

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

JANUARY 11, 2018

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: December 14, 2017

Final Plats

(1) **Consent Agenda:**

- A. **P-0118-02** Core Realty Group Is Requesting **Final Plat Approval** For **Ridgely Drive Resurvey**. The Purpose For This Request Is To Resurvey Two Lots Into Three. The Property Is Owned By Core Realty Group and Is Zoned Vestavia Hills R-4.

Rezoning/Conditional Use Recommendations:

- (2) **P-0118-01** Jason & Kathleen Lawrence Are Requesting **Rezoning** for **3533 Squire Ln.** from **Jefferson County E-2 to Vestavia Hills R-1** For The Purpose Of Annexation

Time of Adjournment.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

MINUTES

DECEMBER 14, 2017

6:00 P.M.

The Planning and Zoning Commission of the City of Vestavia Hills met in regular session on this date at 6:00 P.M. following posting/publication as required by Alabama law. The roll was called with the following:

MEMBERS PRESENT: Lyle Larson, Chairman
Cheryl Cobb
Brian Wolfe
Deloye Burrell
Blaine House
Fred Goodwin
Rusty Weaver
Greg Gilchrist

MEMBERS ABSENT: Jim Brooks

OTHER OFFICIALS PRESENT: Conrad Garrison, City Planner
Christopher Brady, City Engineer

APPROVAL OF MINUTES

Mr. Larson stated that the minutes of the meeting of November 9, 2017 are presented for approval.

MOTION Motion to approve minutes as presented was by Mr. Gilchrist and second was by Mr. Burrell. Voice vote as follows:

Mr. Weaver – abstained	Mr. Burrell – yes
Mr. Wolfe – yes	Mr. Goodwin – yes
Mr. Gilchrist – yes	Mr. House – yes
Mrs. Cobb – yes	Mr. Larson – yes
Motion carried	

Preliminary Plats:

- (1) **P-1217-59** Wedgeworth Realty, INC Is Requesting **Preliminary Plat Approval** For **Reeves Property**. The Purpose For This Request Is For 13 New Residential Lots. The Property Is Owned By Wedgeworth Realty, INC and Is Zoned Vestavia Hills R-2 Conservation Subdivision.

Mr. Garrison explained the background and location of the request and went over the conditions staff recommended for approval.

Mike Wedgeworth was present to explain the plat.

A discussion ensued over fence height.

Mr. Larson opened the floor for a public hearing. There being no one to address the Commission concerning this request, Mr. Larson closed the public hearing and opened the floor for a motion.

MOTION Mr. Burrell made a motion to approve Preliminary Plat Approval For Reeves Property. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Weaver – yes	Mr. Burrell – yes
Mr. Wolfe – yes	Mr. Goodwin – yes
Mr. Gilchrist – yes	Mr. House – yes
Mrs. Cobb – yes	Mr. Larson – yes
Motion carried	

Consent Agenda/Final Plats:

- A. **P-1217-57** Martin Smith Is Requesting **Final Plat Approval** For **Resurvey Of Lot 7, Block 2 First Addition To Beacon Hill**. The Purpose For This Request Is To Resurvey Lot Lines. The Property Is Owned By Martin Smith and Is Zoned Vestavia Hills R-3.
- B. **P-1217-60** Culbreth Holding, LLC Is Requesting **Final Plat Approval** For **Resurvey Of Lots 41 And 42 Topfield Resurvey**. The Purpose For This Request Is To Combine Lots. The Property Is Owned By Culbreth Holding, LLC and Is Zoned Vestavia Hills B-3.
- C. **P-1217-61** Overton Investments, LLC Is Requesting **Final Plat Approval** For **Resurvey Of Lots 28-A And 28-B Glass's 3rd Addition To New Merkle**. The Purpose For This Request Is To Resurvey Two Lots Into Three. The Property Is Owned By Overton Investments, LLC and Is Zoned Vestavia Hills R-9.

- D. **P-1217-62** Del Vines Is Requesting **Final Plat Approval** For **Vines Subdivision**. The Purpose For This Request Is To Resurvey One Lot Into Three. The Property Is Owned By Del Vines and Is Zoned Vestavia Hills R-4.
- E. **P-1217-63** Liberty Park Joint Venture LLP Is Requesting **Final Plat Approval** For **Liberty Park Town Village Commercial Subdivision No. 2**. The Purpose For This Request Is To Subdivide Acreage Into Three Lots. The Property Is Owned By Liberty Park Joint Venture LLP and Is Zoned Vestavia Hills PB.
- F. **P-1217-64** Liberty Park Joint Venture LLP, Brian Murray, & Jennifer Murray Are Requesting **Final Plat Approval** For **Vestlake Cove Resurvey No. 4**. The Purpose For This Request Is To Amend Lot Lines. The Property Is Owned By Liberty Park Joint Venture LLP, Brian Murray, & Jennifer Murray and Is Zoned Vestavia Hills PR-1.

MOTION Mr. Gilchrist made a motion to approve items A-F. Second was by Mrs. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Weaver – yes	Mr. Burrell – yes
Mr. Wolfe – yes	Mr. Goodwin – yes
Mr. Gilchrist – yes	Mr. House – yes
Mrs. Cobb – yes	Mr. Larson – yes
Motion carried	

Rezoning/Conditional Use Recommendations:

P-1217-56 Thomas Holdings II, LLC Is Requesting **Rezoning** for **3122, 3128, 3134, & 3136 Sunview Dr.** from **Vestavia Hills Inst.. B-2, And A to Vestavia Hills B-1.2** For The Purpose Of Office Development.

Mr. Garrison explained the background and location of the request and went over the conditions staff recommended for approval.

Robin Gregory and Mark Gonzalez explained the rezoning and development plan. The three buildings are designed primarily for office use. Sunview would be improved to allow on-street parking.

Mr. Larson opened the floor for a public hearing.

Jean Timms stated she was concerned about traffic.

Mr. Larson closed the public hearing and opened the floor for a motion.

MOTION Mr. Wolfe made a motion to recommend rezoning approval 3122, 3128, 3134, & 3136 Sunview Dr. from Vestavia Hills Inst., B-2, and A to Vestavia Hills B-1.2 based on the plans presented. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Weaver – yes	Mr. Burrell – yes
Mr. Wolfe – yes	Mr. Goodwin – yes
Mr. Gilchrist – yes	Mr. House – yes
Mrs. Cobb – yes	Mr. Larson – yes
Motion carried	

P-1217-58 Russell W. Polhemus Is Requesting **Rezoning** for **2301 Old Columbiana Rd.** from **Vestavia Hills Inst-1 to Vestavia Hills B-2** For The Purpose Of Recreation, Fitness, and Sports Training.

Mr. Garrison explained the background and location of the request and went over the conditions staff recommended for approval.

Richard Pennino explained the rezoning and development plan. He stated he has outgrown his current crossfit facility and would like to open his gym at this location. He submitted a list of prohibited uses and agreed to engage in property maintenance.

Mr. Larson opened the floor for a public hearing.

French McMillian, 2208 Jacobs Rd. supported the application as long as there's not a full scale restaurant.

Jerry Burnheim, 2239 Old Columbiana Rd. was concerned about property maintenance.

Mr. Larson closed the public hearing and opened the floor for a motion.

MOTION Mr. Wolfe made a motion to recommend rezoning approval 2301 Old Columbiana Rd. from Vestavia Hills Inst-1 to Vestavia Hills B-2 The Purpose Of A Sports Medicine & Fitness Institute based on the plans presented with the following conditions:

- A. Property owner to enter into a maintenance consent agreement with the City Engineering Department;
- B. Facility shall not have a full service kitchen;
- C. The following uses will not be permitted: Hotels, Animal Shelter, Private Club, Day Care Center, Hospital, Nursing Home, Public Utility Facility, Automotive Repair (Major & Minor), Automotive Sales, Bank of Financial Services, Car Wash, Convenience Store, Funeral Home, Garden Center/Nursery, Gas Station, Hardware Store, Home Improvement Center, Laundromat, Laundry & Dry Cleaning (Retail), Laundry (Industrial), Liquor Lounge, Maintenance Service, Produce Market, Restaurant (Fast Food), Retail (General, Enclosed & Unenclosed), Service Station, Veterinary Hospital, Storage (Mini-Warehouse), Telecommunications Facilities, and Warehousing (Wholesale & Distribution).

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

Mr. Weaver – yes
Mr. Wolfe – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Goodwin – yes
Mr. House – yes
Mr. Larson – yes

Conrad Garrison, City Planner

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

Date: JANUARY 11, 2017

- **CASE:** P-0118-02
- **REQUESTED ACTION:** Final Plat Approval For Ridgely Drive Resurvey
- **ADDRESS/LOCATION:** Ridgely Cir./Dr.
- **APPLICANT/OWNER:** Core Realty Group
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Applicant is seeking to subdivide two lots into 3, with the third lot having frontage on Ridgely Dr. Lots and structures meet the minimum R-4 requirements.
- **CAHABA HEIGHTS COMMUNITY PLAN:** This request is consistent with the Plan for medium-density residential.
- **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:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

**CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
FINAL MAP APPLICATION**

II. APPLICANT INFORMATION: (owner of property)

NAME: CORE REALTY GROUP

ADDRESS: 3321 RIDGELY CIR
VESTAVIA AL 35243

MAILING ADDRESS (if different from above) 4274 CAHABA HEIGHTS CT, STE 200
VESTAVIA AL 35243

PHONE NUMBER: Home 205 478 2575 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____
JASON BAILEY - BAILEY LAND GROUP

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: SUBDIVIDE PART OF TWO LOTS
TO MAKE ONE LOT.

if additional information is needed, please attached full description of request

IV. PROPERTY DESCRIPTION: (address, legal description, etc.)

3321 RIDGELY CIR ; 3325 RIDGELY CIR 35243

LOT 4 & 5 BLOCK 5 SHADES CAHABA ESTATES 2ND ADDITION AS
RECORDED IN MAP BOOK 30, PAGE 36

Property size: 102.9 feet X 200 feet. Acres: 2.1358 FT² .49 Acres

VI. ZONING/REZONING:

The above described property is presently zoned: B2

5/12/13

P0118-02//28-23-2-9-5 & 6
3321 & 3325 Ridgely Circle
Final Map to subdivide part of 2 lots
to make 1 lot
Core Realty Group R4

P&Z Application
Final Plat Approval
Page 4

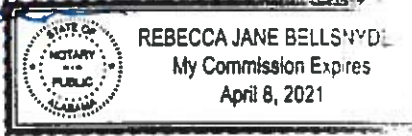
VI. OWNER AFFIDAVIT:

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.

Mr. J. W. [Signature] 11/17/17 _____
Owner Signature/Date Representing Agent (if any)/date

Given under my hand and seal
this 17 day of November, 2017.

Rebecca Jane Bellsnyde
Notary Public



My commission expires 04
day of 08, 2021.

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

Date: **JANUARY 11, 2018**

- **CASE: P-0118-01**
- **REQUESTED ACTION:** Rezoning from Jefferson County Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 3533 Squire Ln.
- **APPLICANT/OWNER:** Jason & Kathleen Lawrence
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 11/13/17 with the passage of Ordinance 2731. Applicant is requesting the compatible rezoning as part of the annexation process.
- **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.

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.**

II. APPLICANT INFORMATION: (owner of property)

NAME: Jason and Kathleen Lawrence

ADDRESS: 3533 Squire Lane

Vestavia Hills, AL 35243

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 205.848.8106 Office 205.271.4006

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

P0118-01//28-28-2-1-30
3533 Squire Lane
Rezone to VH R-1
Jason & Kathleen Lawrence
JC E-2

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: JC E-2

To: VH R-1

For the intended purpose of: Residence

(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.)

3533 Squire Lane Vestavia Hills AL 35243

Property size: 255 feet X 265 feet. Acres: 1.5

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.

[Signature] 12/7/17
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 7 day of December, 2017.

[Signature]
Notary Public
My commission expires 29th
day of September, 2020.



255.0'

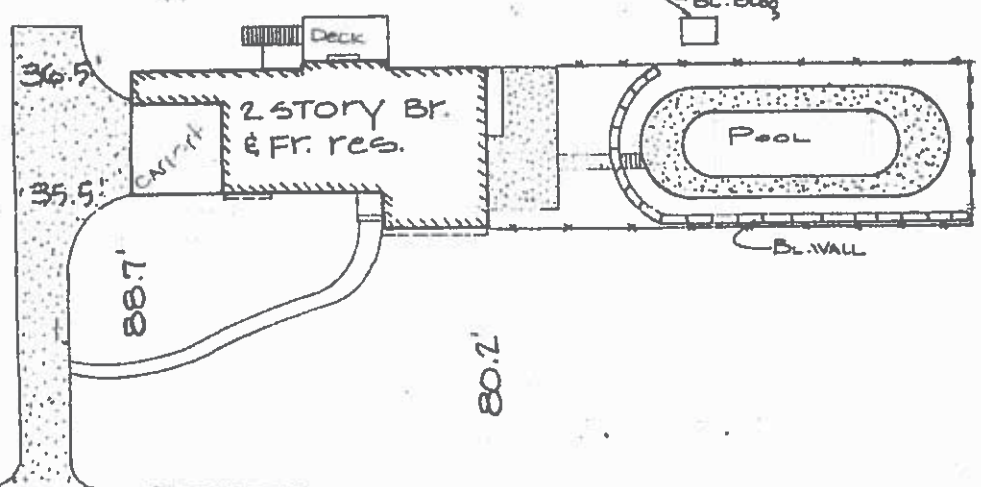
88°07'

91°53'

SCALE 1"=40'

265.76'

266.43'



SQUIRE LANE (Part Gravel) 17' Wide

3" Capped Iron
244.45'

255.0'

87°58'

SW Cor. of SE 1/4 - NW 1/4
Sec. 28 - T. 18 - S. ; R. 2 W

3533 Squire Lane

STATE OF ALABAMA
JEFFERSON COUNTY

I, Laurence D. Weygand, Registered Land Surveyor, certify that I have surveyed the land shown above; that there are no right-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires on or over said premises except as shown; that there are no encroachments on said land except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary Map and found that this property is not located in a special flood hazard area; that improvements are located as shown above and that the correct description is as follows:

Part of the SE 1/4 of the NW 1/4 of Section 28, Township 18 South, Range 2 West, more particularly described as follows: Commenced at the southwest corner of the SE 1/4 of NW 1/4 of Section 28, Township 18 South, Range 2 West, Jefferson County, Alabama; thence east along the south line of said 1/4 section a distance of 244.49 feet to the point of beginning; thence continue east along said south line a distance of 255 feet; thence at an angle to the left of 92°02' a distance of 266.43 feet; thence at an angle to the left of 88°07' a distance of 255 feet; thence at an angle to the left of 91°53' a distance of 265.76 feet to the point of beginning.

According to my survey of July 8, 1983
 Order No: 44089 Pore. Smith

Laurence D. Weygand
 Laurence D. Weygand-Reg./P.E. & L.S. #10372
 PH: 939-0900