520	\$395.35	\$0	\$0.00	\$395.35
SPC SCHOOL2	3	1	\$77,520	\$1,302.34	\$0	\$0.00	\$1,302.34

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$77,520.00 \$3,883.75 GRAND TOTAL: \$3,835.75

FULLY PAID

DEEDS		PAYMENT INFO					
INSTRUMENT NUMBER	DATE	PAY DATE TAX YEAR	PAID BY	AMOUNT			
201416-3509	8/13/2014	12/8/2016 2016	LERETA	\$3,835.75			
<u>9809-4585</u>	06/30/1998	11/20/2015 2015	LERETA	\$2,149.29			
		12/30/2014 2014	DAVID P CONDON, PC	\$1,050.09			
		1/15/2014 2013	BRUNO CAPITAL MANAGEMENT CORP	\$1,050.09			
			DDIINO CADITAI				

Annexation Committee Petition Review

Property: 3308 Misty Lane	
Owners: Will and Jill Smith	
Date:	
1. The property in question is contiguous to the city Yes No Comments:	
2. The land use of the petitioned property is compa Yes No Comments:	
3. The property being petitioned is noted in the Sep Task Force Report as an area of interest to the cives No Comments	ty for annexation.
4. Streets and drainage structures are in substantial and building codes, and in good condition at the Yes No Comments No Comments No	
5. Individual household has a Jefferson or Shelby 6 market value of 115, 20, Meets 6 Comment:	County Tax Assessor minimum eity criteria: Yes No
6. This street has fewer than 100% of the individual the city Yes No Number of total homes Number i	• •
7. Fire dues pursuant to Act #604 of the State of A assessments on the property shall be the respons their payment proven to the city. Agreed to by petitioner: Yes No	ibility of the property owner, and

Property: 3308 Misty 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: Encineering Had concern with windth of TReor, 12-14, DSMALT, A POOR Condition, no Nerinae interstitute and devents sale enchasemment	len 5 1
11. Information on children: Number in family; Plan to enroll in VH schools Yes No Comments:	
Other Comments:	
sorge Pierce	



STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE

CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: Sept. 1, 2016

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 ______ 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.

Will Smith:

WILLSMITH IS @ GMAIL. COM

205 - 914 - 9455

EXHIBIT "A"

LOT:
BLOCK:
SURVEY: THE WOODS AT ROCKY RIOGE
·
RECORDED IN MAP BOOK 239, PAGE 57 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.
COUNTY ZONING: E-
COMPATIBLE CITY ZONING: <u>E-2</u>
LEGAL DESCRIPTION (METES AND BOUNDS):
SouthWest QUARTER of the southeast QUARTER
of section 20, township 18 south, RANGE
2 WEST JEFFERSON COUNTY ALBAMA.

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)	DESCRI	PTION OF PROPE	CRTY	
	LotBlock	Survey THE	<u>woods</u> at RockyR11	y€
	LotBlock	Survey	,	
	LotBlock	Survey		
(Use reverse side hereof fo	or additional signatu	res and property des	criptions, if needed).	
STATE OF ALABAMA				
JEFFERSON CO	DUNTY			
Jul R. Smith	being duly	sworn savs: I am	one of the persons who	
signed the above petition, and I c of the described property.				
	Gel 1	2 Smth)	
	Signature	of Certifier		
Subscribed and sworn before me	this the <u>Colh</u> day of	September	<u>)</u> , 20 <u>16</u> .	
	Notary P	1 Onno	Siia	
	·	nission expires: 1	2/7/17	
RITA ANNE SA Notary Public - State of My Commission Ex December 7, 20	Alabama xpires	HOTARY		

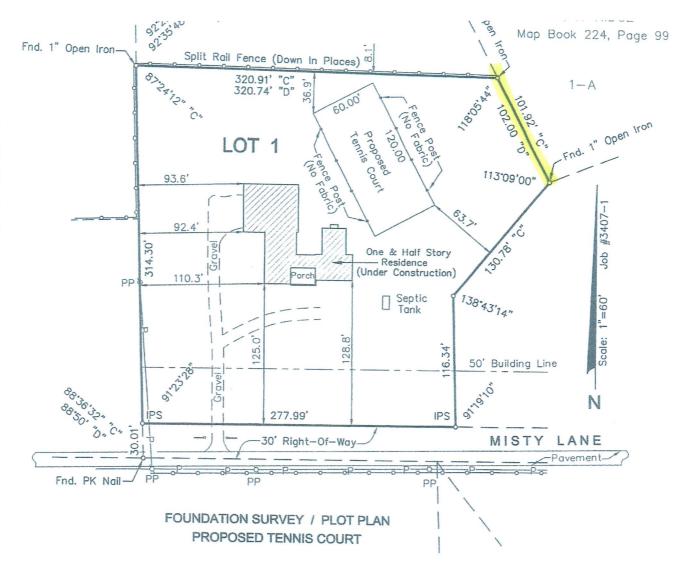
EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway Vestavia Hills AL 35216

(To be completed by the City)

	,	•	• /						
Date of Annexation Petit	ion		Action Taken: Grant						
			Deny						
Resolution:	Date:		Number:						
Overnight Ordinance:	Date:		_ Number:						
90 Day Final Ordinance:	Date:		_ Number:						
	(To be complete	ed by Hor	neowner)						
Name(s) of Homeowner(s): <u>Ju</u>	R.	Smith						
Address: 330 City: Bikmingha	State: A	1	Zip: <u>3</u>	52	13				
Information on Childre									
	NA		P	lan to l	Enroll I	П			
	10 141		Vesta	via Hill	s School	1?			
N(a)		A 70	School Grade	Yes	No				
Name(s)		Age	School Grade	163	140				
1.									
2.									
3.									
4.									
5.									
6.									
U.									
Approximate date for e	nrolling students in V	/estavia]	Hills City Schools	if abov	e respon	nse is			
"yes"	, ,								



Description: LOT 1, THE WOODS AT ROCKY RIDGE, as recorded in Map Book 239, Page 57, in the Office of the Judge of Probate, Jefferson County, Alabama.

The correct address is: 3308 Misty Lane Birmingham, AL 35243

NOTE: IPS = Iron Pin Set (#5 Rebar) PP = Power Pole Fnd. = Found

STATE OF ALABAMA: JEFFERSON COUNTY:

I, James R. Boatright, Sr., a Licensed Land Surveyor, do hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama, to the best of my knowledge, information, and belief.

According to my survey this the 27th day of May, 2015

James R. Boatright, Sr., AL REG. NO. 17826 704 Mary Vann Lane, Birmingham AL 35215 Phone (205) 854-3669 Fax (205) 854-0071

No. 17825

ORDINANCE NUMBER 2706

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 Will and Jill Smith dated September 1, 2016, 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:

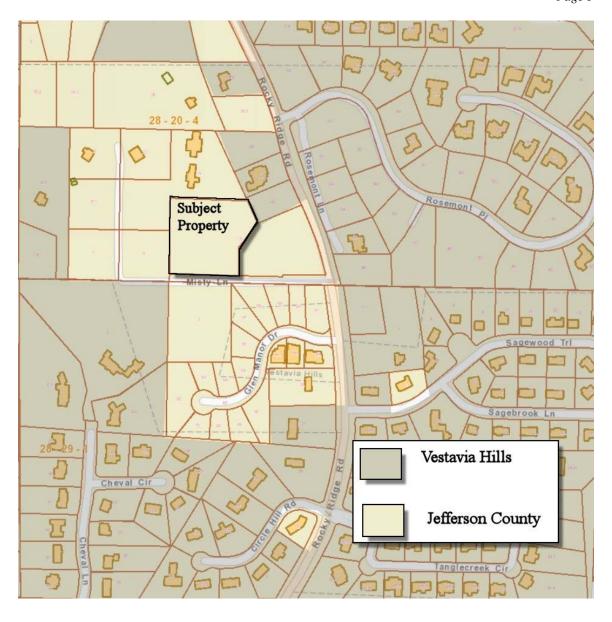
3308 Misty Lane
Lot 1, The Woods at Rocky Ridge
Will and Jill Smith

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 24th day of April, 2017.

ATTESTED BY:	Ashley C. Curry Mayor
Rebecca Leavings City Clerk	
CERTIFICATION:	
certify that the above and foregoing copy correct copy of such Ordinance that was du	of the City of Vestavia Hills, Alabama, hereby of 1 (one) Ordinance # 2706 is a true and ally adopted by the City Council of the City of 017, as same appears in the official records of
<u>•</u>	Center, Vestavia Hills Library in the Forest, Vestavia Hills Recreational Center this the

Rebecca Leavings City Clerk



ORDINANCE NUMBER 2703

AN ORDINANCE GRANTING CONDITIONAL USE APPROVAL FOR A HOME OCCUPATION

WHEREAS, on December 13, 2010, the City Council of the City of Vestavia Hills, Alabama, adopted and approved Ordinance Number 2331, also known as the City of Vestavia Hills Zoning Code; and

WHEREAS, on February 19, 2001 the City Council of the City of Vestavia Hills adopted and approved Ordinance Number 1864 to rezone 3,350 +/- acres from multiple Jefferson County and Vestavia Hills zoning classifications to Vestavia Hills P.U.D.; and

WHEREAS, Section 709.5.A.1.b of Ordinance Number 1838 classifies a "home occupation" permitted only as a "Conditional Use" and

WHEREAS, Tammy Williamson is the owner of the property located at 4648 Jackson Loop, currently zoned Vestavia Hills PUD PR-1 (planned unit development planned residential district) more particularly described as Lot 1041, Heritage Hills, Phase III, Sector 2; and

WHEREAS, Tammy Williamson has submitted application for Conditional Use Approval for a home occupation to be operated in her residence located at 4648 Jackson Loop, Vestavia Hills, Alabama located in the Liberty Park P.U.D.; and

WHEREAS, Tammy Williamson has indicated in her application for Conditional Use Approval that she will operate an office for her real estate business out of her home pursuant to the specifications of a home occupation; and

WHEREAS, a copy of said application dated February 3, 2017 is marked as Exhibit A, attached and hereby incorporated into this Ordinance Number 2703.

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

- 1. Conditional Use Approval is hereby approved for Tammy Williamson for a home occupation as described in the above-referenced application for her residence located at 4648 Jackson Loop, Vestavia Hills, Alabama located in Liberty Park P.U.D. subject to the provisions outlined in Article 9 of the Vestavia Hills Zoning Code outlined as follows:
 - a. "Home occupation is defined as any use customarily conducted entirely within a dwelling and carried on solely by the inhabitant thereof, and which use is clearly incidental, accessory, subordinate and secondary to the use of the dwelling for dwelling purposes, and does not change the character of the dwelling itself or any part of parcel of property in the neighborhood surrounding said dwelling; and
 - b. Home occupations shall be conducted only in the main dwelling building on the lot. No more than twenty-five percent (25%) of the said dwelling may be used for a home occupation; and
 - c. There shall be no public display of goods and absolutely no commodities sold on the premises; and
 - d. No sign may be attached to the dwelling or any part of the real estate advertising any home occupation; and
 - e. No home occupation or profession shall be permitted if such occupation creates noise, odors, vibrations or traffic which interferes with the residential qualities of the neighborhood insofar as health, safety, morals, convenience and general welfare are concerned; and

- f. In order to be a permitted home occupation or profession, the use must be one which is habitually, customarily and commonly established as a reasonable incidental, accessory, subordinate and secondary use; and
- g. Operation of any and all other business of any nature in residential zones is expressly prohibited; and
- h. The activity carried on as home occupation shall be limited to the hours between 7:00 AM and 10:00 PM; and
- No home occupation shall be permitted that requires the operation or keeping on premises a commercial vehicle and no additional traffic shall be generated by said conditional use; and
- j. No persons other than members of the family residing on the premises shall be employed by the home occupation; and
- Conditional Use Approval is further conditioned upon and subject to all applicable private and restrictive covenants attached to the said property located in the Liberty Park P.U.D.
- 3. A City of Vestavia Hills Business License shall be issued upon application and payment by Tammy Williamson working subject to the rules and regulations outlined in the Vestavia Hills Business License Code and shall be renewed each year that the home occupation is operated from the said property located in the Liberty Park P.U.D.
- 4. At any time should Tammy Williamson vacate the premises located at 4648 Jackson Loop, Vestavia Hills, Alabama, discontinue or relocate this business,

this Conditional Use Approval shall be nullified and said Ordinance Number 2703 shall be automatically repealed.

5. This Ordinance Number 2703 shall become effective immediately upon adoption, approval and publishing/posting pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 24th day of April, 2017.

Ashley C. Curry 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 # 2703 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 24th day of April, 2017 as same appears in the official records of said City.

Posted	at V	estavia	Hills 1	Munici	pal Cente	er, Ve	stavia	Library	in 1	the	For	est,
Vestavia Hills	New	Merkle	e Hous	se and	Vestavia	Hills	Recre	eational	Cent	er 1	this	the
day of			, 20)17.								

Rebecca Leavings City Clerk PR-1

Exhibit A Ordinance No. 2702 P&Z Application

Page 4

PUD

LITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

<u>I.</u>	INST	RUCTI	ONS AND INFORMATION:	(5) (5)			
	(1)	second	Vestavia Hills Planning and Zoning Commission 1 Thursday of each month at 6:00 PM in Contact Contact 2 Single Contact 3 Single Contact 4 Single Contact 4 Single Contact 5 Single Contact 6 Single Contact 7 Single Contact 7 Single Contact 7 Single Contact 7 Single Contact 8 Single Contact 9 Single Contact				
	(2)	Municipal Center. All materials and information relating to a zoning/rezoning request or conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than 25 working days prior to the scheduled meeting at which it shall be considered. All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which is shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it					
	(3) (4)	This a All ap compl postag also ir	pplication must be filled out in its entirety complete with zip codes. pplicable fees shall accompany this application prior to its being considered lete. Fees include an application fee of \$100.00 along with applicable per property owner to be notified for Commission meeting. Fees mandled notification fees for City Council meeting and publication fees which the billed to applicant at a later date. **No permits will be issued until all fees the permits and maps with proper legal description shall accompany the permits of the permits will be incompany the permits of the permits with proper legal description shall accompany the permits.				
	(5)	have b Appro					
<u>II.</u>	APP	LICAN	Γ INFORMATION: (owner of property)	w u			
	NAME: ADDRESS:		Tammy Williamson	>			
			4648 Jackson Loop	r r			
	Vestavia, AL 35242						
	MAI	LING A	DDRESS (if different from above)				
	PHO	NE NUN	MBER: Home 2056399147 Off	ice 2056399147			
	NAM	ME OF R	EPRESENTING ATTORNEY OR OTHER AGE	NT: N/A			

P0317-10//27-9-2-1-20 4648 Jackson Loop

Conditional Use Tammy Williamson Exhibit A Ordinance No. 2702

PUD

Page 5

ACTION REQUESTED III.

PR-1

	Request that the above described property be approved conditional use approval pursuant to Section Home Occupation of the Vestavia Hills Zoning Code.				
	Current Zoning of Property: PUD PR1				
	Requested Conditional use For the intended purpose of: Conducting business of				
	Buying and Selling Real Estate				
	(Example: From "VH R-1" to "VH O-1" for office building) **if additional information is needed, please attached full description of request**				
IV.	PROPERTY DESCRIPTION: (address, legal, etc.)				
	HERITAGE HILLS PHASE III SECTO BK 240 PG 18 LOT 1041				
	Property size: feet X feet. Acres:				
<u>v.</u>	INFORMATION ATTACHED: Attached Checklist complete with all required information.				
	Application fees submitted.				
VI.	_I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.				
$\stackrel{\sim}{\subset}$	Owner Signature/Date Representing Agent (if any)/date				
	n under my hand and seal 1				
My 6	Notory Public Survivos Notory Public Survivos Survivos Ath Survivos Mary Public Survivos Notory Public Survivos Notory Public Survivos Notory Public				
	f March , 20 19.				

CITY OF VESTAVIA HILLS

SYNOPSIS AND STAFF RECOMMENDATION CONCERNING APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **MARCH 9, 2017**

• CASE: P-0317-10

• **REQUESTED ACTION:** Conditional Use Approval for a home based business

• ADDRESS/LOCATION: 4648 Jackson Loop

• **APPLICANT/OWNER:** Tammy Williamson

- **GENERAL DISCUSSION:** The applicant wishes to conduct a home based business in Liberty Park. As required by the Liberty Park PUD a conditional use permit is required for a home based business. A description of the applicants business, as well as an approval letter from Liberty Park is attached. The property is zoned PR-1.
- <u>LIBERTY PARK MASTER PLAN</u>: This request is consistent with the procedures of the Liberty Park PUD.

• <u>STAFF REVIEW AND RECOMMENDATION</u>:

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: I recommend the Commission recommend approval with the following conditions:

- 1. Home occupations shall be conducted only in the principal dwelling. No more than twenty-five (25) percent, up to 500 sq. ft., of the dwelling may be used for a home occupation.
- 2. There shall be no outdoor display or storage associated with the home occupation and no commodities shall be sold on the premises other than by phone, mail or internet. No goods shall be delivered to a purchaser on the premises.
- 3. No sign may be attached to the dwelling or any part of the real estate advertising any home occupation.
- 4. No home occupation shall be permitted if it creates noise, odors, vibrations or traffic congestion, which interferes with the residential qualities of the neighborhood insofar as health, safety, morals, convenience and general welfare are concerned.
- 5. In order to be a permitted home occupation, the use must be one which is habitually, customarily, and commonly established as a reasonable incidental,

accessory, subordinate and secondary use. The existing dwelling shall not be enlarged to accommodate the home occupation; nor shall any accessory structure be built for the purpose of operating the home occupation.

- 6. No home occupation shall be permitted that requires the operation or keeping on premises of a commercial vehicle.
- 7. No persons other than members of the family residing on the premises shall be employed by the home occupation.
- 8. Home occupations shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- **2. City Engineer Review:** I have reviewed the application and I have no issues with this request.
- 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. Burrell made a motion to recommend approval of Conditional Use Approval for a home based business at 4648 Jackson Loop with the following conditions:

- 1. Home occupations shall be conducted only in the principal dwelling. No more than twenty-five (25) percent, up to 500 sq. ft., of the dwelling may be used for a home occupation.
- 2. There shall be no outdoor display or storage associated with the home occupation and no commodities shall be sold on the premises other than by phone, mail or internet. No goods shall be delivered to a purchaser on the premises.
- 3. No sign may be attached to the dwelling or any part of the real estate advertising any home occupation.
- 4. No home occupation shall be permitted if it creates noise, odors, vibrations or traffic congestion, which interferes with the residential qualities of the neighborhood insofar as health, safety, morals, convenience and general welfare are concerned.
- 5. In order to be a permitted home occupation, the use must be one which is habitually, customarily, and commonly established as a reasonable incidental, accessory, subordinate and secondary use. The existing dwelling shall not be enlarged to accommodate the home occupation; nor shall any accessory structure be built for the purpose of operating the home occupation.
- 6. No home occupation shall be permitted that requires the operation or keeping on premises of a commercial vehicle.
- 7. No persons other than members of the family residing on the premises shall be employed by the home occupation.

8. Home occupations shall be limited to the hours between 7:00 a.m. and $10:00 \ \mathrm{p.m.}$

Second was by Mrs. Cobb. Motion was carried on a roll call; vote as follows:

 $\begin{array}{ll} \text{Mr. Goodwin - yes} & \text{Mr. Burrell - yes} \\ \text{Mr. Wolfe - yes} & \text{Mr. Brooks - yes} \\ \text{Mrs. Cobb - yes} & \text{Mr. Larson - yes} \\ \end{array}$

Motion carried

Conrad Garrison

From: Tammy Williamson <tammywilliamson@kw.com>

Sent: Friday, February 03, 2017 11:47 AM

To: Conrad Garrison

Subject: Tammy Williamson - Conditional Use App

Hi Conrad,

Please see below a brief description of my business conducted within my home occupancy:

Cahaba Coastal Realty, LLC -

Conduct the business of buying and selling real estate properties. Along with property management of vacation rentals. I am a licensed real estate salesperson in the state of Alabama. License is held with Keller Williams Realty. All business duties conducted within the home occupancy shall operate within the restrictions of the Liberty Park PUD.

Warmest Regards,
Tammy Williamson
Keller Williams Vestavia
tammywilliamson@kw.com
(205) 639-9147



P0317-10//27x9m2-1620nance No. 2702 4648 Jackson Loop

Conditional Use Tammy Williamson PR-1

PUD

January 18, 2017

Rebecca Leavings, City Clerk City of Vestavia Hills Vestavia Hills City Hall Vestavia Hills, Alabama 35216

Re:

Tammy Williamson

4648 Jackson Loop

Vestavia Hills, AL 35242

Dear Ms. Leavings:

We are writing in connection with the above matter. We understand Tammy Williamson is in the process of applying for a conditional use within the PR-1 (Planned Single-Family Residential) classification of the Liberty Park PUD to allow him to conduct a home occupation as a consultant in his residence.

We have no objection to the granting of the conditional use to allow a home occupation in this case, provided such use is made subject to the following restrictions:

- 1. There shall be no customer, client or employee traffic to, at or near the residence that is generated, directly or indirectly, by the home occupation;
- 2. There shall be no pick ups or deliveries to the residence that are related, directly or indirectly, to the home occupation, including without limitation, pick ups and deliveries by overnight courier services and pick ups and deliveries of inventory, samples or other goods and services related, directly or indirectly, to the home occupation;
- 3. There shall be no signage on the property related, directly or indirectly, to the home occupation; and
- 4. In all respects, there shall be no means, visual or otherwise, by which a casual observer would become aware that the residence is being used for any purpose other than strictly residential.

The foregoing restrictions are in keeping with the intent and spirit of the Liberty Park PUD and with the overall plan of development for Liberty Park as addressed in the Covenants, Conditions and Restrictions that are applicable to the subject property.

Rebecca Leavings January 18, 2017 Page 2

Therefore, we respectfully request that if the Planning and Zoning Commission votes to approve the conditional use applied for in the above referenced matter, such approval will be made subject to the above and foregoing restrictions.

If you have questions or comments regarding this matter, or if we can assist in any other way, please call me at 281-3542.

Very truly yours,

LIBERTY PARK JOINT VENTURE, LLP

By:

Samuel G. Lowpey, 1

Project Manager

and Authorized Representative

cc:

Kathryn Carver, Esq.

ORDINANCE NUMBER 2704

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-1 (residential district) to Vestavia Hills O-1 (office district):

3111 and 3115 Timberlake Road Eiffel Partners, LLC, Owner(s)

More particularly described as follows:

PARCEL I:

Part of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 27, Township 18, Range 2 West, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 27-18-2 West, run thence North along the quarter section line 794.5 feet; thence to the right 90 degrees a distance of 15 feet to the Northwest corner of that certain tract of land heretofore conveyed on June 23, 1948, by Eston H. Stead and wife Edna Farley Stead to the said William D. Cosper and Mary Louise C Cosper by deed recorded in Volume 4150, Record of Deeds, Page 194, in the Probate Office of Jefferson County, Alabama, and from this point run East along the North line of said tract of land just referred to a distance of 200 feet to the Northeast corner of said tract of land just referred to, thence 90 degrees to the left a distance of 15 feet, thence 90 degrees to the left a distance of 200 feet, thence 90 degrees to the left a distance of 15 feet to the point of beginning of the tract herein conveyed, it being the intention to convey by this deed a strip of land 15 feet wide and running East a distance of 200 feet lying just North of and adjacent to the tract of land conveyed by Stead and wife to the grantees herein as mentioned above.

PARCEL II:

Part of the SW ¼ of the SE ¼ of Section 27, Township 18 Range 2 West more particularly described as follows: Commencing at the SW corner of the SW ¼ of the SE ¼ of Section 27-18-2 West, run thence North

along ¼ section line 694.5′, thence to the right 90 degrees a distance of 15.0 feet to the point of beginning, thence along same line 200.0 feet, thence 90 degrees to the left a distance of 100.0 feet, thence 90 degrees to the left 200.0 feet, thence 90 degrees to the left 100.0 feet to the point of beginning.

PARCEL III:

Part of the Southwest ¼ of the Southeast ¼ of Section 27, Township 18 South, Range 2 West, Jefferson County, Alabama, more particularly described as follows: Begin at the Southwest corner of said ¼ ¼ Section; run thence Northwardly along the West line thereof for a distance of 594.5 feet; thence turning at an angle of 90° to the right and run Eastwardly for a distance of 15 feet to the point of beginning of the tract here described; from the point of beginning thus obtained, continue along the same course last described for a distance of 200 feet; thence turning an angle of 90° to the left, run Northwardly for a distance of 100 feet; thence turning an angle of 90° to the left run Westwardly for a distance of 200 feet; thence turning an angle to the left of 90° run Southwestwardly for a distance of 100 feet to the point of beginning; being situated in Jefferson County, Alabama.

BE IT FURTHER ORDAINED that said zoning be contingent upon the following conditions:

- 1. Buildings must have frontage on Timberlake Road;
- 2. Building height limited to two (2) stories;
- 3. Buildings to be designed in a residential style;
- 4. Developers to follow the Blue Lake Area Study; and
- 5. Zoning shall not be effective until lots are resurveyed, plat recorded and a copy of recorded plat submitted to the Office of the City Clerk.

APPROVED and ADOPTED this the 24th day of April, 2017.

Ashley C.	Curry
Mayor	

ATTESTED BY:

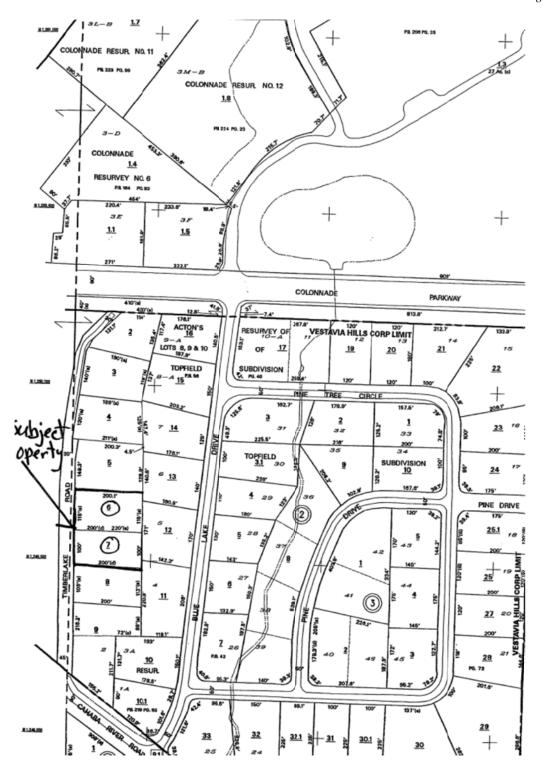
Rebecca Leavings City Clerk

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 # 2704 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 24th day of April, 2017 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2017.

Rebecca Leavings City Clerk



CITY OF VESTAVIA HILLS

SYNOPSIS AND STAFF RECOMMENDATION CONCERNING APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **MARCH 9, 2017**

- <u>CASE</u>: P-0317-07
- **REQUESTED ACTION:** Rezoning Vestavia Hills R-1 Vestavia Hills O-1
- ADDRESS/LOCATION: 3111 & 3115 Timberlake Rd.
- **APPLICANT/OWNER:** Eiffel Partners, LLC/Len Shannon
- **REPRESNTING AGENT:** Chad Bryant
- **GENERAL DISCUSSION:** Property is on Timberlake Dr., and immediately adjacent to the rear of the Harris Doyle office building. Applicant is seeking rezoning to build two office buildings. Both buildings would be two stories and 7,875 square feet. A preliminary site is attached.

The lot and building will be under the same ownership as the Harris Doyle building and will share parking and access from Blue Lake Dr. Access to Timberlake Dr. is proposed, however, drive may only be stubbed until Timberlake Rd. improvements are completed. All lots will be resurveyed into 1 lot at the completion of zoning.

- <u>CAHABA HEIGHTS COMMUNITY PLAN</u>: The request is consistent with the Cahaba Heights Community Plan for limited mixed use.
- 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: Zoning contingent on resurvey being approved and recorded and buildings be residentially styled, consistent with the neighborhood.
 - 2. **City Engineer Review:** Will continue to evaluate based on Timberlake Dr. improvements.

- 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. Wolfe made a motion to recommend rezoning approval 3111 & 3115 Timberlake Rd. from Vestavia Hills R-1 to Vestavia Hills B-1 with the following conditions:

- A. Buildings must have frontage on Timberlake Rd.;
- B. Building height limited to two (2) stories;
- C. Buildings be designed in a residential style;
- D. Developers follow Blue Lake Area Study;
- E. Lots must be resurveyed and plat recorded for zoning to take effect.

Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Wolfe – yes
Mrs. Cobb – yes
Mrs. Cobb – yes
Mrs. Cobb – yes
Mrs. Cobb – yes

Motion carried

Rezone to O-1 Eiffel Partners, LLC

VH

P&Z Application Page 4

CITY OF VESTAVIA HILLS

APPLICATION

111 DEC 29

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

R-1



- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambes at the Municipal Center.
- (2) All materials and information relating to a zoning/rezoning request or conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than 25 working days prior to the scheduled meeting at which it shall be considered. All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which is shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it is to be considered.
- (3) This application must be filled out in its entirety complete with zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. **No permits will be issued until all fees have been paid.
- (5) Appropriate plats and maps with proper legal description shall accompany this application. Please refer to attached checklist.

II.	APPLICANT INFORMATION: (owner of property)				
	NAME:	AME: Eiffel Partners, LLC. (Len Shannon)			
	ADDRESS:	1616 2nd Ave S #100			
	Birmingham, AL 35233				
	MAILING ADDRESS (if different from above) Birmingham, AL 35201				
	PHONE NUM	205-222-1664			
	NAME OF RE	PRESENTING ATTORNEY OR OTHER AGENT:	Chad Bryant 205-223-8602		
		95-965-5823 / Brooks Harris 205-329-9317	74		

P0317-07//28-27-4-1-6 & 7 3111 & 3115 Timberlake Rd.

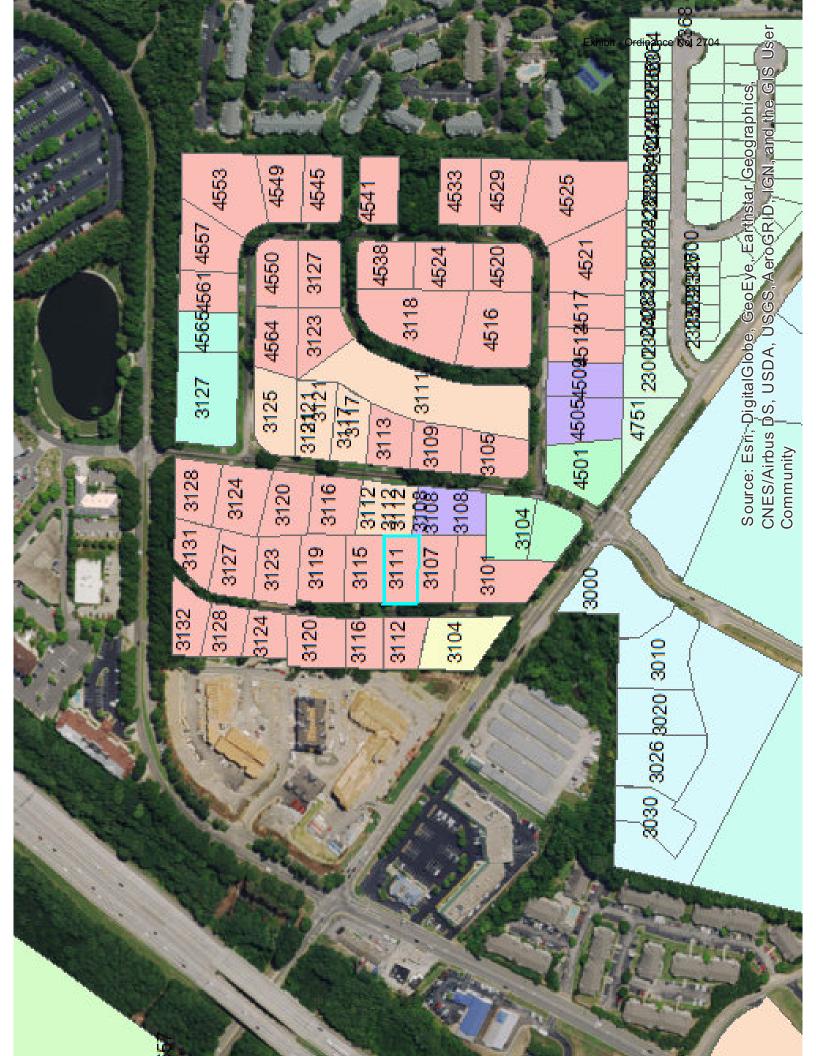
Rezone to O-1 Eiffel Partners, LLC R-1

VH

P&Z Application
Page 5

III. ACTION REQUESTED

Request that the above described property	erty be zoned/rezoned
From:	
To: 0-1	
For the intended purpose of:	fice building
(Example: From "VH R-1" to "VH O"**if additional information is needed, j	-1" for office building) please attached full description of request**
3/11) & 7115 Timberlate R	oad Vesturia Hills AL 35243
Property size: [15 feet X	200 feet. Acres:
V. INFORMATION ATTACHED: Attached Checklist complete w Application fees submitted.	ith all required information.
VI. I do hereby declare the above stateme appointed representative will be at the	ents are true and that I, the owner, and/or my duly scheduled hearing.
Owner Signature/Date	Representing Agent (if any)/date
Given under my hand and seal this	19ATON JUBUS DIJBUS TATS PANILLINI
	WIND S NATION



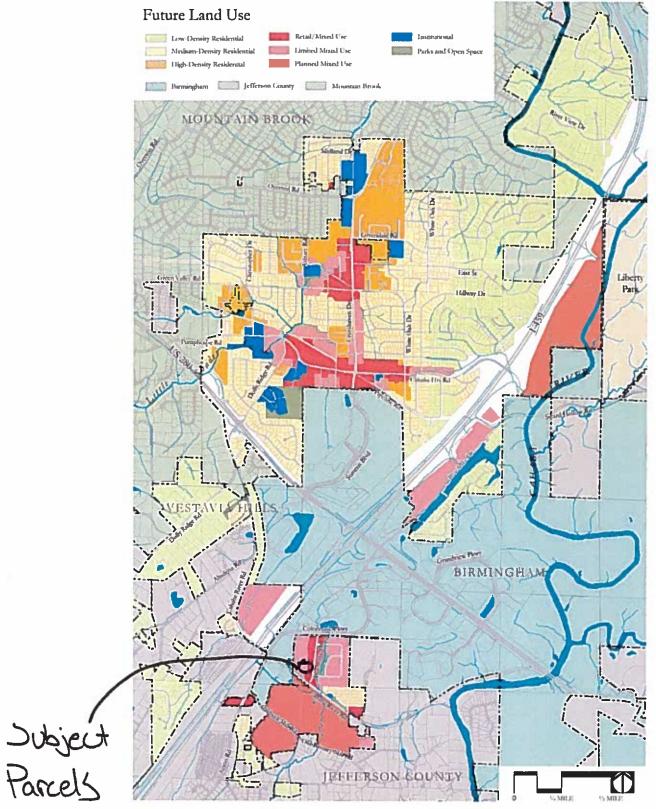
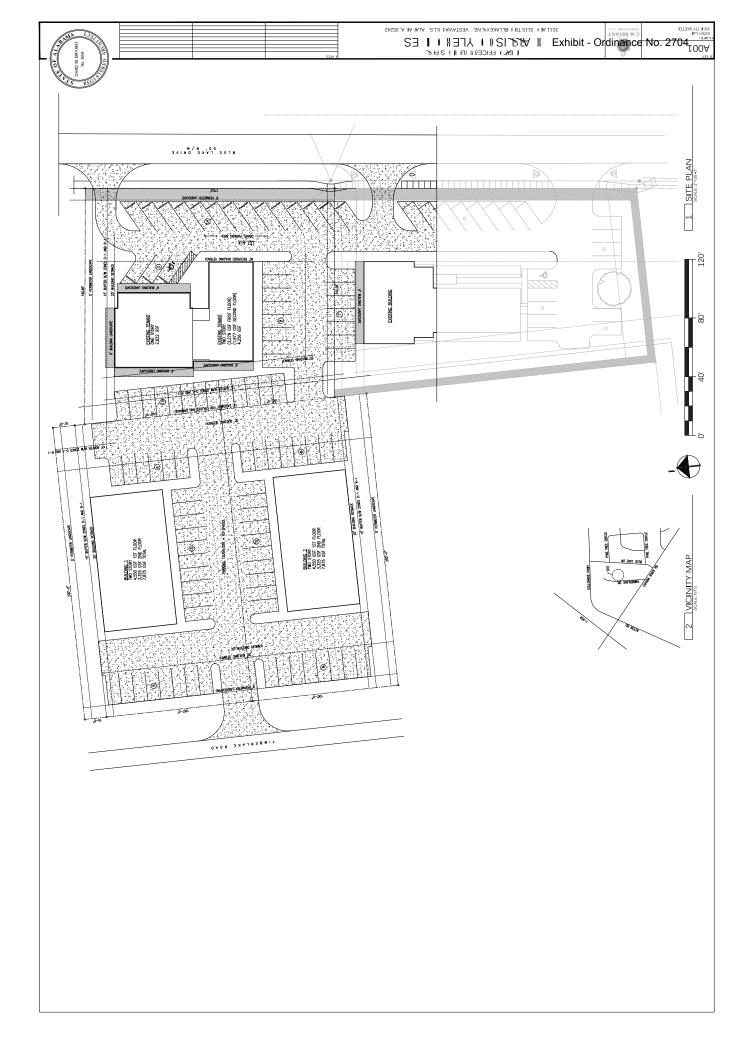


Figure 4: Future Land Use Map



ORDINANCE NUMBER 2705

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 B-3 TO VESTAVIA HILLS R-9.

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 B-3 (business district with conditions) to Vestavia Hills R-9 (planned residential district):

3700 Cahaba Heights Road Black Box Management, LLC, Owner(s)

More particularly described as follows:

A parcel of land situated in the Northeast ¼ of Section 23, Township 18 South, Range 2 West, Huntsville Meridian, Jefferson County, Alabama, being more particularly described as follows:

Begin at the locally accepted NE corner of the SW 1/4 of the NE 1/4 of Section 23, Township 18 South, Range 2 West, Huntsville Meridian, Jefferson County, Alabama; thence run South 00 degrees 23'04" East along the East line of said 1/4-1/4 Section for a distance of 1334.83 feet to the locally accepted SE corner of said 1/4-1/4 Section; thence leaving the said East line run North 88 degrees 38'55" West along the South line of said ¼ Section for a distance of 555.97 feet to the East right-of-way line of Interstate Highway No. 459, (right-of-way width varies); thence leaving said South line run North 33 degrees 45'24" East along said East right-ofway for a distance of 134.15 feet; thence run North 56 Degrees 16'16" West along said East right-of-way line for a distance of 139.86 feet; thence run North 07 degrees 07'33" East along said East right-of-way line for a distance of 543.72 feet; thence run North 22 degrees 39'57" East along said East right-of-way line for a distance of 1748.40 feet; thence run North 33 degrees 00'13" East along said East right-of-way line for a distance of 365.98 feet to the North line of said Section 23; thence leaving said East right-of-way line run South 88 degrees 43'12" East along said north line for a distance of 523.40 feet; thence leaving said North line run South 33 degrees 12'02" West for a distance of 1006.12 feet; thence run South 59 degrees 34'00" West for a distance of 250.06 feet to the locally accepted East line of the NW 1/4 of the NE 1/4 of Section 23; thence run South 00 degrees 25'45" East along said East line for a distance of 349.84 feet to the Point of Beginning. Less and except any part lying SE of the Cahaba River.

BE IT FURTHER ORDAINED that said zoning be contingent upon the following conditions:

- 1. City Engineer to review and approve traffic plans;
- 2. Public Ingress/Egress easement to be dedicated on plat to ensure access to properties beyond subject property; and
- 3. Access to be reserved for City to access adjacent city-owned property.

APPROVED and ADOPTED this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

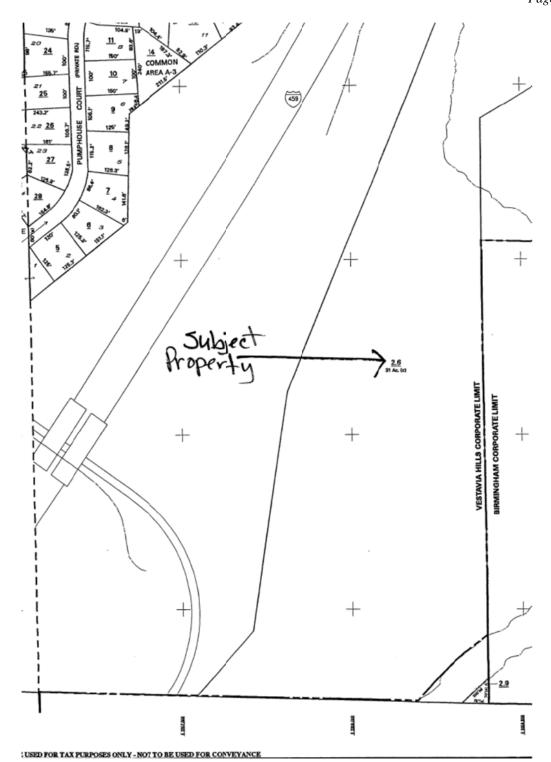
Rebecca Leavings City Clerk

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 # 2705 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 24th day of April, 2017 as same appears in the official records of
said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2017.

Rebecca Leavings City Clerk



CITY OF VESTAVIA HILLS

SYNOPSIS AND STAFF RECOMMENDATION CONCERNING APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **MARCH 9, 2017**

- <u>CASE</u>: P-0317-11
- **REQUESTED ACTION:** Rezoning for 3700 Cahaba Heights Rd. from Vestavia Hills B-3 to Vestavia Hills R-9 For The Purpose Of Residential Development
- <u>ADDRESS/LOCATION</u>: 3700 Cahaba Heights Rd.
- APPLICANT/OWNER: Black Box Management, LLC/Stuart Raburn
- **REPRESNTING AGENT:** Engineering Design Group
- **GENERAL DISCUSSION:** Property is undeveloped land between I-459 and Cahaba River. 48 lots are proposed, averaging around a quarter of an acre in size. The proposed setbacks are 10' front, 0' on the side with a minimum of 10' separation between buildings, and 10' in the rear. There are also 3 common areas in the subdivision. The proposed streets will have a 50' ROW and sidewalks on both sides.

At the rear of the development will be a private wastewater system to serve the development. Access to the wastewater plant and private property will be served by an easement at the end of Helen Ridge Dr.

• <u>CAHABA HEIGHTS COMMUNITY PLAN</u>: The request is consistent with the Comprehensive Plan for Planned Mixed Use.

• 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:** I have reviewed the application and I have no issues with this request.
- 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. Wolfe made a motion to recommend rezoning approval of 3700 Cahaba Heights Rd. from Vestavia Hills B-3 to Vestavia Hills R-9 with the following conditions:

A. City Engineering to review traffic plans.

Second was by Mr. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Burrell – no
Mr. Wolfe – yes
Mr. Brooks – yes
Mrs. Cobb – yes
Mr. Larson – yes

Motion failed

P0317-11//28-23-1-2-6 3700 Cahaba Heights Rd. Rezone to R-9 Black Box Management, LLC B-3

P&Z Application
Page 4

CITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.
- (2) All materials and information relating to a zoning/rezoning request or conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than 25 working days prior to the scheduled meeting at which it shall be considered. All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which is shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it is to be considered.

(3) This application must be filled out in its entirety complete with zip codes.

- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. **No permits will be issued until all fees have been paid.
- (5) Appropriate plats and maps with proper legal description shall accompany this application. Please refer to attached checklist.

 APPLICANT INFORMATION: (owner of property)
NAME: BLACK BOX MANAGEMENT, LLE STUART RABURN
ADDRESS: 110 COSHATT TRAIL
MOOVER, AL 35244
MAILING ADDRESS (if different from above)
PHONE NUMBER: Home 205-3 (4-6610 Office
NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:
Toba Madia

P0317-11//28-23-1-2-6 3700 Cahaba Heights Rd. Rezone to R-9 Black Box Management, LLC

B-3

P&Z Application
Page 5

III. ACTION REQUESTED

	Request that the above	described prope	rty be zoned/re	zoned		
	From:	02	B^{-2}			
	To:	R9				
	For the intended purpos	c of:	SINGLE- FA	Im·LY	Residential	. Development
	(Example: From "VH **if additional informa	R-1" to "VH O- tion is needed, p	l" for office bi lease attached	uilding) I full desc	ription of reque	251**
IV.	PROPERTY DESCRI	PTION: (a	ddress, legal,	etc.)		3000 C V 112
		588 1	HHACKED DE	eed		
	Property size:	feet X	feet.	Acres:	_31	
V. INFORMATION ATTACHED: Attached Checklist complete with all required information. Application fees submitted. VI. I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.					or my duly	
Given	Owner Signature/Date	2-2-17	Re	epresenting	Agent (if any)/date	2/6/17
KI	under my hand and seal A day of Tub Notary Public Dommission expires	_, 20.17.		RHONDA B. P My Commissi		
day of	f April, 20		Water to	April 22,		

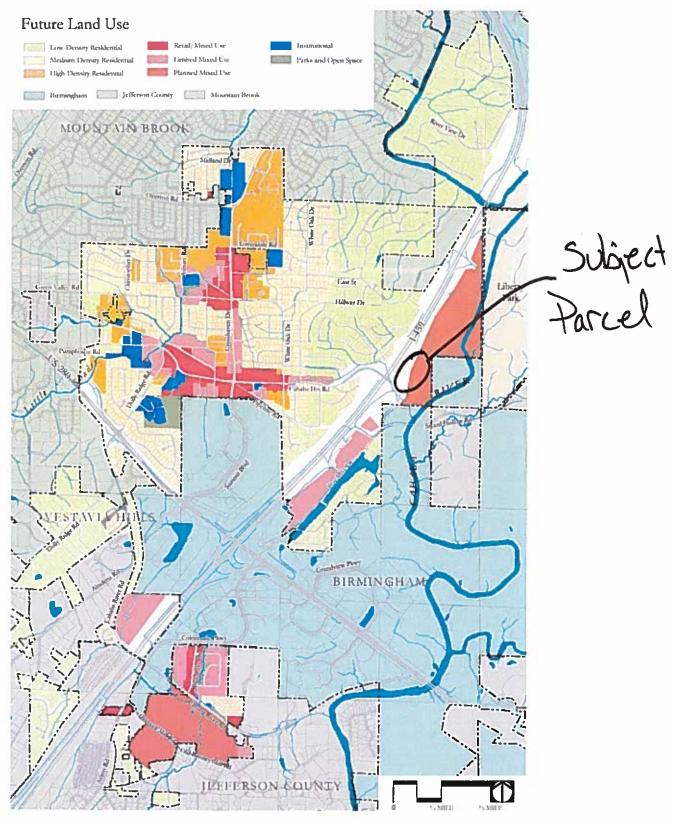
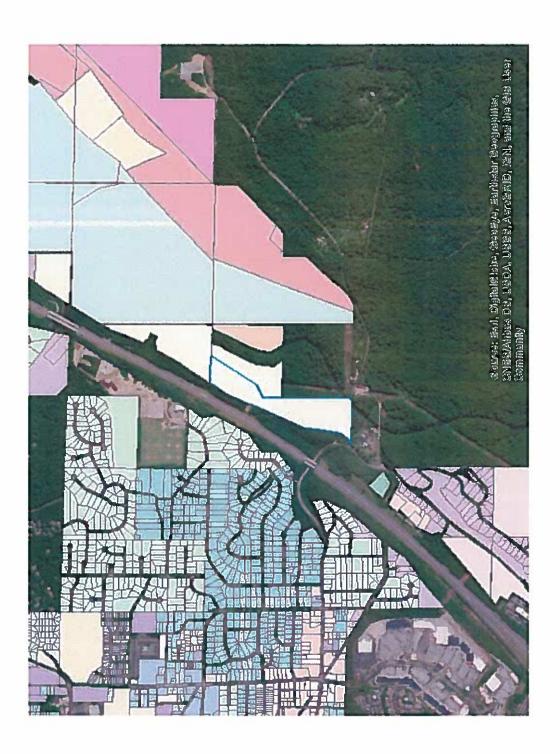
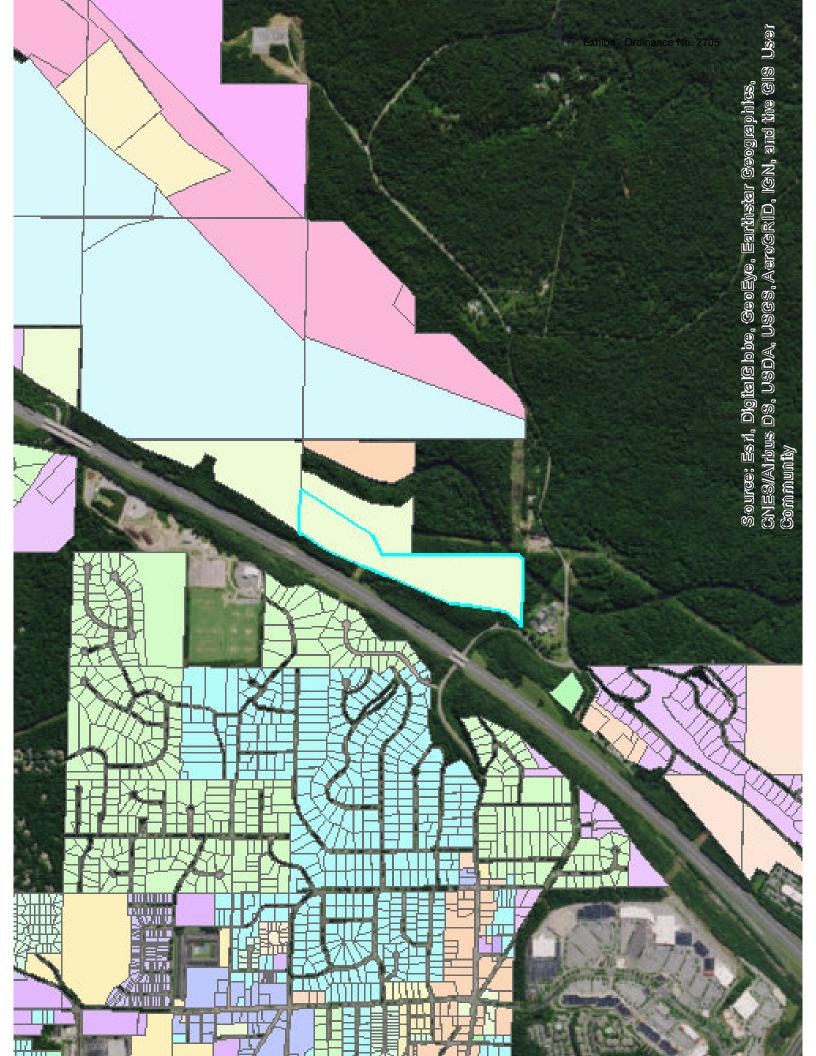


Figure 4: Future Land Use Map



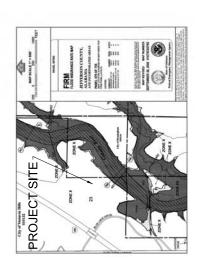


CIVIL ENGINEERING PLANS PRELIMINARY PLAT AND

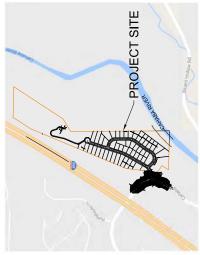
FOR A RESIDENTIAL NEIGBORHOOD KNOWN AS

HELEN RIDGE

VESTAVIA HILLS, ALABAMA CAHABA HEIGHTS ROAD



PER FEMA PANELS 01073C0579G, THIS SITE DOES NOT LIE WITHIN THE FLOOD PLAIN.



CIVIL ENGINEERING
ENGINEERING DESIGN GROUP, LLC
120 BISHOP CRCLE, SUITE 300
PELHAM, AL 35124
(206) 403-9158
CONTACT: WADE LOWERY, P.E. HARRIS DOYLE HOMES 3108 BLUE LAKE DRIVE, SUITE 200 BIRMINGHAM, AL 35243 (205) 982-2896 CONTACT: BROOKS HARRIS

BOUNDARY SURVEY
ENDMERHOR DESIGN AROUP, LLC
120 BISHOP CIRCLE. SUITE 300
PELHAM, AL. 35124
(203) 403-9186
CONTACT: RODNEY CUNNINGHAM, P.L.S.

SITE GRADING AND ROADWAY PROFILE SITE GRADING AND ROADWAY PROFILE SITE DETAILS AND SECTIONS
SITE DETAILS AND SECTIONS
SITE DETAILS AND SECTIONS
SANITARY SEWER COVERSHEET SYMBOLS AND GENERAL NOTES WATER MAIN EXTENSION PLAN PUMP STATION ACCESS ROAD SITE EROSION CONTROL PLAN NOTES AND SPECIFICATIONS SCOPE OF WORK **EROSION CONTROL DETAILS** STORM PIPE PROFILE STORM PIPE PROFILE SITE GRADING PLAN PRELIMINARY PLAT SITE LAYOUT PLAN SITE STORM PLAN SITE UTILITY PLAN

EXISTING CONDITIONS NOTES

SHEET INDEX

TREATMENT AND DISPOSAL SITE PLAN SECTIONS A-A_B-B_C-C_D-D 4000 GALLON TANK DETAILS LOWER AND UPPER PLAN **DISPOSAL ZONE DETAILS** ASD 40 FILTER UNIT

Exhibit - Ordinance



GENERAL NOTES:

1, ALI NECESSARY PERMITS AND APPROVALS FROM AGENCIES GOVERNING THIS WORK SHALL BE SECURED PROR TO BEGINNING CONSTRUCTION. ALL CONSTRUCTION SHOWN ON THESE PLANS SHALL BE FREFORMED IN ACCORDANCE WITH THE PLANS FOR ALL CONSTRUCTIONS, AND STATE OF ALL CONSTRUCTIONS, AND STATE OF ALL CONFIDENCES, ALL CONSTRUCTIONS, AND STATE OF ALL CONFIDENCES, AND STATE OF ALL CONFIDENC

ALL TRENCHES EXCAVATED UNDER PAVEMENT SHALL BE BACKFILLED WITH STONE.

4. CONTRACTORS SHALL COORDINATE THE BRILLATION ADJUSTMENT OR RELECATION OF ALL
WITHER WITH THE APPROPRIATE UTILITY COMPANIES AND HIS WORK. ALL UNGERGROUND UTILITIES
WHITE SWITH THE APPROPRIATE UTILITY COMPANIES AND HIS WORK. ALL UNGERGROUND UTILITIES
WHITE SWITH THE APPROPRIATE UTILITY COMPANIES AND HIS WORK. ALL UNGERGROUND UTILITIES
BE IN PACKE PRIOR TO THE PLACEMENT OF BASE COURSE MATERIAL.

S. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY CORNERS AND BENCHMARKS. ALL PROPERTY POR ON BENCHMARKS. EMININATED OR DARANGED DURING CONSTRUCTION SHALL BE REPLACED THE CONTRACTORS EXPRISE.

5. EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO LAND DISTURBING ACTIVITIES. SECONTROL DEVICES SHALL BE PROPERLY MAINTAINED THROUGHOUT CONSTRUCTION UNTIL PERMANENT GROUND COVERTS ESTABLISHED.

1. THE LIMITS OF DISTURBANCE SHALL INCLUDE ALL AREAS DISTURBED BY GRADING OPERATIONS. CONTRACTOR IS RESPONSIBLE FOR PROTECTION EAL MENDS OF USIDE THE LIMINS OF DISTURBANCE. WAY DAMAGE CAUSE DY CONSTRUCTION SHALL BE REPARED TO ITS ORIGINAL COMPITON. JOB SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR.

8. IN THE EVENT THAT'A COMPLICT ANSES BETWEEN THE SITE CONSTRUCTION DRAWINGS AND FIELD DRAWINGS, THE OFFICIATIONS, THE COMPACTORS SHALL NOT PROCEED WITH COMSTRUCTION OF ANY AREA WHERE A COMPLICT HAS BEEN DISCOVERED UNIT, SLICH TURE AT CONFLICT HAS BEEN DISCOVERED UNIT, SLICH TURE AT I

10. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL INCESSARY PROTECTIVE EDUNGS, TRAFFIC CONTRACTOR THE IMPLEMENTATION OF ALL SWEET'S MEASURES INCLUDIOUS OR 11 VIOLENTED TO THE PROTECTION OF LIFE. PROPERTOR AND SITE MEMODIBLISTS THE PROTECTION OF EDSIRING THE PROTECTION OF LIFE SHOWED THE PROVISION AND COORDINATION OF ALL TEMPORARY TRAFFIC CONTRACT SAND MEASURES.

11. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SMOOTH TRANSITION BETWEEN ALL NEW ASSEMBLY OF THE ASSEMBLY OF THE STRUCTED MATERIALS. STANDINGNS, ALL TRANSITION SANDS, CONSTRUCTION MATERIALS. AND STRUCTION AND SHORKER.

13. ALL CONSTRUCTION TO MEET OSHA SAFETY GUIDELINES. SAID SAFETY PROCEDURES SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR. 12. THE SITE WORK SHALL MEET OR EXCEED THE SITE WORK PLANS.

14. DO NOT SCALE CRITICAL DIMENSIONS FROM THIS DRAWING, CONTACT ENGINEER FOR SPECIFIC CLARIFICATIONS NEEDED.

16. RETAINING WALLS ARE SHOWN FOR LOCATION AND HEIGHT PURPOSES OMLY. ENGINEERING DESIGN GRADUP IS NOT RESPONSEINE FOR THE DESIGN OR CONSTRUCTION OF RETAINING WALLS TO BE DESIGNED BY OTHERS. 15. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING PROPER TRAFFIC CONTROL FOR PUBLIC SAFETY IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.

SITE NOTES:

"ALL WORK SHALE EBREVAL STATE AND LODGE, CODES."

"APPLICADE EBREVAL, STATE AND LODGE, CODES."

2. TOPOGRADHIC INFORMATION PROVIDED BY OTHERS. ENGINEERING DESIGN GROUP, LLC WILL NOT BE THE REPOWDISHE FOR ACCURACY OF TOPOGRAPHY OR DESIGN ERRORS CAUSED BY TOPOGRAPHY NACCURACIES.

3. ALL DIMENSIONS AND RADII ARE TO EDGE OF PAVEMENT UNLESS

4. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF DAMAGE TO ANY EXISTING IMPROVEMENT, ONSITE OF FORTHE, SUCH AS AVAIRIST, UTILINES, STORM ANDRING, UTILINES, STORM ANDRINGS, UTILINES, STORM ANDRINGS, UTILINES, STORM ANDRINGS CONDITIONS.

S. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE OWNERJENGINEER IMMEDIATELY.

ALL CONCRETE SHALL BE 3,000 PSI @ 28 DAY COMPRESSIVE STRENGTH UNLESS STATED OTHERWISE.

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GRADING NOTES:

I THE CONTRACTOR SHALL OBTAIN AND READ A COPY OF THIS PROJECTS GEOTECHNICAL REPORT PRIOR TO THE START OF CONSTRUCTION.

MINIMAN OF 4 OF TOPSOLE PEGALS THAT ARE NOT OTHERWINE PERMANENTLY STRILLEDS SHALL HAVE A MINIMAN OF 4 OF TOPSOLE PEGALS THE TOPSOLE PEGALS THE TOPSOLE PEGALS THE TOPSOLE OF TOPSOLE PEGALS THE TOPSOLE PEGALS THE STRIPLED OF TOPSOLE PEGALS THE STRIPLED OF TOPSOLE PEGALS THE STRIPLED OF TOPSOLE STRIPLED OF TOPSOLE PEGALS APPROPRIATE IN PREJURICAL PROPRIED WITH A FIELD UNTIL A HEALTHY STAND OF GOARS IS OFF THE STRIPLED. 2. CLEARING AND GRUBBING LIMITS SHALL INCLUDE ALL AREAS DISTURBED BY GRADING OPERATIONS. ANY CLEARING REQUIRED FOR THIS CONSTRUCTION SHALL BE INCIDENTAL TO THE OVERALL SITE WOR

I. GRADES SHOWN ARE FINISHED PAVEMENT & TOP OF SOIL GRADE ELEVATIONS, REFERENCE SECTIONS IN DETAILS.

I. THE CONTRACTOR SHALL CALL APPROPRIATE UTILITY CONTACTS 48 HOURS PRIOR TO EXCAVATION IN REES WHERE UTILITES MAY ENST. B. ANY EXCESS MATERIAL AT THE END OF THE PROPOSED GRADING OPERATIONS SHALL BE PLACED ON THE SITE IN AN ACCEPTABLE LOCATION TO OWNER/BRIGINEER.

THE STREAMS. THE STREAMS THE TREAT OF BLOWGESED DE STAGE, AS SERCETED BY THE GENTERHOLAL ERGINEER. ALL SOIL MATERIAL SHALL BE PLACED ACCORDING TO THE GENTERHOLAL RENGERER ALL SOIL MATERIAL SHALL BE PLACED ACCORDING TO THE GENTERHOLAL SHALL BE APPROVED BY THE EFORTCHANCAL RENGINEER. 7. NO SLOPES SHALL BE STEEPER THAN 2-HORIZONTAL TO 1-VERTICAL, UNLESS OTH THE PLAN OR APPROVED BY THE ENGINEER.

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0. THE OWNER WILL PROVIDE GEOTECHNICAL TESTING, THE CONTRACTOR SHALL FULLY COOPERATE WITH THE MATERIALS TESTING ENGINEERS RELATIVE TO SOIL COMPACTION, CUTTING AND FILLING PEREATIONS, FIC.

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To BASTONE GENERAL CONTRICTORY SHALL CONTRICTORY WITH ALL DIRE BASES AND PREGAUTIONS OF ALL CONTRIBUTION ALTHOUGH THE REGISTRONG THE BEST AND STOCKED OF PLANT CONTRIBUTION OF ALL CONTRIBUTION ALTHOUGH THE RECOMPANY. THE ALCOHOLOGY THE PLANT CONTRIBUTION OF THE PLANT CONTRIBUTIO

13. SEE GEOTECHNICAL REPORT FOR CONSIDERATIONS OF CUT AND FILL SLOPES.

4. CONTRACTOR IS TO COORDINATE WITH THE GEOTECHNICAL ENGINEER AND THEIR ON-SITE TESTING AGENT THROUGHOUT CONSTRUCTION TO ADDRESS EARTHWORK ISSUES AND FOR GEOTECHNICAL DIREC

15. THESE NOTES ARE PRELIMINARY AND WILL BE REVIEWWED ANDIOR MODIFIED AS NEEDED UPON COMPLETION AND REVIEW OF THE PROJECT'S GEOTECHNICAL REPORT.

1. STORN PIPE SHALL BE RENYDRCED CONCRETE PIPE (RCD.), CONFORMING TO ASTIM C7% & RCV MLL, CLASS HILL MEES OF THEMES WITHOUT HE PLANT, LOTHER SHALL BET (TOKIDLE AND GROOVE ON BELL AND SHOOT), MICHARIST BE SELLED WITH NUMBER SHOOT SON SHOOT ON BELL AND SHOOT, MICHARIST BE SELLED WITH ASSIN ON 198. STORM DRAINAGE NOTES:

S. ALL PIPE ENTERING STORM SEWER STRUCTURES SHALL BE GROUTED TO ASSURE THE CONNECTION AT THE STRUCTURE IS WATER TIGHT.

S. ALL STORM SEWER MANHOLES SHALL BE PRECAST AND MEET THE SPECIFICATION OF ASTM C76.

I. ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH THE PAVEMENT AND SHALL HAVE TRAFFIC BEARING LIDS. S. ALL STORM SEWER MANHOLE LIDS SHALL BE LABELED "STORM SEWER"

. CONTRACTOR IS TO BEGIN STORM DRAINAGE CONSTRUCTION FROM THE MOST DOWN STREAM POINT OF THE SYSTEM. S. ALL STORM DRAINAGE PIPE AND STRUCTURES SHALL BE CLEANED OF SILT, TRASH AND DEBRIS PRIOR TO DEMOBILIZATION FROM SITE.

ALL HEADWALLS SHALL BE PER ALDOT STANDARD HIGHWAY DWGS. OR PRECAST BY ANSON OR APPROVED ALTERNATE.

3.INLETS ON 42" OR LARGER PIPE SHALL HAVE CONCRETE RISERS.

11. ALL STORM PIPE INSTALLED AT 20%, OR GREATER GRADES SHALL HAVE CONCRET! COLLARS INSTALLED EVERY 25 FEET ON CENTERS MINIMUM. 10. STORM SEVER CROSSINGS UNDER STREETS TO BE SOLID STONE BACKFILL WITH WEEP HOLES TO INLETS.

12 ALL STORM PIPE INSTALLED WITH LESS THAN 3 FT. OF COVER SHALL BE BACK FILLED WITH STONE.

 ALL STORM MANHOLES IN GRASSED AREAS SHALL BE FLUSH WITH FINISHED GRADE. IA. ALL DRAINAGE STRUCTURES MAY BE PRE-CAST, OR APPROVED ALTERNATE, IF APPROVED BY ENGINEER. 5. PIPE LENGTH AND SLOPES ARE APPROXIMATE. PIPE LENGTH IS SHOWN AS IORIZONTAL PROJECTIONS AND IS MEASURED FROM THE CENTER OF THE STRUCTURE

6. STORM DATA PROVIDED ON PLAN IS FOR THE 25-YR STORM. FLOW (Q) AND ELEOCITY (J) VALUES ARE GIVEN IN CUBIC FEET PER SECOND (CFS) AND FEET PER ECOND (FPS), RESPECTIVELY. FOR ADDITIONAL STORM DATA, REFERENCE THE PROJECT STORM REPORT.

EROSION AND SEDIMENT CONTROL NOTES:

1. THE SITE CONTRACTOR IS RESPONSIBLE FOR ESTABLISHING AND MANYTAINING SUITABLE EROSION WAND SEMBLEMENT CONTROL DEVOUCES ON SITE DEMINA CONSTITIOL TO AN REQUIRED TO PREVENT SILT FROM LEAVING THE SITE. SILT WILL NOT THE ALLOWED BEYOND CONSTITUCTION LIMITS.

3. ERCSION COUNTRY, LAKSURES SHALL IS BAWATISCH ZA HALL IN CONTROL OF THE LAKSURES SHALL OF LAKSURES AND THE MASSING SHALL OF LAKSURES SHALL OF LAKSURES SHALL OF LAKSURES SHALL OF THE LAKSURES WHICH SECONDER INFESTORES IN THE SHALL SECONDER INFESTOR IN THE SHALL OF THE LAKSURES SHALL OF THE CONTROL OF THE SHALL OF THE LAKSURES SHALL OF THE CONTROL OF THE SHALL OF THE LAKSURES SHALL OF THE CONTROL OF THE SHALL OF THE LAKSURES SHALL OF THE CONTROL OF THE SHALL OF THE LAKSURES SHALL OF THE SHALL 2. THE CONTRACTOR SHALL PREVENT THE ESCAPE OF SEDMENT FROM THE SITE BY INSTALLING EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH LAND DISTURBING ACTIVITIES.

. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR ALL GRADING AND OTHER LAND DISTURBING (CTIVITIES. 8. ALL EROSION CONTROL MEASURES SHALL MEET THE GUIDELINES SET FORTH IN THE COUNTY AND LOCAL EROSION CONTROL GUIDELINES AS A MINIMUM.

7. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING SILT FROM THE SITE (IF NOT REUSABLE ON SITE) AND FOR CORRECTING HORIZONTAL AND VERTICAL ALIGNMENT OF SLOPES & DITCHES, IF NECESSARY AT THE COMPLETING HORIZONTO RECONSTRUCTION. 6. THE CONTRACTOR IS RESPONSIBLE FOR THE CLEANUP AND REIMOVAL OF ANY BUILDUP OF SEDIMENT WHICH ESCRES FROM THE SITE.

8. CONTRACTOR IS RESPONSIBLE FOR CLEANING SILT AND DEBRIS OUT OF ALL STORM DRAINAGE STRUCTURES UPON THE COMPLETION OF CONSTRUCTION.

9. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL TEMPORARY EROSION CONTROL MEASURES AFTER CONSTRUCTION IS COMPLETE AND ALL DISTURBED AREAS HAVE BEEN STABILIZED.

10. A COPY OF THE NPDES PERMIT SHALL BE PRESENT ON THE SITE WHENEVER LAND DISTURBANCE ACTIVITY IS IN PROGRESS.

11. PRIOR TO COMMENCING LAND DISTURBANCE ACTIVITY. THE LIMTS OF DISTURBANCE SHALL BE CLEARLY AND ACCUPANTLY EDMEACATED THIS TAKES, RESPONSIBLE OF LIME LOCATION OF THE LOCATION OF THE LOCATION OF THE LOCATION OF THE CONTINUOUS ACTIVITY. AND LAND DISTURBANCE SHALL OCCURRENCE DISTURBEN THE DISTURBANCE SHALL COCCUR CONTINUOUS ACTIVITY. NO LAND DISTURBANCE SHALL COCCUR CONTINUE THE APPROVED LIMITS NOTICED ON

12. FAILURE TO INSTALL, OPERATE OR MAINTAIN ALL EROSION CONTROL MEASURES MAY RESULT IN CONSTRUCTION DELAYS DUE TO REGULATORY INTERVENTION.

13. ALL EROSION AND SEDIMENTATION CONTROL DEVICES SHALL CONFORM TO THE LATEST EROSION AND SEDIMENTATION CONTROL GUIDANCE, PUBLISHED BY ADEM.

 SOME ADDITIONAL EROSION CONTROL DEVICES MAY BE REQUIRED BY THE PROJECT ENGINEER AND/OR THE LOCAL INSPECTOR. 14. EROSION CONTROL MEASURES TO BE PLACED AT DOWNSTREAM TOE OF ALL CUT AND FILL SLOPES.

16. THE CONTRACTOR IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH ANY FINES LEVIED AGAINST THE SITE FOR VIOLATIONS OF EROSION CONTROL REGULATIONS. IT; SILT FENCES SHALL BE LOCATED ON SITE TO PREVENT SEDIMENT AND EROSION FROM LEAVING THE PROPERTY LIMITS. DOWNS OF THE THAN ADD CASH AND CATHER STORED TO THE THE DEPONDED STANDARD THE OFFICE AND CONNECT THE ADD CONNECT AND CONNECT THE ADD CONNECT AND CATHER THE ADD CATHER T 18. CONTRACTOR TO PROVIDE TEMPORARY GROUND COVER FOR ALL AREAS WITH EXPOSED SOIL WHICH WILL NOT BE DISTURBED BY GRADING OPERATIONS FOR A PERIOD OF 13 DAYS OR MORE.

SLIGATOR, TREVORTING REAGARS SHALL BE PROMDER CHE TO COTAMENT OF THE CHEZONO. SISSING METAL AND CHEEN AND CHECK THE STATE OF THE STATE

ALCOMED, MESSERS SHALL BECKETCH, AND REPRESENDA NETESSEY, MOUNTLY IN DRY PERSODS AND WITH IN WHICH FIGH DE SHALL S

22, THE OWNERS SHALL OBTAIN ALL NECESSARY LAND DISTURBANCE PERMITS FOR THIS PROJECT AND PROVIDE REQUIRED MONTORING AND TESTING. CONTRACTOR SHALL COOPERATE FULLY WITH OWNERS CONSULTANT INSURE ALL REQUIREDMENTS OF THE NPDES PERMIT ARE MET.

2.03. SOME STABLIZATION AND STABLE IR BUSDES DEPETED BY THE PROSIDEN CONTROLL. TO STABLIZATION STABLIZATION STABLIZATION STABLIZATION STEEPER. PLACE NORTH AMBRICAN GREEN COTSELV, OR ARTHOUND GREEN STABLIZATION STEEPER. THAN 331 AND NORTH AMBRICAN GREEN SIS ON BY OR APPROVIDE DEADL. ON ALL SLOPES STEEPER THAN 331 AND NORTH AMBRICAN GREEN SIS ON BY OR APPROVIDE DEADL. ON S. 18, 19, 10, 10.

A.2. THE CONTRACTOR SHALL RECOGNEE THE PROMINING TO THE PROPICE TO THE CANABA PRIFE ALL PROSPUESTS SHALL BE MADE TO PRESENT THE MIGHTANN OF SERIMBATS TO DOMINISTITEM. COCATIONS, THE MICHOLOGY OF CONTROL MICHORISES ARE DESIDENT OF THE DOMINIONS. THE PROMINES HE MICHORISE ARE DEFINED SHALL BY OUT THE DIMENSIAL WAS ARRANGED BROSON CONTROL PANAMILE BE ISSUED.

120 BISHOP CIRCLE, SUITE 300 - **1iqiuXFI**LHAM, AL 35124 TEL - (205) 403-9158 FAX - (205) 403-9175

G. CONTRACTOR SHALL MANTAN A S. HORIZONTA, AND Z. VERTICAL SEPARATON BETWEEN WATER SERVICE AND SUMEN TILLITIES, EXCEPT THERE SHALL BE 10'OF HORIZONTAL SEPARATON BETWEEN WATER AND SANITARY SUMEN. 8. WATER MAIN INSTALLATION SHALL BE TESTED IN ACCORDANCE WITH THE LOCAL WATER WORKS AUTHORITY PROUNEMENTS. 7. THE CONTRACTOR SHALL MEET WITH THE GOVERNING AUTHORITY'S INSPECTORS A MINIMUM OF 24 HOURS SHORD TO COMMENDED OF ULLY THAN SHOW WILL COOPCINATE ALL UTILITY INSPECTORS WITH THEM AS REQUIRED YTHER ISTANDARD. 5. MINIMUM COVER FOR ALL WATER MAINS SHALL BE 3' MINIMUM OR AS RECUIRED BY LOCAL WATER WORKS ALTHORITY. 9. PIPE SIZES 3" AND SMALLER SHALL BE TYPE "K" COPPER OR OTHER MATERIAL ALLOWED BY THE UTILITY BOARD. 4. SITE CONTRACTOR SHALL COORDINATE TAPS WITH BIRAINGHAM WATER WORKS
ASSOCIATED WITH
WATER COWNECTION. CONTRACTOR SHALL PROVIDE AND INSTALL DOMESTIC SERVICE PPER
LOCAL WATER WORKS AUTHORITY STANDARD. 2. ALL DOMESTIC SERVICE LINES EXTEND TOWARD EACH LOT AND TERMINATE PER BIRAINGHAM WATER WORKS STANDARDS. 3. DIMENSIONS SHOWN ARE TO CENTERLINE OF PIPE OR FITTING.

10. SAML DANGERS NEST MET STETRED UNDER PRODOWNS OF DEPLEWAYS SAMLE BE DACED NABLE AFTER. MASS WHI PLASS SEALED WITH STRAY FORM, THE CASHG SHALL EYTERD AT LEAST SK FET BEVORD THE BACK OF CLIBED WITH CRUSHED STONE.

12. SERVICE LATERALS WILL PLACED UNDER ROADWAY WITH A MINIMUM OF 38 INCHES OF COVER. 11. PIPE SIZES 4" AND LARGER SHALL BE CEMENT LINED DUCTILE IRON PIPE.

13. SERVICE LATERALS WILL BE CAPPED OR CRIMPED ON THE ENDS. THE LATERALS WILL NOT BE CONNECTED TO THE MAN INTIL SERVICE FOR THESE LOTS ARE REQUESTED BY THE PLUMBING CONTRACTORS FOR THE FOOMEDLUGES. 14. SERVICE LATERALS MUST BE FLACED AT COMMON LOT LINES. A MAXMAIM OFFSET FROM THE COMMON LOT LIDE GOINDANC OF ZEEEE LALA LOUGH. THE CONNECTIONS BALL WEIGHT THAT THE FRONT COMMEN COT LIMBS ARE ARE ASSED ON THE LATEST SUBDINISHOR PLAT ALSO APPOINT OF WARNS THE SERVICE LATERALS NISTALLED. WATER METERS SHALL NOT BE INSTALLED WITHIN DRIVERMYS.

IS LATERALS SHALL BE INSTALLED IN ACCORDANCE WITH THE WATER AUTHORITY SPECIFICATIONS. CONTRACTOR SHALL:

A. COORDINATE WITH THE WATER AUTHORITY FIELD REPRESENTATIVE TO INSUIRE ANY ADJUSTMENTS REQUIRED TO THE MAIN INSTALLATION PLANS ARE MADE

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B. INSTALL DUAL TYPE K COPPER WATER SERVICE LATERALS UNDER NEW ROAD.

IS WATER SERVICE SHOLLD BE THE FIRST UTILITY NETALLED ONCE ROADWINK SIBSCRACE ES ESTABLISHED. AFTER STORM ISOLANGES SYSTEM AND SAMITHEY SERVES SYSTEM IS COMPLETE. CONTRACTOR SHALL NOTHER WATER WAYER. MANNER. 694 00 Xease PROPOSED CURB
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NOTES SHEET

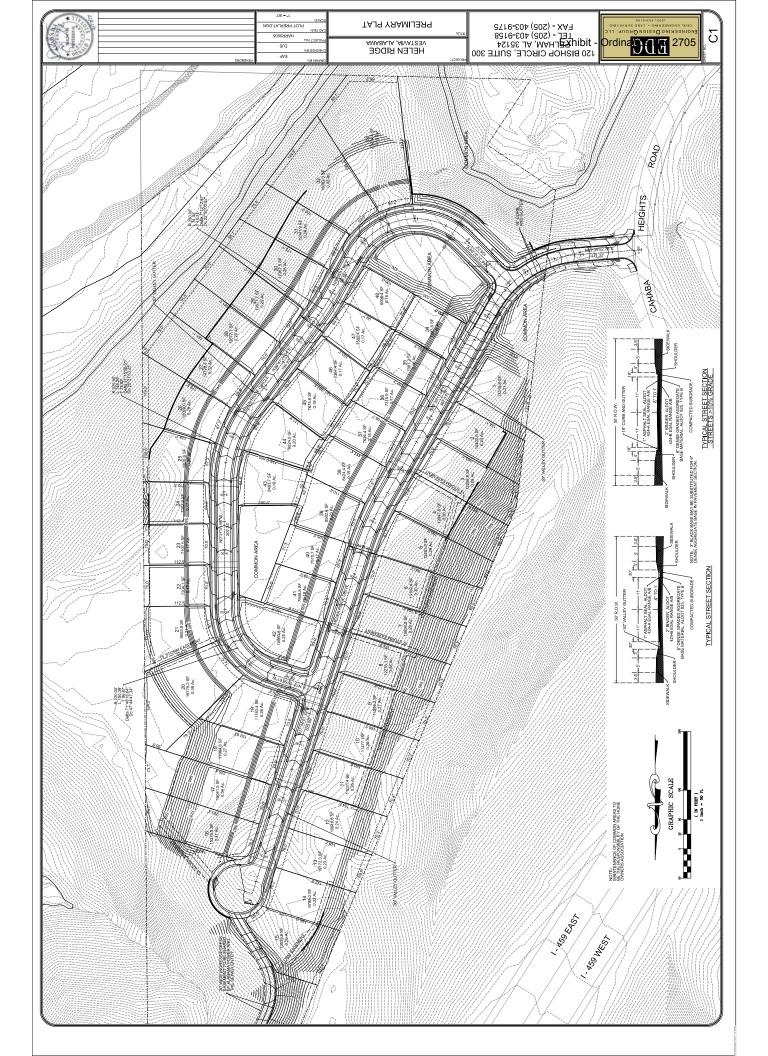
HELEN RIDGE VESTAVIA, ALABAMA

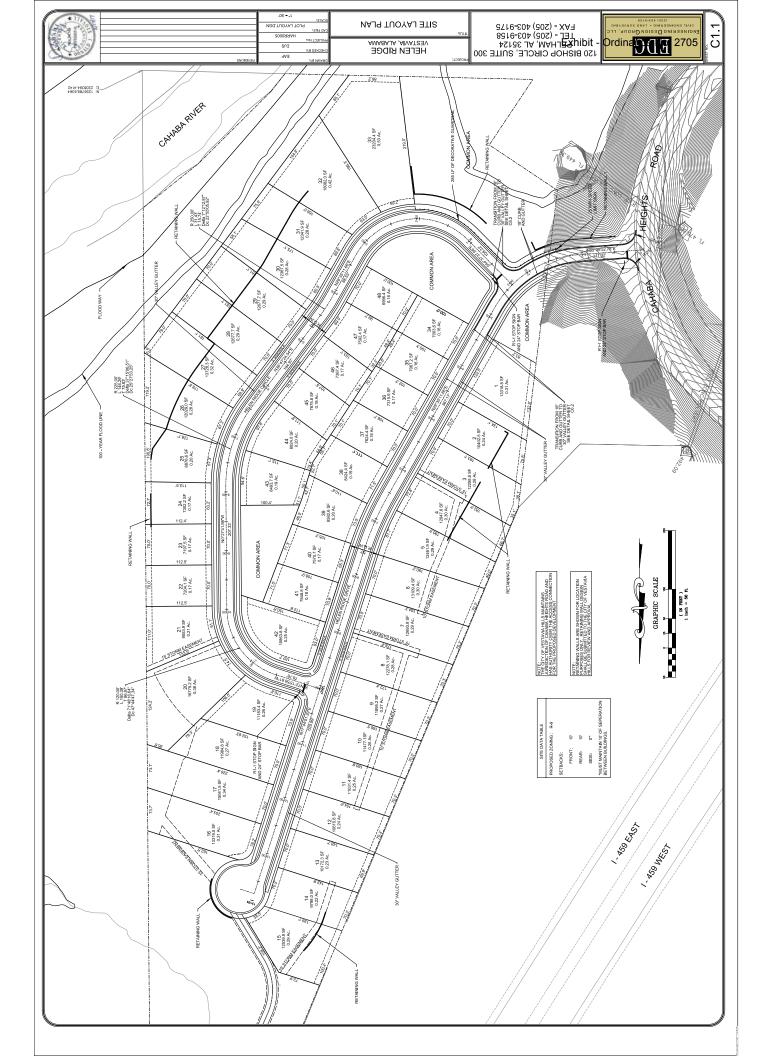


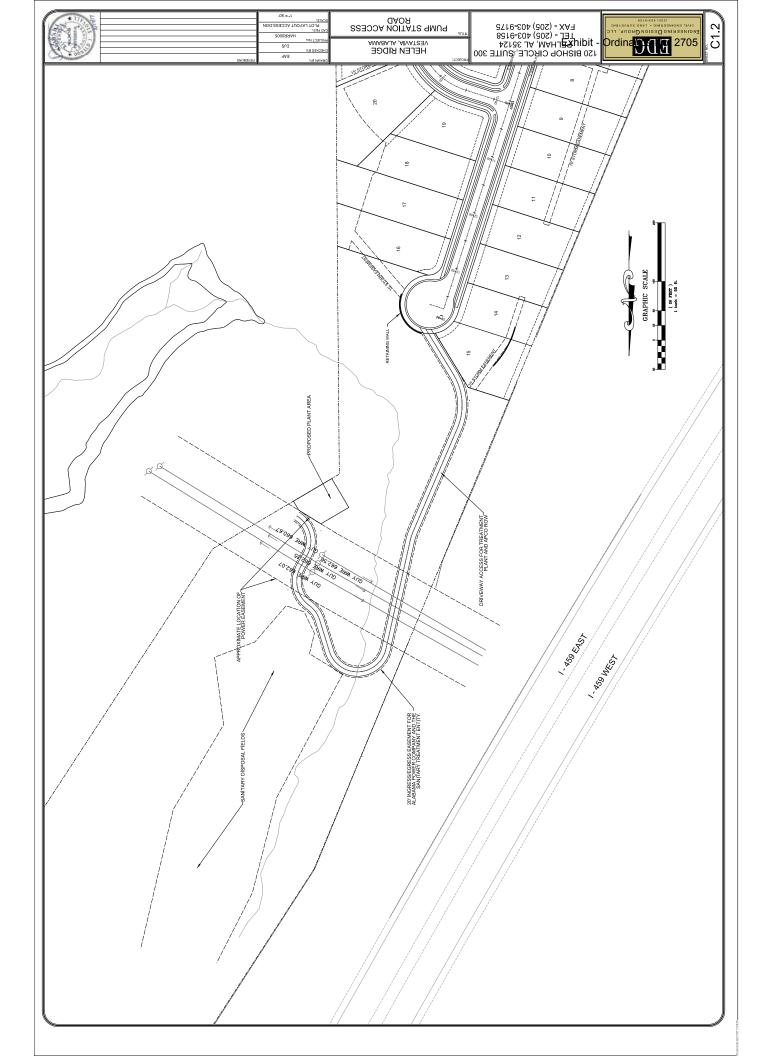
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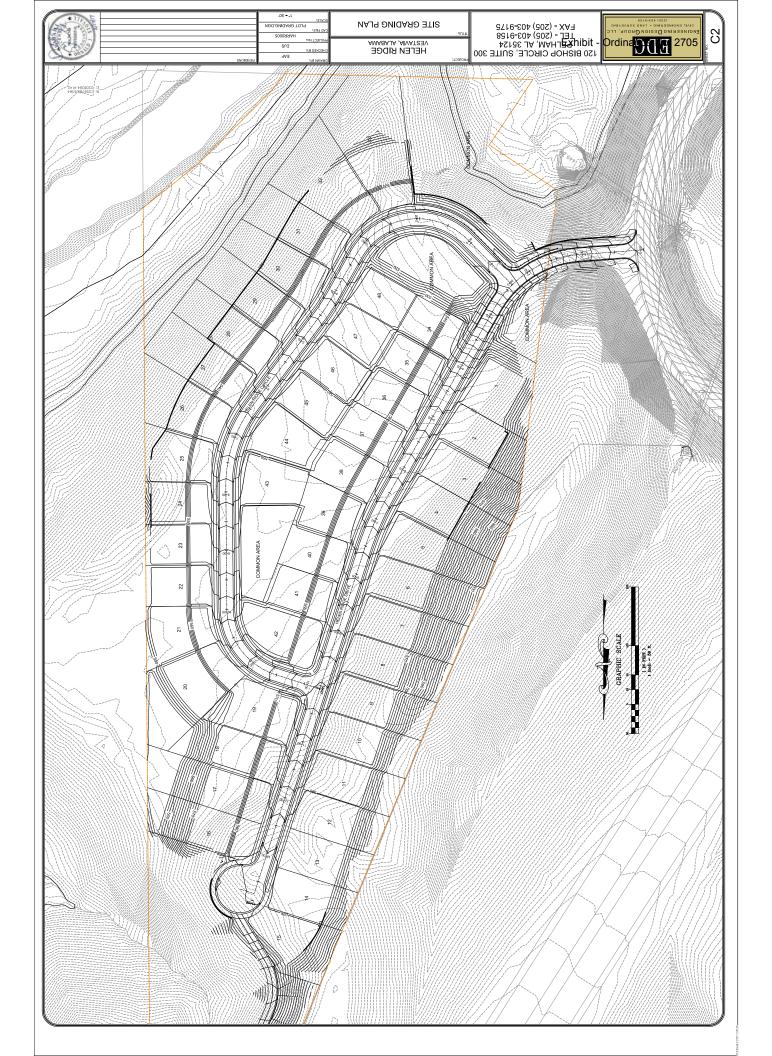
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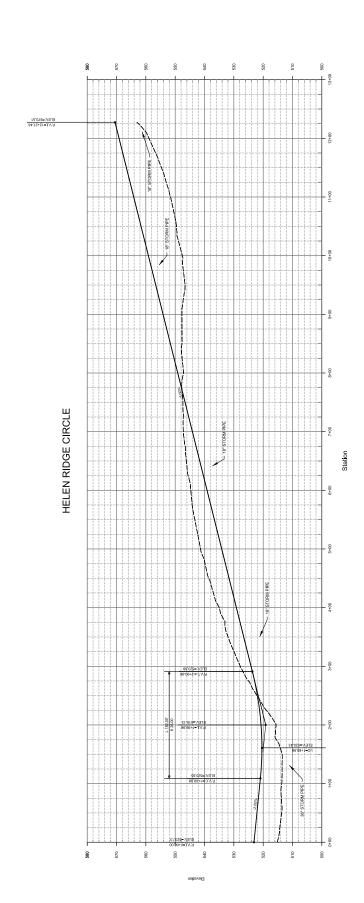
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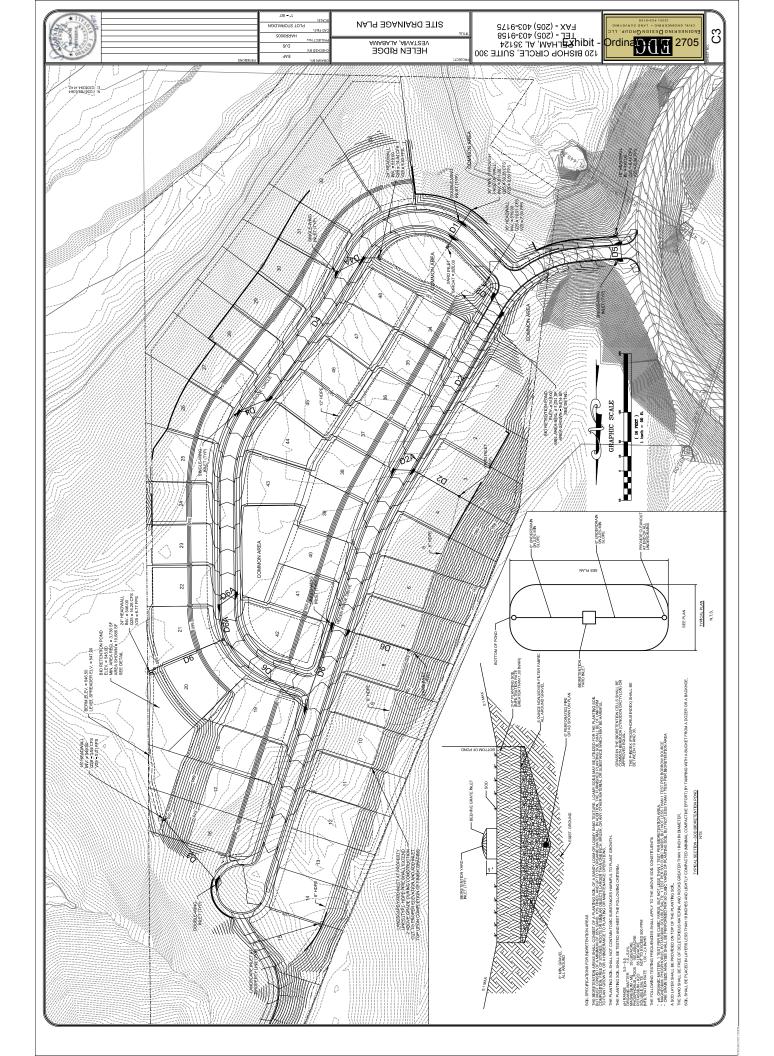












A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE REGIONAL PLANNING COMMISSION OF GREATER BIRMINGHAM FOR AN "APPLE" PROJECT TO STUDY AND FURTHER DEVELOP IMPROVEMENT PLANS FOR A SECTION OF CROSSHAVEN DRIVE FROM CAHABA HEIGHTS ROAD TO OVERTON ROAD

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

- The Mayor and City Manager are hereby authorized to execute and deliver an agreement with the Regional Planning Commission of Greater Birmingham ("RPCGB") for an Advanced Planning Program and Logical Engineering ("APPLE") project; and
- 2. A copy of said agreement is marked as "Exhibit A" attached to and incorporated into this Resolution Number 4943 as though fully written therein. Said project has anticipated costs of \$60,000. RPCGB grant at \$48,000 or 80%; Vestavia Hills, as primary sponsor, pledges local match up to \$12,000 (20%); and
- 3. Said project would be funded from the Capital Improvement Fund; and
- 4. This Resolution Number 4943 is effective immediately upon adoption and approval. **ADOPTED and APPPROVED** this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

(JEFFERSON COUNTY)

(STATE OF ALABAMA)

AGREEMENT

TO

SHARE RESPONSIBILITIES

Crosshaven Drive

From Cahaba Heights Road to Overton Road

RECITAL:

The City of Vestavia Hills, Alabama (Vestavia) desires to make certain improvements to Crosshaven Drive from Cahaba Heights Road to Overton Road (Project). The Project traverses through one jurisdiction, Vestavia. Party desires to cost share the Corridor Study with the Regional Planning Commission of Greater Birmingham ("RPCGB"). Vestavia and the RPCGB will divide responsibility as follows: Vestavia responsibility being 20% of the costs and RPCGB responsibility being 80% of the costs. Vestavia and the RPCGB desire to establish their agreement herewith.

WHEREAS, Vestavia has entered into a separate Agreement with the RPCGB to receive funding under the Advanced Planning Program and Logical Engineering (APPLE) program for the Project. The total amount of the funding awarded to Vestavia for the APPLE program is \$60,000 with Vestavia's share being \$12,000.

WHEREAS, Vestavia agrees to work in good faith with RPCGB to complete the Project in a timely and professional manner, and

WHEREAS, the RPCGB agrees to secure third party contractor(s) for the corridor study, and

IN CONSIDERATION OF THE PREMISES stated herein, Vestavia and the RPCGB mutually agree as follows:

- 1. Vestavia and the RPCGB will jointly select a consultant and prepare the scope of work.
- 2. Vestavia will pay directly to RPCGB the amount of \$12,000 for the Project.
- 3. RPCGB shall notify Vestavia and receive written concurrence for any cost overruns that are deemed necessary.
- 4. The parties expressly agree that the RPCGB dos not assume any risk or future liability, or any future responsibility for any portion of Crosshaven Drive located within the municipality of Vestavia Hills.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as reflected below.

	CITY OF VESTAVIA HILLS
	By:Ashley C. Curry, Mayor
Date	By:
	REGIONAL PLANNING COMMISSION OF GREATER BIRMINGHAM
Date	By: Charles Ball. Executive Director

A RESOLUTION APPROVING ALCOHOL LICENSE FOR TEXAS TACO GRILL D/B/A NEW SEASON LLC; DENIS JEROME GAVLIK AND LARRY MADDOX BEASLEY JR., EXECUTIVES

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for New Season LLC d/b/a, Texas Taco Grill located at 633 Montgomery Hwy, Vestavia Hills, Alabama, for the On-Premise sale of 020 - Restaurant Retail Liquor; Denis Jerome Gavlik and Larry Maddox Beasley Jr., executives.

APPROVED and ADOPTED this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

INTEROFFICE MEMORANDUM

DATE: April 6, 2017

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 020 - Restaurant Retail Liquor

Please find attached information submitted by Denis Jerome Gavlik and Larry Maddox Beasley Jr. who request an alcohol license to sell 020 - Restaurant Retail Liquor at the Texas Taco Grill d/b/a New Season LLC, 633 Montgomery Hwy, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 10th day of April, 2017 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

	Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests
X	Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests
	Does not recommend . This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests

Reviewed:





ALCOHOL LICENSE APPLICATION Confirmation Number: 20160922144221350

Type License: 020 - RESTAURANT RETAIL LIQUOR

State: \$300.00 County: \$300.00

Type License:

State:

County:

Trade Name: TEXAS TACO GRILL

Filing Fee: \$50.00

Applicant: NEW SEASON LLC

Transfer Fee:

Location Address: 633 MONTGOMERY HWY

VESTAVIA HILLS, AL 35216

Mailing Address: 633 MONTGOMERY HWY

VESTAVIA HILLS, AL 35216

County: JEFFERSON Tobacco sales: NO

Tobacco Vending Machines:

Type Ownership: LLC

Book, Page, or Document info: LR201513 1891

Date Incorporated: 05/21/2015 State incorporated: AL

County Incorporated: JEFFERSON

Date of Authority: 05/21/2015

Alabama State Sales Tax ID: R009256370

Name:

Title:

Date and Place of Birth: Residence Address:

DENIS JEROME GAVLIK	MEMBER	10/14/1961	125 ASTOR CIRCLE
9487374 - AL		CORPUS CHRISTI, TX	CHELSEA, AL 35043
LARRY MADDOX BEASLEY JR	MANAGING MEMBER	04/23/1962	816 LAKE CREST DR
4842040 - AL		FLORENCE, AL	HOOVER, AL 35226

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: MAX BEASLEY Business Phone: 817-992-5856

Home Phone: 817-992-5856 Cell Phone: 817-992-5856

Fax:

E-mail: MAXCBA@SBCGLOBAL.NET

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name: Applicant:

License 1: License 2:





ALCOHOL LICENSE APPLICATION
Confirmation Number: 20160922144221350

If applicant is leasing the property, is a copy of the lease agreement attached? YES

Name of Property owner/lessor and phone number: WB CROW INVESTMENT COMPANY INC 205-326-5372

What is lessors primary business? BANKING

Is lessor involved in any way with the alcoholic beverage business? NO

Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES

Is the business used to habitually and principally provide food to the public? YES

Does the establishment have restroom facilities? YES

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 2700

Display Square Footage:

Building seating capacity: 50

Does Licensed premises include a patio area? YES

License Structure: ONE STORY

License covers: ENTIRE STRUCTURE

Location is within: CITY LIMITS

Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:
DENIS J GAVLIK	08/12/1981 BURGALRY OF VEHICLE	TEXAS DPS	3 DAYS CONFINEMENT
LARRY M BEASLEY JR	DWI 11/15/1990	HOUSTON PD	COMPLETED PROBATION
JR	POSS OF CONTROLLED SUBSTANCE 05/24/2014	RICHMOND PD	REDUCED TO ATTEMPTED POSSESSON/3 DAYS CONFINEMENT





ALCOHOL LICENSE APPLICATION Confirmation Number: 20160922144221350

Initial each	Signature page
7462	In reference to law violations, I attest to the truthfulness of the responses given within the application.
7m63	In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within
	the application.
4/5/3	In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be
	refunded the filing fee required by this application.
	In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and
	regulations concerning this class of license, and to observe the special terms and conditions as indicated
	within the application.
	In reference to the Club Application information, I attest to the truthfulness of the responses given
	within the application.
	In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the
	attached transfer agreement.
LM13	In accordance with Alabama Rules & Regulations 20-X-501(4), any social security number disclosed
	under this regulation shall be used for the purpose of investigation or verification by the ABC Board
	and shall not be a matter of public record.
L1~15	The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully
	observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama,
	Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.
	The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations
	promulgated by the board relative to all alcoholic beverages received in this State. The undersigned,
	if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of
	the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of
	the State, County or Municipality in which the license premises are located to enter and search without
	a warrant the licensed premises or any building owned or occupied by him or her in connection with
	said licensed premises. The undersigned hereby understands that he or she violate any provisions of the
	aforementioned laws his or her license shall be subject to revocation and no license can be again issued
	to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this
	application will be allowed without written approval of the proper governing body and the Alabama
	Alcoholic Beverage Control Board.
FW(3)	I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true
	and correct, and that the applicant is the only person interested in the business for which the license
	is required
Applicant N	ame (print):
	m Reed (Mas)
Signature o	
Notary Nam	on (print) / Mencia Unition
inotary man	
Notary Sign	nature: (Mullim What Mark) Commission expires:
Application	Taken: App. Inv. Completed: Forwarded to District Office:
	o Local Government: Received from Local Government:

Reviewed by Supervisor:

Forwarded to Central Office:

Received in District Office:





Agent's Initials:

ALCOHOL LICENSE APPLICATION
Confirmation Number: 20160922144221350

Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less? More than 30 days?

Franchisee or Concessionaire of above? Other valid responsible organization: Explanation:

Special Events / Special Retail (7 days or less)

Starting Date:

Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Additional Violations:

Name: LARRY M BEASLEY JR | Violation & Date: DWI

10/19/1988

Arresting Agency: DALLAS CO SHERIFF'S DEPT | Disposition: COMPLETED

PROBATION



Alabama Alcoholic Beverage Control Board Licensing Division

Memorandum of Understanding for Restaurant Retail Liquor License

Restaurant Retail Liquor Licenses shall be issued only to reputable persons for locations which are "habitually and principally" used for the purpose of preparing and serving meals for the public to consume on the licensed premises during normal and reasonable dining hours. Only those locations whose customary and primary business is preparing and serving meals to the public will be issued a Restaurant Retail Liquor License.

Restaurant Retail Liquor Licenses applicants shall comply with all pertinent and related requirements of State, County, and where applicable, Municipal health departments prior to licensing and shall remain in compliance thereafter for as long as said license shall remain valid.

All Restaurant Retail Liquor Licensees shall have a fully equipped and operational kitchen on the licensed premises. The Licensee shall maintain and operate said kitchen and shall, upon order of a customer, prepare and serve all food items shown on its menu during normal and reasonable dining hours. Exceptions shall be made where there is a known and provable shortage or temporary unavailable supply of a food item.

Any applicant or Licensee shall, upon request, provide to the ABC Board, any records. books, ledgers, menus, receipts, or other documentation necessary to demonstrate compliance with this regulation.

In addition to the above Rule and Regulation, Title 28-3-1(23) defines a meal as a "diversified selection of food some of which is not susceptible of being consumed in the absence of at least some articles of tableware and which cannot be conveniently consumed while one is standing or walking about".

Additionally, Title 28-3A-13 states that a Restaurant Retail License is "for on premise consumption" and does not allow sales for off-premises consumption with the exception of re-corked wine conforming to 28-3A-20.1.

By signing this memorandum of understanding, the Licensee agrees and understands the requirements of obtaining and maintaining a Restaurant Retail Liquor License. Any deviation from these requirements will prohibit the ABC Board from issuing this type of License. Furthermore, failing to follow these requirements after obtaining a Restaurant Retail Liquor License could result in the protest of the renewal of this type license.

Print Name Max Beasle/ Position Held

A RESOLUTION APPROVING ALCOHOL LICENSE FOR EDWARD SCOTT LLC D/B/A SNAPPER

GRABBERS; PAMELA JO SCOTT AND EDWARD

KENT SCOTT, EXECUTIVES

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves

the alcohol license for Edward Scott LLC d/b/a Snapper Grabbers, located at 521

Montgomery Highway Suite 101 and 109, Vestavia Hills, Alabama, for the sale of 040 -

Retail Beer (on- or off-premises) and 060 - Retail Table Wine (on- and off-premises);

Pamela Jo Scott and Edward Kent Scott, executives.

APPROVED and ADOPTED this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

INTEROFFICE MEMORANDUM

DATE: April 20, 2017

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 040 - Retail Beer (on- or off-

premises) and 060 - Retail Table Wine (on- and off-premises)

Please find attached information submitted by Pamela Jo Scott and Edward Kent Scott who request an alcohol license to sell 040 - Retail Beer (on- or off-premises) and 060 - Retail Table Wine (on- and off-premises) at the Edward Scott LLC d/b/a Snapper Grabbers, 521 Montgomery Highway Suite 101 and 109, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 24th day of April, 2017 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

	Application cleared by P.D. This indicates that there are NO convictions for
	drug trafficking, convictions regarding arrest involving danger to children,
	weapon charges, violent felony crimes against persons, felony sexual offenses
	or habitual alcohol related arrests
	Needs further review. This indicates that the Police Chief has found records of
	some convictions of alcohol related arrests
	Does not recommend. This indicates that the Police Chief has found records of
	convictions for drug trafficking, convictions regarding arrest involving danger
	to children, weapon charges, violent felony crimes against persons, felony
	sexual offenses or habitual alcohol related arrests

Reviewed:





ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170412101736670

Type License: 040 - RETAIL BEER (ON OR OFF PREMISES) State: \$150.00 County: \$75.00

Type License: 060 - RETAIL TABLE WINE (ON OR OFF PREMISES) State: \$150.00 County: \$75.00

Trade Name: SNAPPER GRABBERS Filing Fee: \$100.00

Applicant: EDWARD SCOTT LLC Transfer Fee:

Location Address: 521 MONTGOMERY HWY STE 101 AND 109 VESTAVIA HILLS, AL 35216

Mailing Address: 74 LAKESHORE DR HOMEWOOD, AL 35209

County: JEFFERSON Tobacco sales: NO **Tobacco Vending Machines:**

Type Ownership: | | C

Book, Page, or Document info: LR201218, 26731

Date Incorporated: 11/05/2012 State incorporated: AL County Incorporated: JEFFERSON

Date of Authority: 11/05/2012 Alabama State Sales Tax ID: R008294753

Date and Place of Birth: Residence Address: Name: Title:

PAMELA JO SCOTT	MEMBER	08/26/1954	74 LAKESHORE DR
3204120 - AL		ALABAMA	HOMEWOOD, AL 35209
EDWARD KENT SCOTT	MEMBER	04/27/1953	74 LAKESHORE DR
3032279 - AL		ALABAMA	HOMEWOOD, AL 35209

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: PAMELA SCOTT

Business Phone: 205-824-9799 Fax:

PREVIOUS LICENSE INFORMATION:

Trade Name: SNAPPER GRABBERS SEAFOOD MARKET License 1: 010406237

Applicant: EDWARD SCOTT LLC

Home Phone: 205-616-4353 Cell Phone: 205-616-4353

E-mail: INFO@SNAPPERGRABBERS.COM

Previous License Number(s)

License 2: 010406237





ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170412101736670

If applicant is leasing the property, is a copy of the lease agreement attached? YES

Name of Property owner/lessor and phone number: HARBERT REALTY SERVICES

What is lessors primary business? COMMERCIAL PROPERTY MANAGER

Is lessor involved in any way with the alcoholic beverage business? NO

Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES
Is the business used to habitually and principally provide food to the public? YES
Does the establishment have restroom facilities? YES
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 3656

Display Square Footage:

Building seating capacity: 30

Does Licensed premises include a patio area? NO

License Structure: SHOPPING CENTER License covers: PORTION OF

Location is within: CITY LIMITS

Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:





ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170412101736670

Initial each	Signature page	
Ast.	In reference to law violations, I attest to the truthfulness of the responses given within the application.	
7991	In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within	
Po	the application.	
CHA	In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be	
	refunded the filing fee required by this application.	
	In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and	
	regulations concerning this class of license, and to observe the special terms and conditions as indicated	
	within the application.	
	In reference to the Club Application information, I attest to the truthfulness of the responses given	
	within the application.	
X	In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the	
1),	attached transfer agreement.	
SA	In accordance with Alabama Rules & Regulations 20-X-501(4), any social security number disclosed	
	under this regulation shall be used for the purpose of investigation or verification by the ABC Board	
	and shall not be a matter of public record.	
SHA	The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully	
	observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama,	
V	Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.	
	The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations	
	promulgated by the board relative to all alcoholic beverages received in this State. The undersigned,	
	if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of	
	the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of	
	the State, County or Municipality in which the license premises are located to enter and search without	
	a warrant the licensed premises or any building owned or occupied by him or her in connection with	
	said licensed premises. The undersigned hereby understands that he or she violate any provisions of the	
	aforementioned laws his or her license shall be subject to revocation and no license can be again issued	
	to said licensee for a period of one year. The undersigned further understands and agrees that no changes	
	in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama	
1	Alcoholic Beverage Control Board.	
Ald .	I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true	
190	and correct, and that the applicant is the only person interested in the business for which the license	
ν	is required.	
Applicant N	lame (print):	1
Signature o	of Applicant: Pancla To Scott Samply of Scott	
notary man	ne (print): Wendy Abboth	_
Notary Sign	nature: Wendy Abboth Commission expires: 10-21-18	

Application Taken: 4/12/17 App. Inv. Completed:

Submitted to Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to District Office: Received from Local Government: Forwarded to Central Office:

A RESOLUTION APPROVING ALCOHOL LICENSE FOR JACQUELINS INC. D/B/A 3RD ANNUAL CRAWFISH BOIL EVENT; MARIA ESPERANZA ADAN, EXECUTIVES

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Jacquelins Inc. d/b/a 3rd Annual Crawfish Boil Event, located at 2531 Rocky Ridge Road, Suite 107, Vestavia Hills, Alabama, for the sale of 140 - Special Events Retail; Maria Esperanza Adan, executives.

APPROVED and ADOPTED this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

INTEROFFICE MEMORANDUM

DATE: April 20, 2017

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 140 - Special Events Retail

Please find attached information submitted by Maria Esperanza Adan who request an alcohol license to sell 140 - Special Events Retail at the Jacquelins Inc. d/b/a 3rd Annual Crawfish Boil Event,2531 Rocky Ridge Road, Suite 107, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 24th day of April, 2017 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests
Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests
Does not recommend . This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests

Reviewed:





ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170418150510242

Type License: 140 - SPECIAL EVENTS RETAIL

State: \$150.00 County: \$150.00

Type License:

State:

County:

Trade Name: 3RD ANNUAL CRAWFISH BOIL EVENT

Filing Fee: \$50.00

Applicant: JACQUELINS INC

Transfer Fee:

Location Address: PARKING LOT OF 2531 ROCKY RIDGE RD; SUITE 107 VESTAVIA HILLS, AL 35243

Mailing Address: 2531 ROCKY RIDGE RD; SUITE 107 VESTAVIA HILLS, AL 35243

County: JEFFERSON Tobacco sales: NO

Tobacco Vending Machines:

Type Ownership: CORPORATION

Book, Page, or Document info: LR201414 1844

Date Incorporated: 06/11/2014 State incorporated: AL

County Incorporated: JEFFERSON

Date of Authority: 06/11/2014

Alabama State Sales Tax ID: R008979632

Federal Tax ID: 47-1075305

Name: MARIA ESPERANZA ADAN	Title:	Date and Place of Birth:	1784 INDIAN HILLS RD	
6703297 - AL		MEXICO	PELHAM, AL 35412	

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: MARIA ADAN Business Phone: 205-823-7395

Home Phone: 205-919-3725 Cell Phone: 205-919-3725

Fax:

E-mail: MJGADAN@YAHOO.COM

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name: 2ND ANNUAL CRAWFISH BOIL EVENT License 1: 010708837

License 2:

Applicant: JACQUELINS INC





ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170418150510242

If applicant is leasing the property, is a copy of the lease agreement attached? YES

Name of Property owner/lessor and phone number: OAK PARK GROUP 205-979-6519

What is lessors primary business? REAL ESTATE

Is lessor involved in any way with the alcoholic beverage business? NO

Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? NO
Is the business used to habitually and principally provide food to the public? NO
Does the establishment have restroom facilities? YES
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 99999 Display Square Footage:

Building seating capacity: 99999 Does Licensed premises include a patio area? NO

License Structure: ONE STORY
Location is within: CITY LIMITS

License covers: OTHER
Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:

Agent's Initials:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD



Confirmation Number: 20170418150510242



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less? More than 30 days?

Franchisee or Concessionaire of above? Other valid responsible organization: Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: 05/06/2017 Ending Date: 05/06/2017

Special terms and conditions for special event/special retail:

ALL ALCOHOL IS TO REMAIN IN THE LICENSED EVENT AREA. NO TO GO SALES PERMITTED

Other Explanations

License Covers: OUTDOOR EVENT IN THE PARKING LOT OF THE CAJUN

SEAFOOD HOUSE

Are there any special restrictions, instructions, and/or conditions for this license?: ALL ALCOHOL IS TO REMAIN IN THE LICENSED EVENT AREA. NO TO GO SALES PERMITTED. TIME OF THE EVENT FROM 1PM TO 10PM.





ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170418150510242

Initial each	Signature page					
MA	In reference to law violations, I attest to the truthfulness of the responses given within the application.					
MA	In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within					
	the application.					
MA	In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be					
	refunded the filing fee required by this application.					
MA	In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and					
	regulations concerning this class of license, and to observe the special terms and conditions as indicated					
	within the application.					
	In reference to the Club Application information, I attest to the truthfulness of the responses given					
	within the application.					
	In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the					
	attached transfer agreement.					
MA	In accordance with Alabama Rules & Regulations 20-X-501(4), any social security number disclosed					
	under this regulation shall be used for the purpose of investigation or verification by the ABC Board					
	and shall not be a matter of public record.					
MA	The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully					
	observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama,					
	Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.					
	The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations					
	promulgated by the board relative to all alcoholic beverages received in this State. The undersigned,					
	if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of					
	the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of					
	the State, County or Municipality in which the license premises are located to enter and search without					
	a warrant the licensed premises or any building owned or occupied by him or her in connection with					
	said licensed premises. The undersigned hereby understands that he or she violate any provisions of the					
	aforementioned laws his or her license shall be subject to revocation and no license can be again issued					
	to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this					
	application will be allowed without written approval of the proper governing body and the Alabama					
	Alcoholic Beverage Control Board.					
MA	I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true					
1.1.1	and correct, and that the applicant is the only person interested in the business for which the license					
Applicant N						
Signature of	f Applicant: Automotive Thing Caro					
Notary Nam	ne (print):					
Notary Sign	commission expires:					
Application	Taken: App. Inv. Completed: Forwarded to District Office:					
Submitted to Local Government: Received from Local Government:						
Received in	District Office: Reviewed by Supervisor: Forwarded to Central Office:					

A RESOLUTION RESCINDING RESOLUTION NUMBER 3721 AND PROVIDING FOR THE ANNUAL PARTICIPATION OF THE CITY OF VESTAVIA HILLS IN THE "BACK-TO-SCHOOL SALES TAX HOLIDAY" AS AUTHORIZED BY 40-23-210 THROUGH 40-23-213, CODE OF ALABAMA 1975

WHEREAS, on April 23, 2007, the City Council of the City of Vestavia Hills, Alabama, adopted and approved Resolution Number 3721 to participate in a tax free holiday for certain exempt items pursuant to Act 2006.574 generally referred to as the "State Sales Tax Holiday Legislation;" and

WHEREAS, 40-23-210 through 40-23-213, <u>Code of Alabama 1975</u>, and Act No. 2017-120, provide for a Sales Tax Holiday for the exemption of the state sales and use tax for certain non-commercial purchases related to school clothing and supplies; and

WHEREAS, 40-23-213, <u>Code of Alabama 1975</u>, authorizes the City Council to provide for an exemption of City sales and use taxes for purchases of certain items covered during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty days prior to the sales tax holiday; and

WHEREAS, the Vestavia Hills City Council has affirmatively voted to grant the exemption of City sales and use taxes on purchases covered by 40-23-210 through 40-23-213, <u>Code of Alabama 1975</u> during the third full weekend of July, beginning at 12:01 a.m. on Friday, July 21, 2017 and ending at twelve midnight on Sunday, July 23, 2017 and continuing each subsequent year thereafter during the same time period as the State's "Back-to-School Sales Tax Holiday" until and unless annual participation in the exemption is rescinded by further action of the City Council; and

WHEREAS, <u>Code of Alabama 1975</u>, § 11-51-210(e) requires that the City Council notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least 30 days prior to the effective date of the change; and

WHEREAS, the exemption of certain City sales and use taxes for the time period herein adopted by the City Council is an amendment to the City's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in *Code of Alabama 1975*, § 11-51-210(e);

REPEAL OF RESOLUTION NUMBER 3721

WHEREAS, Resolution Number 3721 adopted by the Vestavia Hills City Council, on April 23, 2007 is hereby repealed, such repeal to become effective on the date of this Resolution Number 4946.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND VESTAVIA HILLS CITY

Resolution Number 4946 Page 2

COUNCIL that it does hereby provide for an exemption of the City sales and use tax on purchases of items covered by 40-23-210 through 40-23-213, *Code of Alabama 1975* beginning at 12:01 a.m. on Friday, July 21, 2017 and ending at twelve midnight on Sunday, July 23, 2017, and continuing each subsequent year thereafter during the same time period as the State's "Back-to-School Sales Tax Holiday" until and unless annual participation in the exemption is rescinded by further action of the City Council.

BE IT FURTHER RESOLVED that a copy of this Resolution be immediately forwarded to the Alabama Department of Revenue in compliance with *Code of Alabama 1975*, § 11-51-210(e).

ADOPTED AND APPROVED THIS 24TH DAY OF APRIL, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

A RESOLUTION APPROVING ALCOHOL LICENSE FOR TURNER FOOD SYSTEMS, LLC D/B/A WING DING 2017; DONNA LEIGH TURNER AND TRENTON TURNER JR., EXECUTIVES

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Turner Food Systems, LLC d/b/a Wing Ding 2017, located at 1032 Montgomery Highway (parking lot), Vestavia Hills, Alabama, for the sale of 140 - Special Events Retail; Donna Leigh Turner and Trenton Turner Jr., executives.

APPROVED and ADOPTED this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY:

INTEROFFICE MEMORANDUM

DATE: April 20, 2017

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 140 - Special Events Retail

Please find attached information submitted by Donna Leigh Turner and Trenton Turner Jr. who request an alcohol license to sell 140 - Special Events Retail at the Turner Food Systems, LLC d/b/a Wing Ding 2017, 1032 Montgomery Highway (parking lot), Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 24th day of April, 2017 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests
Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests
Does not recommend . This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests

Reviewed:





ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170420101320863

Type License: 140 - SPECIAL EVENTS RETAIL

State: \$150.00 County: \$150.00

Type License:

State:

County:

Trade Name: WING DING 2017

Filing Fee: \$50.00

Applicant: TURNER FOOD SYSTEMS LLC

Transfer Fee:

Location Address: PARKING LOT OF 1032 MONTGOMERY HWY VESTAVIA HILLS, AL 35216

Mailing Address: PO BOX 660842 VESTAVIA HILLS, AL 35266

County: JEFFERSON Tobacco sales: NO

Tobacco Vending Machines:

Type Ownership: LLC

Book, Page, or Document info: 200002 6965

Date Incorporated: 02/18/2000 State incorporated: AL

County Incorporated: JEFFERSON

Date of Authority: 02/15/2000

Alabama State Sales Tax ID: 370059420

Federal Tax ID: 631219089

Name: DONNA LEIGH TURNER 7387576 - AL	Title:	Date and Place of Birth: 06/22/1964 FORT CAMPBELL KENTUCKY	Residence Address: 1725 CROSSWOOD LANE VESTAVIA HILLS, AL 35216
TRENTON TURNER JR 7102106 - AL	MEMBER	03/22/1962 BIRMINGHAM ALABAMA	1725 CROSSWOOD LANE VESTAVIA HILLS, AL 35216

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: TRENTON TURNER JR

Business Phone: 205-490-6883

Fax: 205-490-6884

Home Phone: 205-515-4828 Cell Phone: 205-515-4828

 $\pmb{E\text{-mail:}} \ \mathsf{TRENTON@TURNERFOODSYSTEMS.COM}$

PREVIOUS LICENSE INFORMATION:

Trade Name: Applicant:

Previous License Number(s)

License 1: License 2:





ALCOHOL LICENSE APPLICATION

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If applicant is leasing the property, is a copy of the lease agreement attached? Name of Property owner/lessor and phone number: CITY OF VESTAVIA HILLS 205-978-0195 What is lessors primary business? CITY MANAGEMENT Is lessor involved in any way with the alcoholic beverage business? NO Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES Is the business used to habitually and principally provide food to the public? NO Does the establishment have restroom facilities? YES Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 1500

Display Square Footage:

Building seating capacity: 50

Does Licensed premises include a patio area? NO

License Structure: SINGLE STRUCTURE License covers: OTHER Location is within: CITY LIMITS Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:





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Initial each Signature page In reference to law violations, I attest to the truthfulness of the responses given within the application. In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application. TELET In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application. In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application. In reference to the Club Application information, I attest to the truthfulness of the responses given within the application. In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement. 12/2 In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record. TOLET The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes

TOG

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

in the manner of operation and no deletion or discontinuance of any services or facilities as described in this

application will be allowed without written approval of the proper governing body and the Alabama

Applicant Name (print):

TRENTON TURNER JR

Signature of Applicant:

Notary Name (print): Wend

Notary Signature: Wendy Abrook

Alcoholic Beverage Control Board.

Application Taken: 4/2011 7 App. Inv. Completed:

Submitted to Local Government:

Received in District Office:

Reviewed by Supervisor:

Commission expires: 10-21-18

Forwarded to District Office:
Received from Local Government:
Forwarded to Central Office:

Agent's Initials:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD



ALCOHOL LICENSE APPLICATION

Confirmation Number: 20170420101320863

Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less? More than 30 days?

Franchisee or Concessionaire of above? Other valid responsible organization: Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: 05/20/2017 Ending Date: 05/20/2017

Special terms and conditions for special event/special retail:

EVENT TO TAKE PLACE FROM 11:30AM-2:30PM NO ALCOHOL TO LEAVE LICENSED AREA

NO TO GO SALES

POLICE PRESENCE

Other Explanations

License Covers: PARKING LOT LOCATED AT 1032 MONTGOMERY HWY,

VESTAVIA HILLS, AL 35266

Are there any special restrictions, instructions, and/or conditions for this license?: NO

ALCOHOL OUTSIDE OF LICENSED AREA

NO TO GO SALES

POLICE PRESENCE

A RESOLUTION APPOINTING A MEMBER OF THE VESTAVIA HILLS BOARD OF EDUCATION FOR A TERM OF FIVE YEARS

WITNESSETH THESE RECITALS:

WHEREAS, Section 11-16-3, <u>Code of Alabama</u>, <u>1975</u>, provides that the City Council shall appoint members of the City Board of Education to serve for a term of five (5) years; and

WHEREAS, the five-year term of Mark Hogewood as a member of the Vestavia Hills Board of Education expires at 6:00 PM on June 21, 2017 and

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

- 1. The City Council does hereby elect and appoint ______ as a member of the Vestavia Hills Board of Education for a term of five (5) years, beginning with the first regularly scheduled meeting of the Vestavia Hills Board of Education in June at 6:00 p.m. and ending at 6:00 p.m. on the date of the first regularly scheduled meeting of the Board in June of the year 2022; and
- 2. This Resolution shall become effective upon the approval and adoption by the City Council of the City of Vestavia Hills, Alabama.

RESOLVED, DONE, ORDERED, APPROVED and ADOPTED, on this the 24th day of April, 2017.

Ashley C. Curry Mayor

ATTESTED BY: