

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

NOVEMBER 10, 2016

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: October 13, 2016

Final Plats

(1) **Consent Agenda:**

- A. **P-1116-44** Liberty Park Joint Venture Is Requesting **Final Plat Approval For Old Overton River Estates First Sector Resurvey No. 1**. The Purpose For This Request Is To Combine Lot 413 & Acreage To Increase Lot Size. The Property Is Owned By Liberty Park Joint Venture And Is Zoned Vestavia Hills PR-1.
- B. **P-1116-45** Liberty Park Joint Venture Is Requesting **Final Plat Approval For Heritage Hills Phase III-Sector 3 Resurvey No. 1**. The Purpose For This Request Is To Resurvey Lots 159-161. The Property Is Owned By Liberty Park Joint Venture And Is Zoned Vestavia Hills PR-1.

Rezoning/Conditional Use Recommendations:

- (2) **P-1011-22** Alton B. Parker, Jr. & Spain And Gillion, LLC Is Requesting An 18 Month Extension On A **Conditional Use Approval For commercial automotive sales, automotive repair major and minor including mechanical and collision repair** Located At **1476 Montgomery Hwy**. The Property Is Owned Anthony Serra And Is Zoned Vestavia Hills B-3.
- (3) **P-0816-34** June Pryor Is Requesting **Rezoning for 3111 Pine Tree Dr. from Vestavia Hills R-1 and Vestavia Hills O-1** For The Purpose Of Office Development.
- (4) **P-1016-43** Helen Crow & John C. Mills Are Requesting **Rezoning for 3253 & 3257 Cahab Heights Rd. and 3240 Pipeline Rd. from Vestavia Hills B-3 and Vestavia Hills R-4 To Vestavia Hills B-2** For The Purpose Of A Wrestling Facility.

Time of Adjournment.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES
OCTOBER 13, 2016
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: Bill Visintainer, Acting Chairman
Fred Goodwin
Deloye Burrell
Greg Gilchrist
Jim Brooks
Blaine House
Brian Wolfe

MEMBERS ABSENT: Lyle Larson, Chairman
Jim Sharp

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

APPROVAL OF MINUTES

Mr. Larson stated that the minutes of the meeting of September 9, 2016 are presented for approval.

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

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Gilchrist – yes	Mr. Wolfe – abstained
Mr. House – yes	Mr. Brooks – yes
Mr. Visintainer – yes	
Motion carried	

Consent Agenda/Final Plats:

- A. **P-1016-42** Harris Doyle Homes Is Requesting **Final Plat Approval** For **Altadena Ridge**. The Purpose For This Request Is To Approve 59 Lots. The Property Is Owned By AVCC, LLC And Is Zoned Vestavia Hills R-9.

MOTION Mr. Gilchrist made a motion to recommend approval of item A. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Gilchrist – yes	Mr. Wolfe – abstained
Mr. House – yes	Mr. Brooks – yes
Mr. Visintainer – yes	
Motion carried	

Rezoning/Conditional Use Recommendations:

- (2) **P-1016-41** Shades Mountain Baptist Church Is Requesting **Rezoning** for **2053 Columbiana Rd.** from **Vestavia Hills O-1 To Vestavia Hills Inst.** For The Purpose Of Green Space/Church Development.

Mr. Garrison explained the background and location of the request.

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

MOTION Mr. Gilchrist made a motion to recommend rezoning approval 2053 Columbiana Rd. from Vestavia Hills O-1 To Vestavia Hills Inst. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Gilchrist – yes	Mr. Wolfe – abstained
Mr. House – yes	Mr. Brooks – yes
Mr. Visintainer – yes	
Motion carried	

Conrad Garrison, City Planner

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

Date: NOVEMBER 10, 2016

- **CASE:** P-1116-44
- **REQUESTED ACTION:** Final Plat Approval For Old Overton River Estates First Sector Resurvey No. 1.
- **ADDRESS/LOCATION:** Ridgecrest Court rd.
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Plat is combining Lot 413 and acreage to increase lot size.
- **LIBERTY PARK PUD:** This request is consistent with the PUD for single family 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

P1116-44//27-5-1-3-21
7414 Ridgecrest Court Rd.
Combine Lot 413 & acreage
Liberty Park Joint Venture
PUD-PR-1

P&Z Application
Page 3

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Liberty Park Joint Venture

ADDRESS: 8000 Liberty Pkwy, Ste 114
Vestavia, AL 35242

MAILING ADDRESS (if different from above)

PHONE NUMBER: Home _____ Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Joseph F. Breighner, Jr.
Walter Schoel Engineering Company, Inc.

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: To combine Lot 413 and acreage to increase lot size

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

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

Lot 413 Old Overton River Estates First Sector

Property size: _____ feet X _____ feet. Acres: 5.50

VI. ZONING/REZONING:

The above described property is presently zoned: PUD-PR-1

P1116-44//27-5-1-3-21
7414 Ridgcrest Court Rd.
Combine Lot 413 & acreage
Liberty Park Joint Venture
PUD-PR-1

P&Z Application
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.




Owner Signature/Date

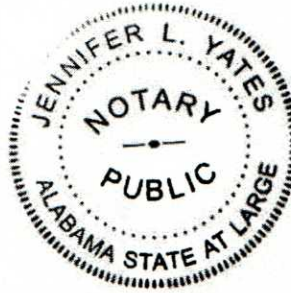
 10/25/16

Representing Agent (if any)/date

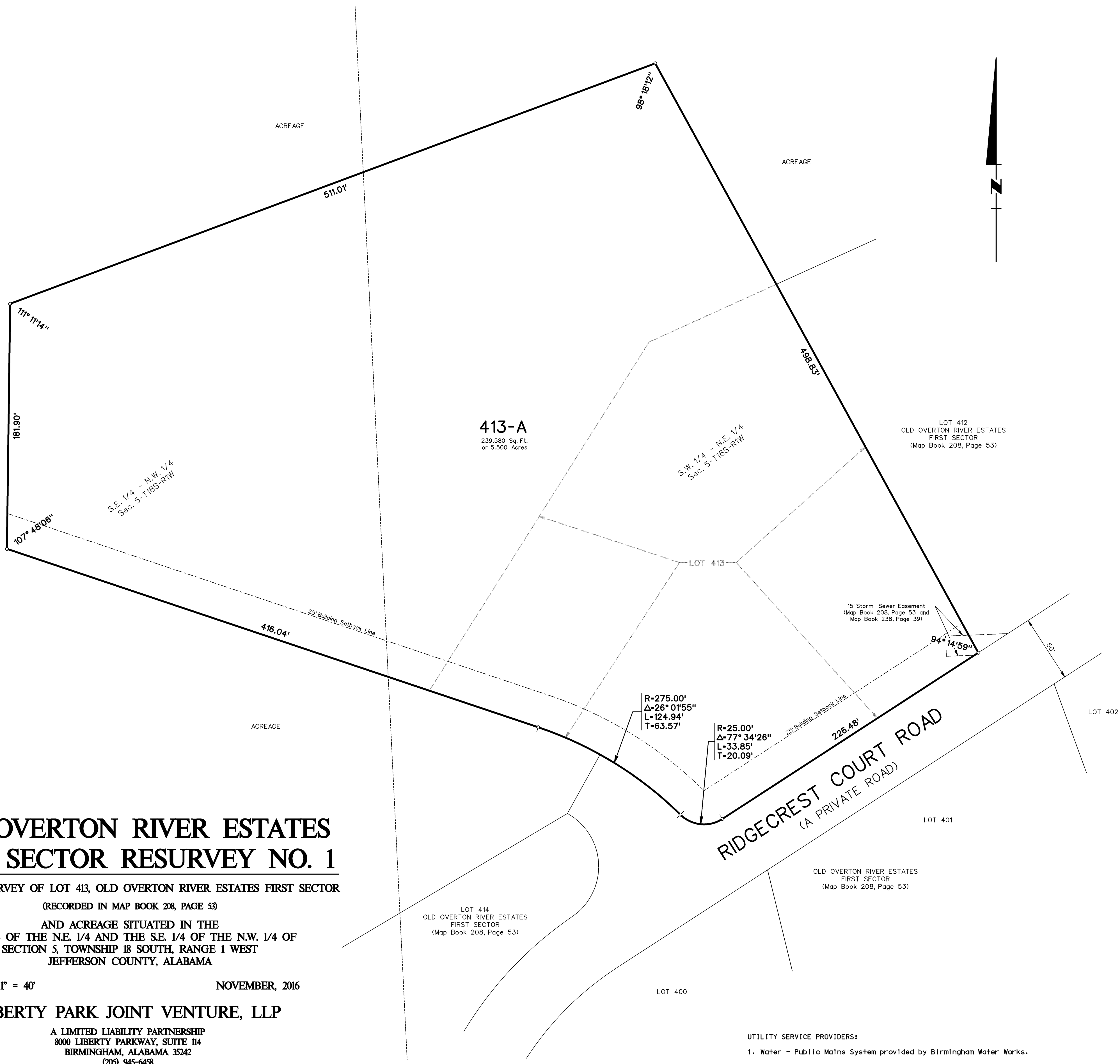
Given under my hand and seal
this 25th day of October, 2016.



Notary Public



My commission expires 9th
day of May, 2020.



OLD OVERTON RIVER ESTATES FIRST SECTOR RESURVEY NO. 1

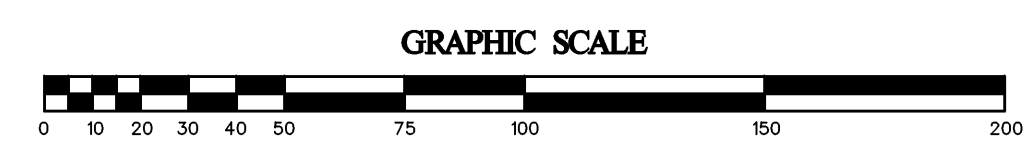
BEING A RESURVEY OF LOT 413, OLD OVERTON RIVER ESTATES FIRST SECTOR
(RECORDED IN MAP BOOK 208, PAGE 53)

AND ACREAGE SITUATED IN THE
S.W. 1/4 OF THE N.E. 1/4 AND THE S.E. 1/4 OF THE N.W. 1/4 OF
SECTION 5, TOWNSHIP 18 SOUTH, RANGE 1 WEST
JEFFERSON COUNTY, ALABAMA

SCALE: 1" = 40' NOVEMBER, 2016

LIBERTY PARK JOINT VENTURE, LLP
A LIMITED LIABILITY PARTNERSHIP
8000 LIBERTY PARKWAY, SUITE 114
BIRMINGHAM, ALABAMA 35242
(205) 945-6458

WALTER SCHOEL ENGINEERING COMPANY, INC.
1001 22ND STREET SOUTH
BIRMINGHAM, ALABAMA 35205
(205) 323-6166



- UTILITY SERVICE PROVIDERS:
1. Water - Public Mains System provided by Birmingham Water Works.
 2. Sanitary - Provided by Enviro Services, LLC, a private utility.
 3. Gas - Alabama Gas Corporation.
 4. Power - Alabama Power Company.
 5. Telephone - BellSouth Telecommunications.

- NOTES:
1. Access to utilities for installation, maintenance and repair shall be governed by private agreement between the owner and the utility company.
 2. All roads shown on this plat are private and are not dedicated by this plat.
 3. The area within all setbacks is subject to easements for storm drainage.

STATE OF ALABAMA
JEFFERSON COUNTY

I, Joseph F. Breighner, Jr., a Registered Professional Land Surveyor in the State of Alabama, and Liberty Park Joint Venture, LLP, Owner, hereby certify that this plat or map was made pursuant to a survey made by said Surveyor and that said survey and this plat or map were made at the instance of said Owner that this plat or map is a true and correct plat or map of the lands shown therein and known or to be known as OLD OVERTON RIVER ESTATES FIRST SECTOR RESURVEY NO. 1, showing the subdivisions into which it is proposed to divide said lands, giving the length and angles of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearing, width, length, and name of each street, as well as the number of each lot and block and showing the relation of the lands to Old Overton River Estates First Sector, as recorded in Map Book 208, Page 53, in the office of the Judge of Probate of Jefferson County, Alabama and being situated in the S.W. 1/4 of the N.E. 1/4 and the S.E. 1/4 of the N.W. 1/4 of Section 5, Township 18 South, Range 1 West, Jefferson County, Alabama and that iron pins or other appropriate monumentation have been installed at all lot corners (or reference points to lot corners) and curve points as shown and designated by small open circles on said plat or map. This survey and drawing of the parcel described herein, were made by individuals under my supervision, based on knowledge and information in accordance with commonly accepted procedures consistent with applicable standards of practice and this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief. Said Owner also certifies that they are the Owner of said lands and that the same are not subject to any mortgage.



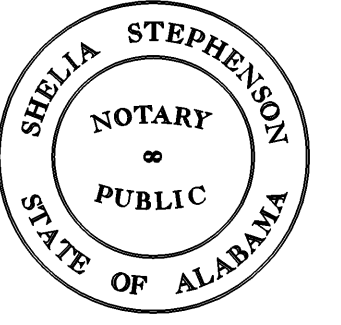
WALTER SCHOEL ENGINEERING COMPANY, INC.
Joseph F. Breighner, Jr., Alabama License No. 17518

LIBERTY PARK JOINT VENTURE, LLP
A Limited Liability Partnership, Owner

By: Shawn Arterburn
Its Vice President of Development

STATE OF ALABAMA
JEFFERSON COUNTY

I, Sheila Stephenson, as Notary Public in and for said County and State, do hereby certify that Joseph F. Breighner, Jr., whose name is signed to the foregoing certificate as Surveyor, who is known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, he executed the same voluntarily as such Surveyor with full authority therefor.



GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the _____ day of _____, 2016.

Notary Public
My Commission Expires: _____

STATE OF ALABAMA
JEFFERSON COUNTY

I, _____, as Notary Public in and for said County and State, do hereby certify that Shawn Arterburn, whose name as Vice President of Development of Liberty Park Joint Venture, LLP, a Limited Liability Partnership, is signed to the foregoing certificate as Owner, who is known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, he executed the same voluntarily as such officer with full authority therefor.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the _____ day of _____, 2016.

Notary Public
My Commission Expires: _____

APPROVED: _____ DATE: _____
Vestavia Hills Planning & Zoning Commission

APPROVED: _____ DATE: _____
Vestavia Hills City Engineer

APPROVED: _____ DATE: _____
Vestavia Hills City Clerk

APPROVED: _____ DATE: _____
Jefferson County Department of Health

APPROVED IN FORMAT ONLY:
Director of Environmental Services _____ Date _____

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers however this does not mean sanitary sewers have been built or will be built in the future. Any change in the Right-of-Way or Easement boundaries after this date may void this approval. Environmental Services acknowledges that the mains serving this property are owned by others.

File: G:\LIB\13\158\SURVEY\Docs\Old Overton River Estates First Sector Resurvey No. 1.dwg

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

Date: NOVEMBER 10, 2016

- **CASE:** P-1116-44
- **REQUESTED ACTION:** Final Plat Approval For Heritage Hills Phase III-Sector 3 Resurvey No. 1.
- **ADDRESS/LOCATION:** Jackson Loop
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Plat is amending lot lines for Lots 159-161 for an engineered wall. Plat also adds an easement for storm, utilities, ingress/egress, and retaining wall.
- **LIBERTY PARK PUD:** This request is consistent with the PUD for single family 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

P1116-45//27-9-2-1-55
Lots 1059, 1060 & 1061 Heritage
Hills Phase 3
Final Map to move lot line
Liberty Park Joint Venture

P&Z Application
Page 3

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Liberty Park Joint Venture _____

ADDRESS: 8000 Liberty Pkwy Suite 114 _____

Vestavia, AL 35242 _____

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home _____ Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Joseph F. Breighner, Jr. _____

Walter Schoel Engineering Company _____

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Resurvey 3 lots to move line on lot 1061 5 feet East
to place wall on lots 1059 & 1060

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

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

Lot 1061 Heritage Hills Phase III Sector 2, Lots 1059 & 1060 Heritage Hills Phase III Sector 3

Property size: _____ feet X _____ feet. Acres: _____

VI. ZONING/REZONING:

The above described property is presently zoned: _____

P1116-45//27-9-2-1-55
Lots 1059, 1060 & 1061 Heritage
Hills Phase 3
Final Map to move lot line
Liberty Park Joint Venture

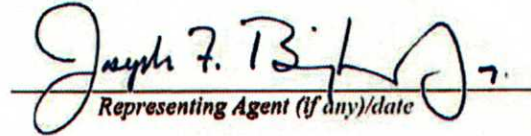
P&Z Application
Page 4

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.



Owner Signature/Date



Representing Agent (if any)/date

Given under my hand and seal
this 28 day of October, 2016.



Notary Public

My commission expires 10th
day of January, 2020.

HERITAGE HILLS PHASE III - SECTOR 3 RESURVEY NO. 1

BEING RESURVEY OF LOT 1061, HERITAGE HILLS PHASE III - SECTOR 2
(RECORDED IN MAP BOOK 240, PAGE 18)
AND LOTS 1059 AND 1060, HERITAGE HILLS PHASE III - SECTOR 3
(RECORDED IN MAP BOOK 240, PAGE 89)
SITUATED IN THE THE N.W. 1/4 OF THE N.W. 1/4 OF
SECTION 9, TOWNSHIP 18 SOUTH, RANGE 1 WEST
JEFFERSON COUNTY, ALABAMA

SCALE: 1" = 20'

NOVEMBER, 2016

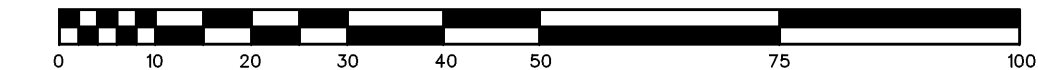
LIBERTY PARK JOINT VENTURE, LLP

A LIMITED LIABILITY PARTNERSHIP
800 LIBERTY PARKWAY, SUITE 114
BIRMINGHAM, ALABAMA 35242
(205) 945-6438

WALTER SCHOEL ENGINEERING COMPANY, INC.

1001 22ND STREET SOUTH
BIRMINGHAM, ALABAMA 35205
(205) 323-6166

GRAPHIC SCALE



STATE OF ALABAMA
JEFFERSON COUNTY

I, Joseph F. Breighner, Jr., a Registered Professional Land Surveyor in the State of Alabama, and Baptist Health System, Inc., Owner, hereby certify that this plat or map was made pursuant to a survey made by said Surveyor and that said survey and this plat or map were made at the instance of said Owner; that this plat or map is a true and correct plat or map of the lands shown therein and known or to be known as HERITAGE HILLS PHASE III - SECTOR 3 RESURVEY NO. 1, showing the subdivisions into which it is proposed to divide said lands, giving the length and angles of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearing, width, length, and name of each street, as well as the number of each lot and block and showing the relation of the lands to Heritage Hills Phase III - Sector 3, as recorded in Map Book 240, Page 89, and Heritage Hills Phase III - Sector 2, recorded in Map Book 240, Page 18, both in the office of the Judge of Probate of Jefferson County, Alabama and being situated in the N.W. 1/4 of the N.W. 1/4 of Section 9, Township 18 South, Range 1 West, Jefferson County, Alabama; and that iron pins or other appropriate monumentation have been installed at all lot corners (or reference points to lot corners) and curve points as shown and designated by small open circles on said plat or map. This survey and drawing of the parcel described hereon, were made by individuals under my supervision, based on knowledge and information in accordance with commonly accepted procedures consistent with applicable standards of practice and this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief. Said Owner also certifies that they are the Owner of said lands and that the same are not subject to any mortgage.

WALTER SCHOEL ENGINEERING COMPANY, INC.



Joseph F. Breighner, Jr., Alabama License No. 17518

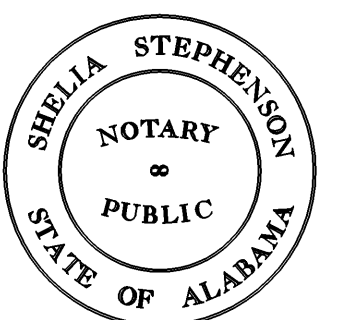
LIBERTY PARK JOINT VENTURE, LLP
A Limited Liability Partnership, Owner

By: Shawn Arterburn
Its Vice President of Development

STATE OF ALABAMA
JEFFERSON COUNTY

I, Sheila Stephenson, as Notary Public in and for said County and State, do hereby certify that Joseph F. Breighner, Jr., whose name is signed to the foregoing certificate as Surveyor, who is known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, he executed the same voluntarily as such Surveyor with full authority therefore.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the _____ day of _____, 2016.



Notary Public
My Commission Expires: _____

STATE OF ALABAMA
JEFFERSON COUNTY

I, _____, as Notary Public in and for said County and State, do hereby certify that Shawn Arterburn, whose name as Vice President of Development of Liberty Park Joint Venture, LLP, A Limited Liability Partnership, is signed to the foregoing certificate as Owner, who is known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, he executed the same voluntarily as such Officer with full authority therefore.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the _____ day of _____, 2016.

Notary Public
My Commission Expires: _____

APPROVED: _____ DATE: _____
Vestavia Hills Planning & Zoning Commission

APPROVED: _____ DATE: _____
Vestavia Hills City Engineer

APPROVED: _____ DATE: _____
Vestavia Hills City Clerk

APPROVED: _____ DATE: _____
Jefferson County Department of Health

NOTES:

- Access to utilities for installation, maintenance and repair shall be governed by private agreement between the owner and the utility company.
- All roads shown on this plat are private and are not dedicated by this plat.
- Building setback lines are as shown.
- The area within all setbacks is subject to easements for storm drainage.
- The 20' Multi-Purpose Easement is an easement for storm drainage, utilities, ingress and egress to Lot C and retaining wall maintenance.

UTILITY SERVICE PROVIDERS:

- Water - Public Mains System provided by Birmingham Water Works.
- Sanitary - Provided by Enviro Services, LLC, a private utility.
- Gas - Alabama Gas Corporation.
- Power - Alabama Power Company.
- Telephone - BellSouth Telecommunications.

APPROVED IN FORMAT ONLY:

Director of Environmental Services _____ Date _____

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers however this does not mean sanitary sewers have been built or will be built in the future. Any change in the Right-of-Way or Easement boundaries after this date may void this approval. Environmental Services acknowledges that the mains serving this property are owned by others.

File: G:\LIB\13\158\SURVEY\Docs\Heritage Hills Phase III - Sector 3 Resurvey No. 1.doc

**SPAIN & GILLON, LLC
THE ZINSZER BUILDING
2117 SECOND AVENUE NORTH
BIRMINGHAM, ALABAMA 35203**

Telephone: (205) 328-4100

Facsimile: (205) 324-8866

Direct Dial (205) 581-6212

ALTON B. PARKER, JR.

E-MAIL: ABP@SPAIN-GILLON.COM

September 28, 2016

Rebecca Leavings, City Clerk, MMC
City of Vestavia Hills
513 Montgomery Highway
Vestavia Hills AL 35216

Re: Request for Second Extension of Conditional Use Approval for Automotive Sales, Automotive Services - Major and Minor, including Mechanical and Collision Repair for 1476 Montgomery Highway - Ordinance No. 2373

Dear Ms. Leavings:

This is to confirm our conversation regarding a second requested extension of the Conditional Use Approval previously granted by the Vestavia City Council to Anthony F. and Margaret Serra, owners of the property located at 1476 Montgomery Highway ("Serra"). Ordinance No. 2373 approving the Conditional Use for that location was approved by the City Council on November 14, 2011. An Agreement to Conditional Zoning was executed by the Serras and submitted to the City as of the 12th day of December, 2011. The Serras later requested an extension of the Conditional Use Approval which was granted by the City Council on March 23, 2015 and which extended the Conditional Use for a period of 18 months from April 15, 2015 through October 15, 2016. The purpose of this letter is to request a second extension of the Conditional Use Approval for a period of 18 months beginning on October 15, 2016.

Due to circumstances explained below, Serra has not been able to complete the design and construction of the dealership premises and building and a review of the background of this matter might be helpful.

Pursuant to the initial granting of the Conditional Use by the City, the Serra organization opened an automotive sales dealership at that location. On or about April 7, 2014 the dealership suffered severe flooding of Patton Creek which caused significant damage to most of the vehicles parked at the dealership and to the dealership premises. As a result of the flood, the dealership became unusable for future automobile sales. The last day of automobile sales for the few undamaged vehicles at the dealership was April 15, 2014.

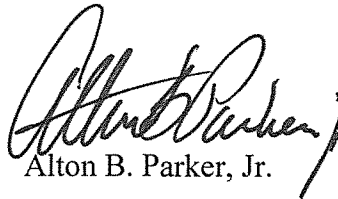
Serra has been engaged in the process of designing improvements and modifications to the dealership building and site which will, to the maximum extent possible, prevent such flood damage in the future. Serra commissioned an architect to design modifications to the premises and a civil engineer to provide the "no rise study" required by Article 3 of the Vestavia Flood Damage Prevention Ordinance. It took a significant period of time to finish that engineering "no rise study." The "no rise study" was successful and will allow Serra to use fill on the site outside of the floodway. However, since the completion of the study, the architect has worked with the Serras on several different attempts to solve the very complicated design problems associated with this potential construction, none of which at this point have been approved as being cost effective which would allow the actual construction to start. The Serra Group is continuing to work through redesigns and construction pricing in an attempt to be able to rebuild this building and site in a way that makes it productive for the retail sale of automobiles.

The Serras understand that this request to extend the Conditional Use will be put to the City Council in the form of a Resolution for approval. Thank you for your cooperation in this matter. If there is anything else that I or the Serras need to do in order to pursue this request for extension, please let me know.

Sincerely,

SPAIN & GILLON, L.L.C.

By:



Alton B. Parker, Jr.

ABP, JR./mfe

cc: Jeff Downes, City Manager
Anthony F. Serra and Mary Margaret Serra
Serra Automotive Group

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

Date: October 8, 2011

- **CASE:** P-1011-22
-
- **REQUESTED ACTION:** Application for conditional use approval for automotive sales, automotive major and minor including mechanical and collision repair on the property located at 1476 Montgomery Highway
- **PROPOSED USE(S):** commercial auto dealership with full repair of mechanical and collision.
- **ADDRESS/LOCATION:** 1476 Montgomery Highway (see map attached).
- **APPLICANT/OWNER:** Anthony F. and Mary Margaret Serra, 9709 Parkway East, Suite D, Birmingham AL 35215
- **REPRESENTING AGENT:** Alton B. Parker, Jr., Spain & Gillon, LLC, 2117 Second Avenue North, Birmingham AL 35203
- **GENERAL DISCUSSION:** This property is located on Montgomery Highway at the former Vulcan Lincoln Mercury dealership. The request is to re-open the dealership for previously owned vehicles complete with mechanical and collision repair.
- **CITY OF VESTAVIA HILLS COMPREHENSIVE PLAN:** This property is located in Figure 20 of the Vestavia Hills Comprehensive Master Plan located in an area designated as village center. This request is consistent with the Plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Clerk 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 zoning with the conditional use approval. This property was operated as a dealership for many years and has been vacant for approximately 2 or 3 years. During that time, a new zoning ordinance was adopted that required dealerships and major mechanical repair uses to be granted a Conditional Use approval. This property lies in a

commercial part of the City with all properties surrounding it developed and operating as commercial with the exception of properties across from Massey Road. Since the rear portion of this property is inaccessible from the front by way of Little Shades Creek, buffering to that area is already provided. All modifications to the building and properties will be reviewed by the DRB and monitored and approved by the City's Engineer.

City Clerk Recommendation: Recommend Approval.

2. **City Engineer Review:** I have reviewed the request and find no problems.

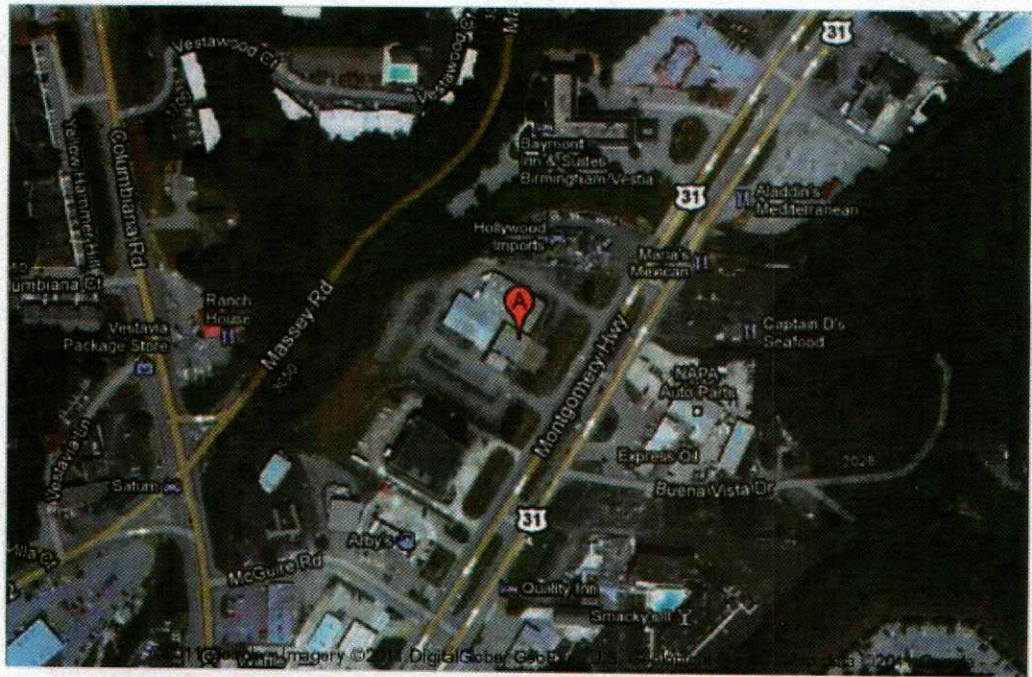
City Engineer Recommendation: n/a.

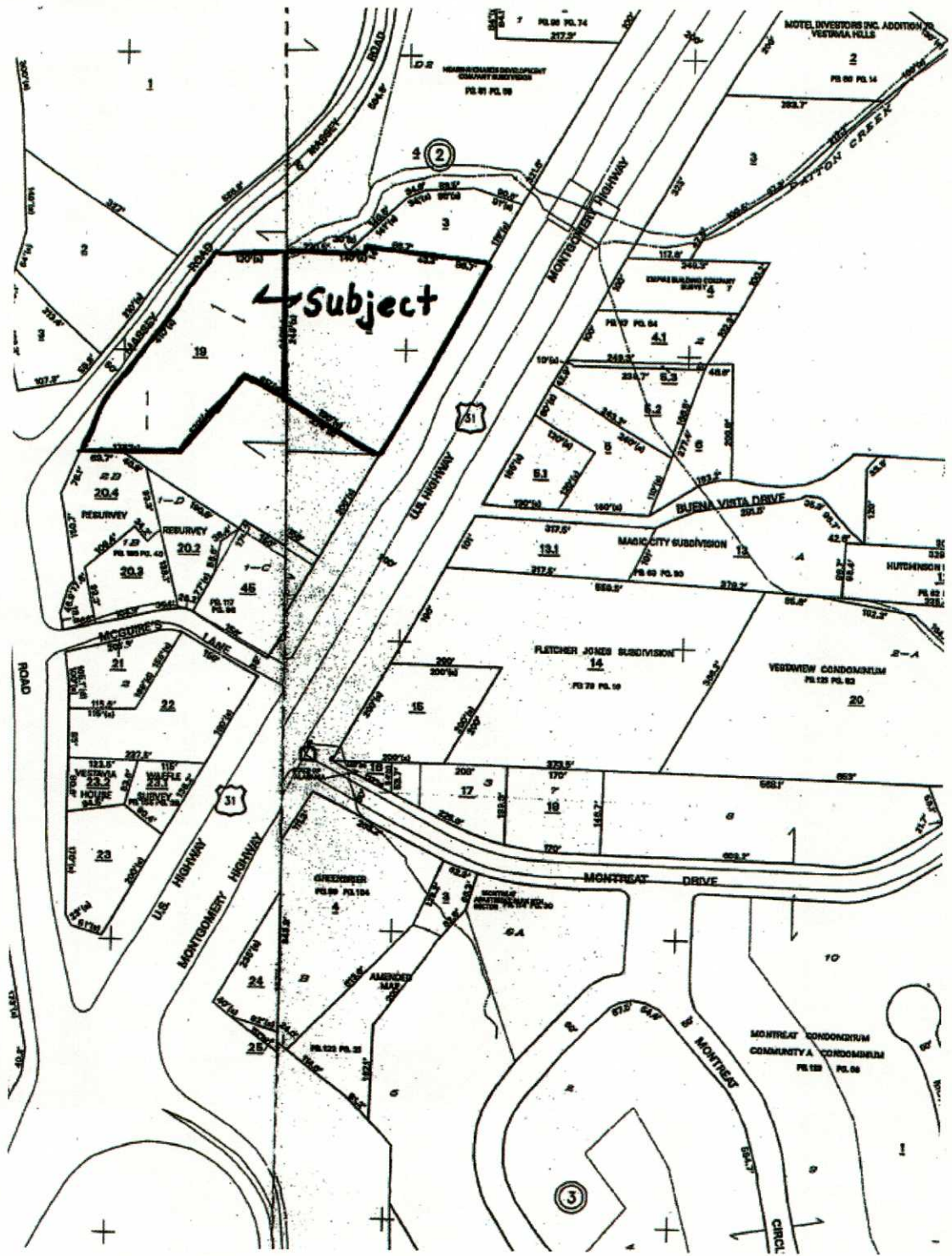
3. **City Fire Marshal Review:** I have reviewed the request and find no problems.

City Fire Marshal Recommendation: n/a.

4. **Building Safety Review:** I have reviewed the request and find no problems.

Building Safety Recommendation: n/a.





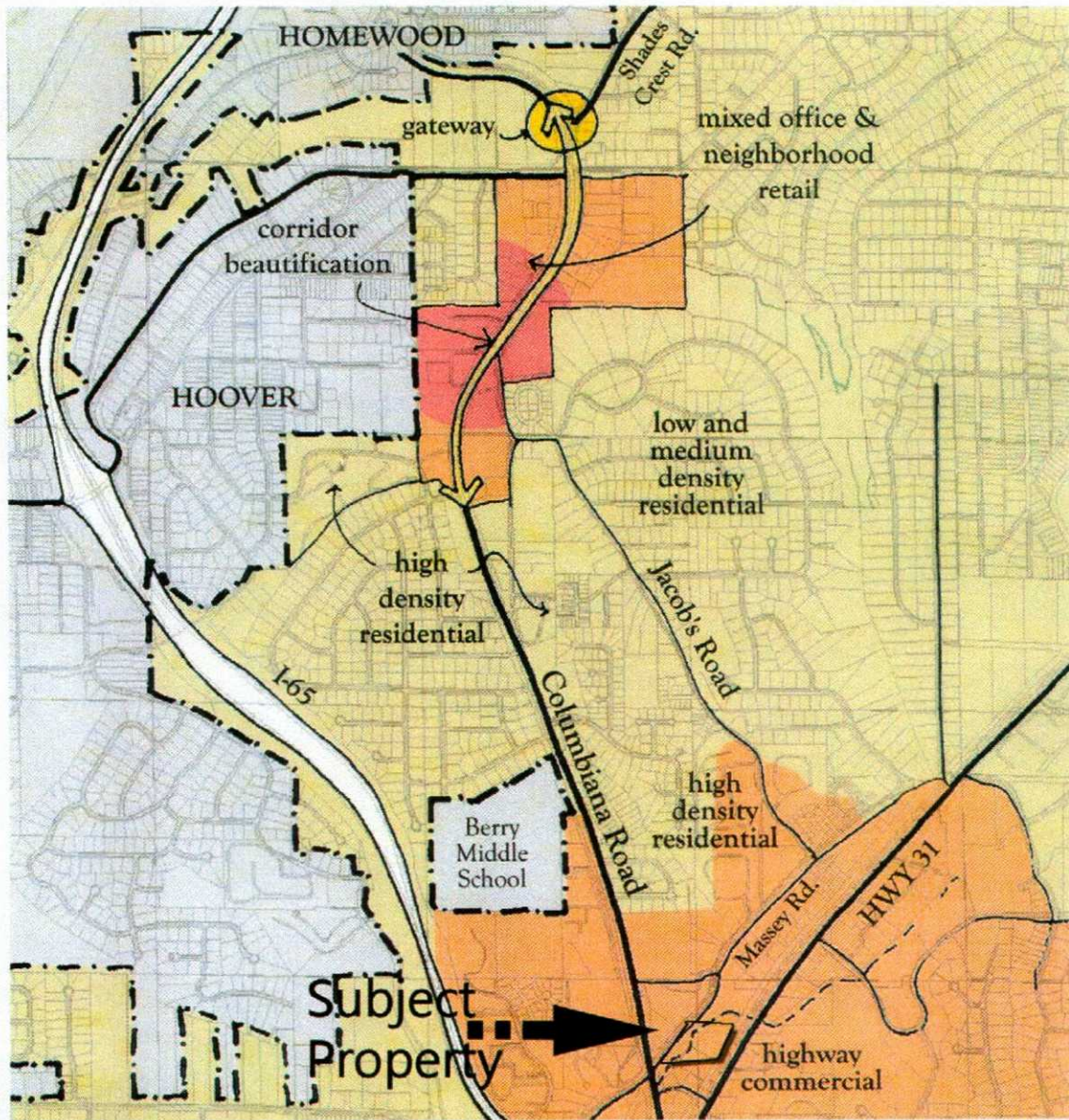


Figure 20: Columbiana Road
Land Use Analysis

- Neighborhood - primarily low / medium density single-family residential areas with higher densities near village centers. Other uses may include schools, places of worship, recreational areas, and open space.
- Village Center - mixed use centers with highest densities in core areas. Mix of uses should include retail and service businesses, professional offices, high density residential areas, institutions, recreation areas, and public spaces.
- Commercial Core - primarily high density, retail and service business areas with professional offices and multi-family residences on upper floors or on periphery. Other uses may include institutions and public space.
- Gateways and Nodes - Gateways are entryways into the community or village enhanced with consistent signage, landscaping, and other elements. Nodes are sites, such as transit stops, where public spaces, signage, and other public design elements should be considered.

- Professional Offices - primarily professional office uses. Density should vary according to surroundings. Other uses may include retail and services (supporting offices and employees), places of worship, public spaces, and open space.
- Recreation and Open Space - public and private recreation facilities and preserved natural spaces. Recreation facilities may be active, passive or combined. Open spaces are areas preserved in a natural state and may include passive recreational uses.
- Trailheads - Trailheads are public sites along a trail, where bike racks, seating, parking, and public amenities are provided for trail users.
- Schools - School facilities administered by the Vestavia Hills School System.



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

Date: SEPTEMBER 08, 2016

- **CASE: P-0816-34**
- **REQUESTED ACTION:** Rezoning Vestavia Hills R-1 Vestavia Hills O-1
- **ADDRESS/LOCATION:** 3111 Pine Tree Dr.
- **APPLICANT/OWNER:** June Pryor
- **REPRESENTING AGENT:** Todd Thompson
- **GENERAL DISCUSSION:** Property is on the corner of Pine Tree Cir. and Pine Tree Dr. Applicant is seeking rezoning to build a two story medical office building (8,225 sq. ft. +/-). The proposed building meets all requirements of an O-1 zoning, including parking and buffering. Currently, the project sits on two lots, however, the lots would be recombined after rezoning is approved. A proposed site plan and tree save plan is attached. A creek runs through the center portion of the property and is proposed to be untouched.
- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the Cahaba Heights Community Plan for limited mixed use/open space. Additionally, the property directly across Pine Tree Cir. is already zoned O-1
- **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: Rezoning conditioned on resurvey approval/recordation and that the building is constructed in a residential style.
 2. **City Engineer Review:** Approval needed on creek and drainage.
 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: June Pryor

ADDRESS: 3118 Pinetree Drive
Vestavia, AL. 35243

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 205-960-8979 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

2011 JUL -8 PM 12:03

P0816-34//28-27-4-2-8
3111 Pine Drive
Rezone from R-1 to O-1
June Pryor R-1

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: RESIDENTIAL R-1

To: 0-1 FOR OFFICE BUILDING

For the intended purpose of: MEDICAL / OFFICE BUILDING

(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.)

LOT 38 AND 39 OF 3111 PINE DRIVE SURVEY ATTACHED

Property size: +/- 140.00 feet X +/- 95.00 feet. Acres: +/- 0.50 ACRES EACH

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.

June Pryor

Owner Signature/Date

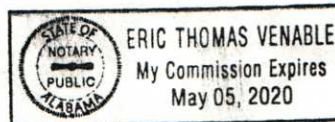
Representing Agent (if any)/date

Given under my hand and seal
this 7th day of June, 2016.

Eric Thomas Venable


Notary Public

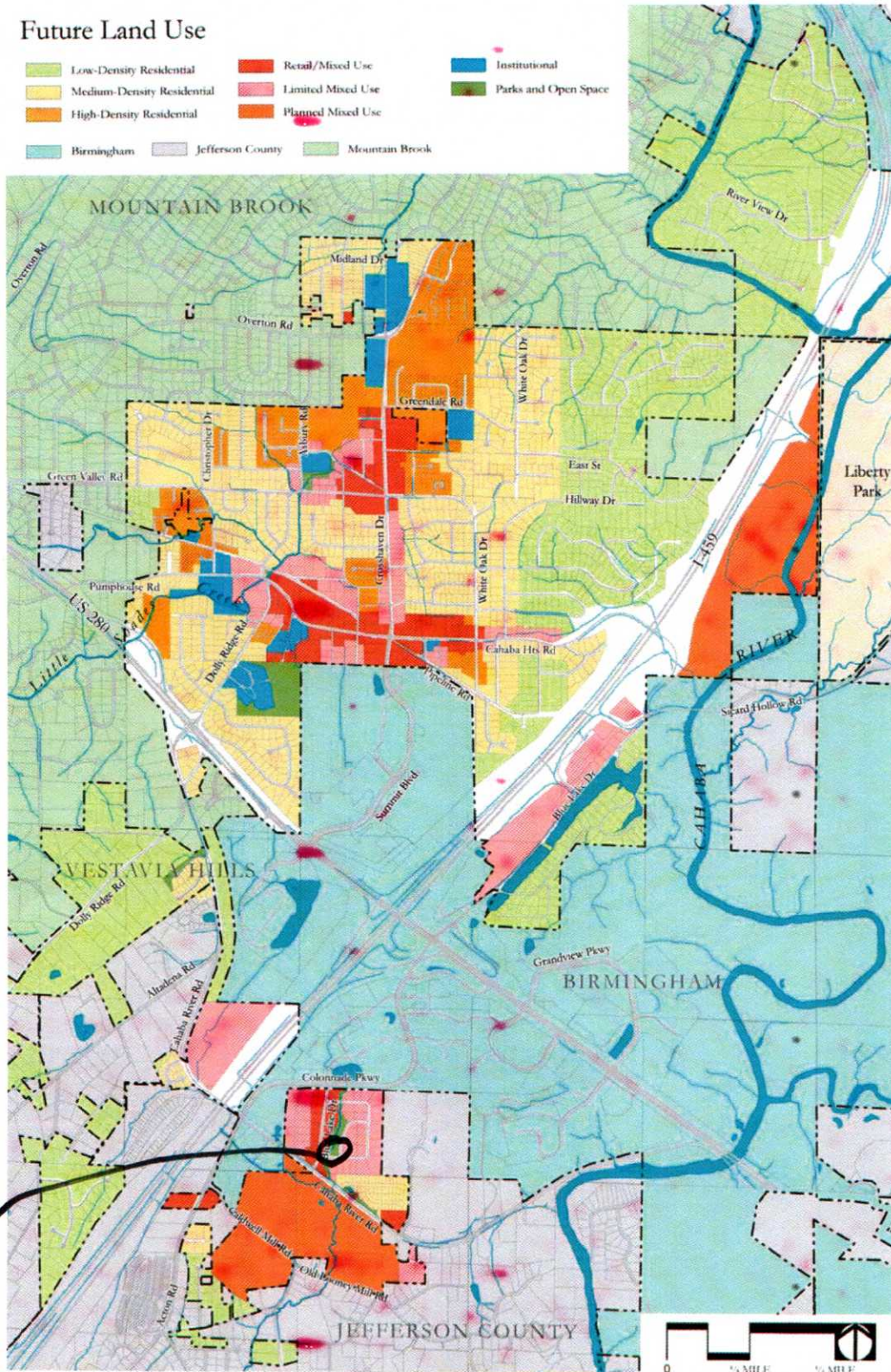
My commission expires 5th
day of May, 2020.





Future Land Use

- | | | |
|--|---|--|
|  Low-Density Residential |  Retail/Mixed Use |  Institutional |
|  Medium-Density Residential |  Limited Mixed Use |  Parks and Open Space |
|  High-Density Residential |  Planned Mixed Use | |
|  Birmingham |  Jefferson County |  Mountain Brook |



Subject Property

Figure 4: Future Land Use Map

PROPOSED MEDICAL OFFICE BUILDING FOR DR. SHIRLEY & DR. SHIRLEY
ZONING APPLICATION PRESENTATION
NOVEMBER 10, 2016

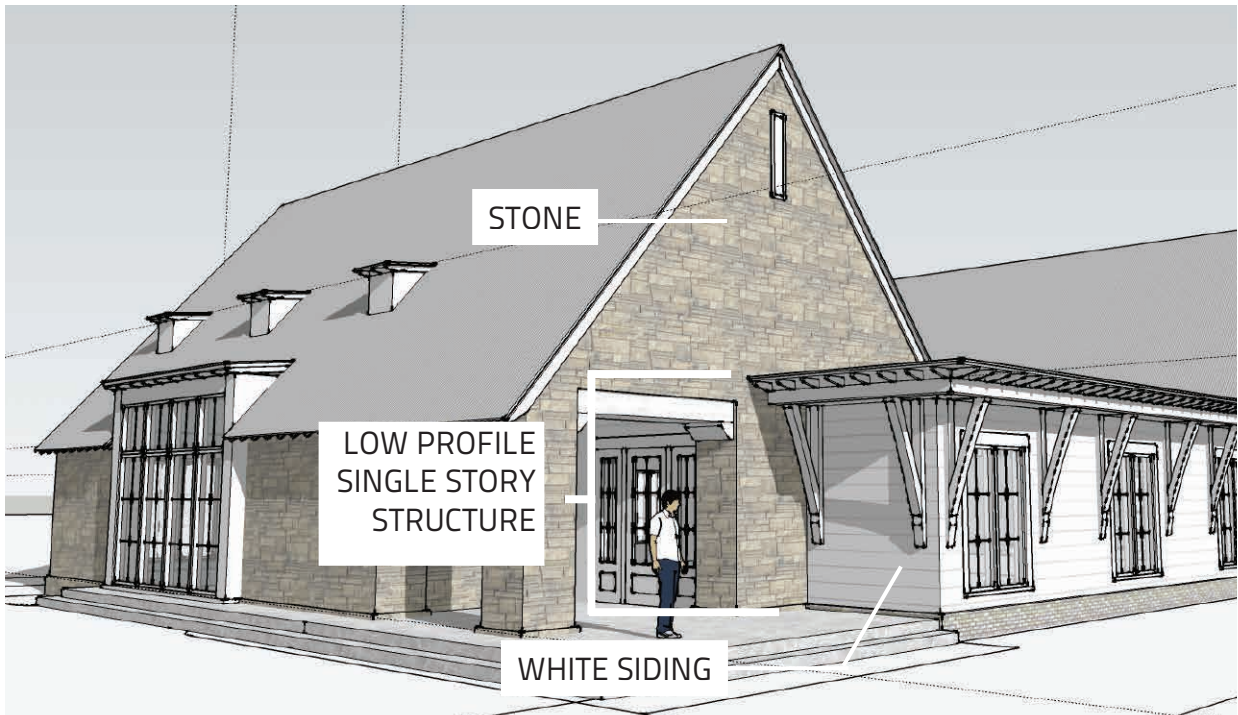
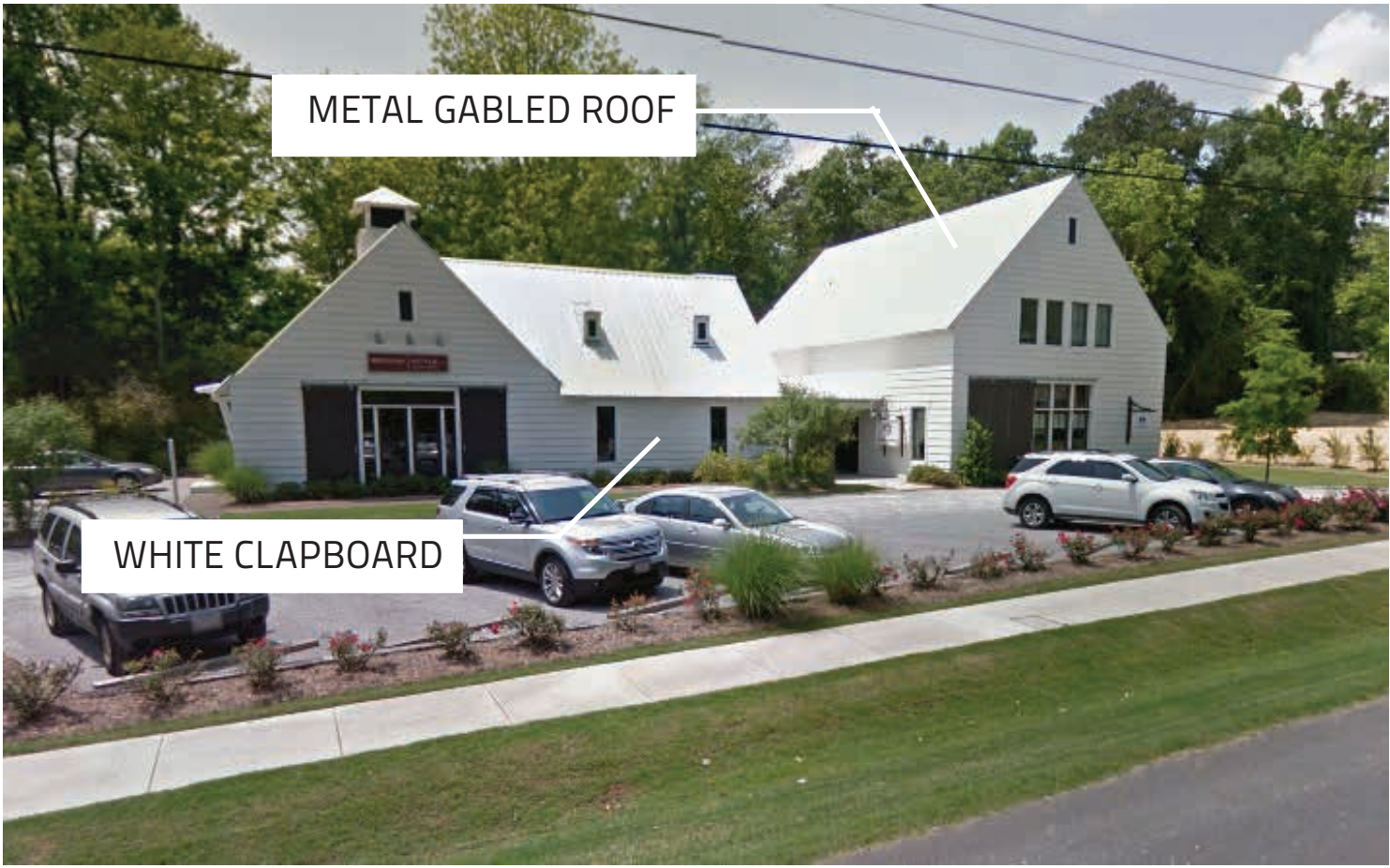
3111 PINE TREE DRIVE
VESTAVIA HILLS, AL



+



TAKING CUES FROM NEIGHBORING BUILDINGS



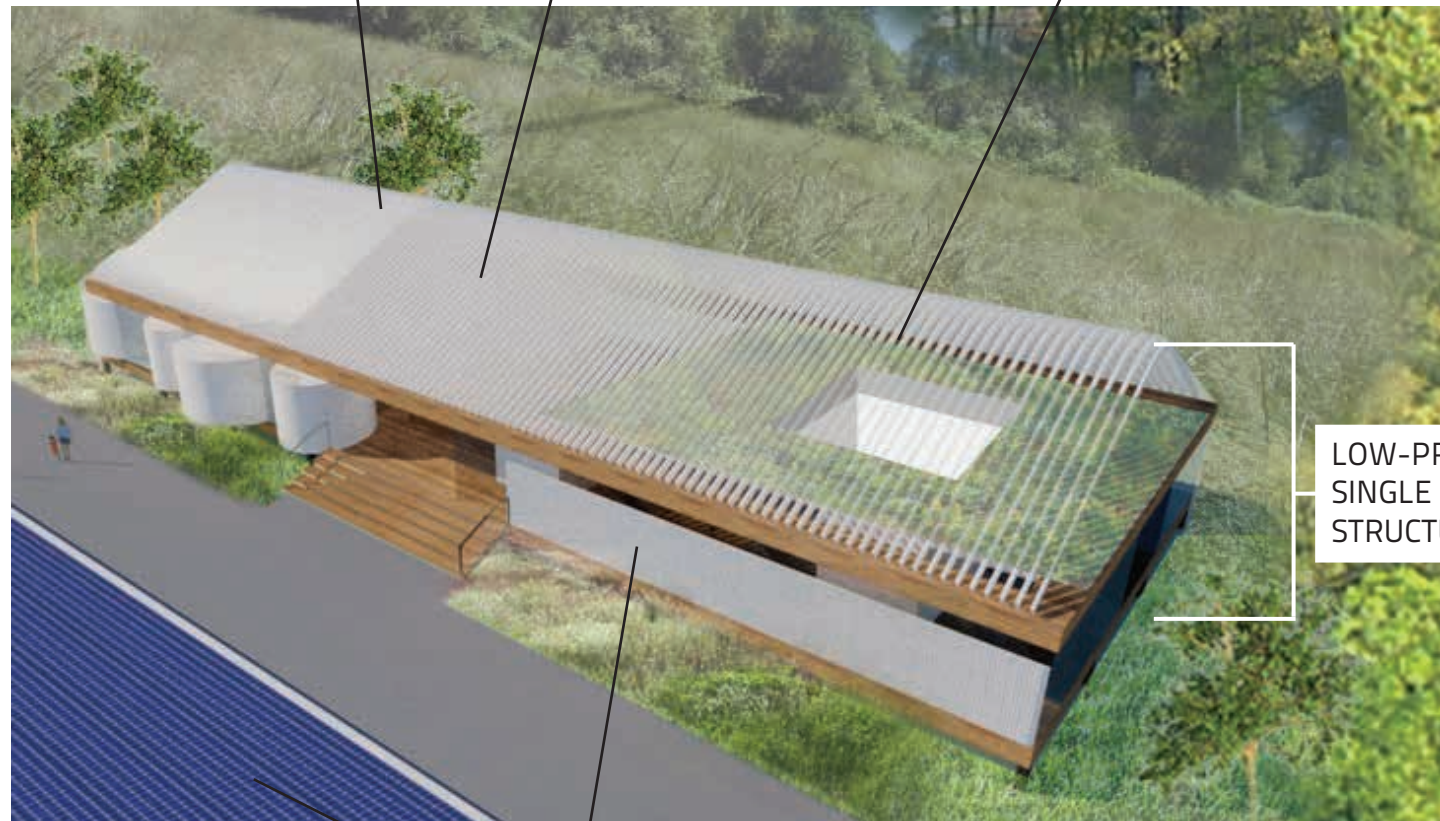
RESIDENTIAL ARCHITECTURAL DESIGN STRATEGIES

- METAL GABLE ROOF
- NATURAL WOOD TRIM
- NATURAL WHITE STUCCO EXTERIOR
- WOOD ENTRY STAIRS
- NATIVE, DROUGHT-RESISTANT LANDSCAPING
- ELEVATE BUILDING ON PIERS TO MINIMIZE SITE IMPACT



- WOOD FENCE-LIKE PRIVACY SCREEN
- PERMEABLE PARKING SURFACE

- METAL GABLE ROOF
- ROOF TRELLIS SHADES ENTRY PORCH & BUILDING BELOW
- GREEN ROOF



LOW-PROFILE SINGLE STORY STRUCTURE

- WOOD FENCE-LIKE PRIVACY SCREEN
- POSSIBLE SOLAR CANOPY SHADES PARKING SPACES BELOW



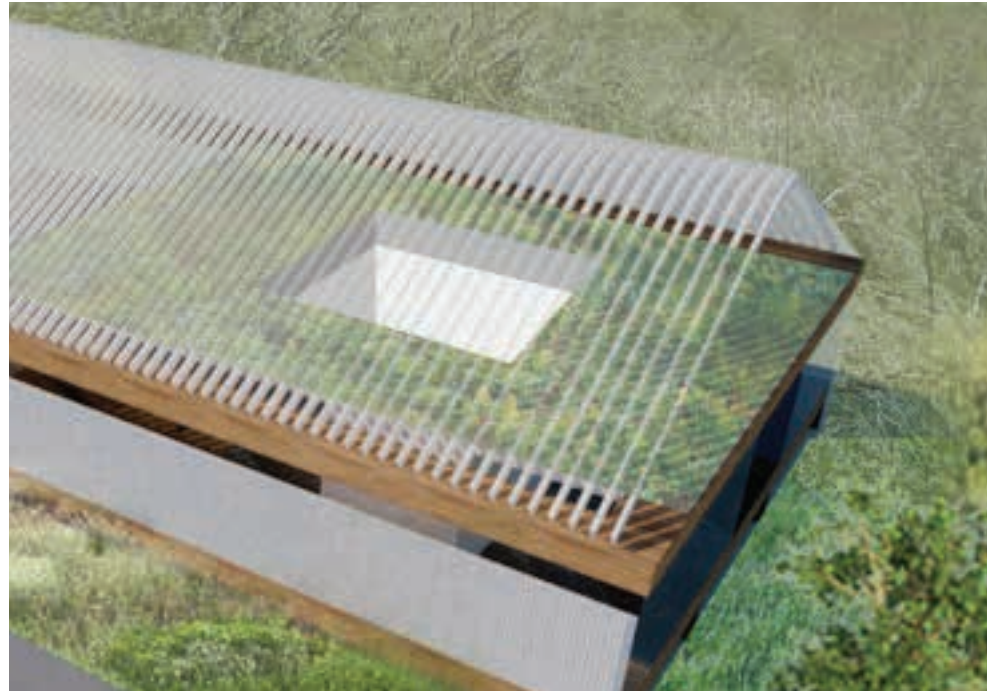
METAL GABLE ROOF

LOW-PROFILE, SINGLE STORY STRUCTURE

NOTE: TREES REMOVED IN RENDERING TO SEE BUILDING

SYS-TAINABLE BUILDING GOALS | PAGE 1

WATER MANAGEMENT



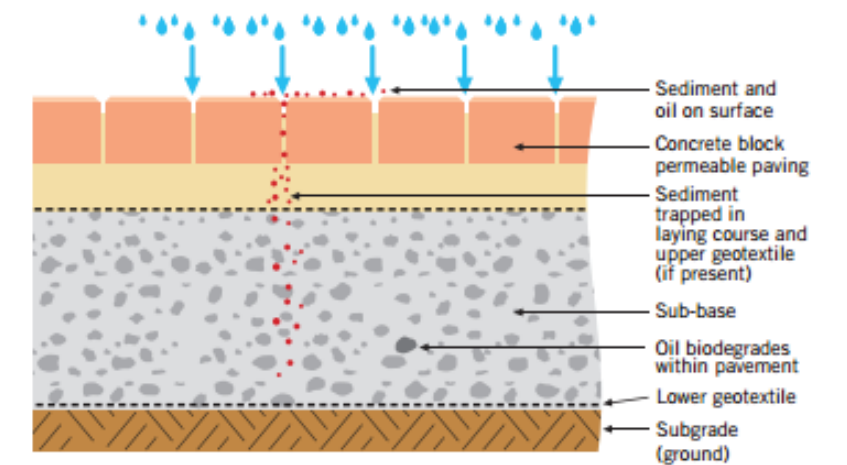
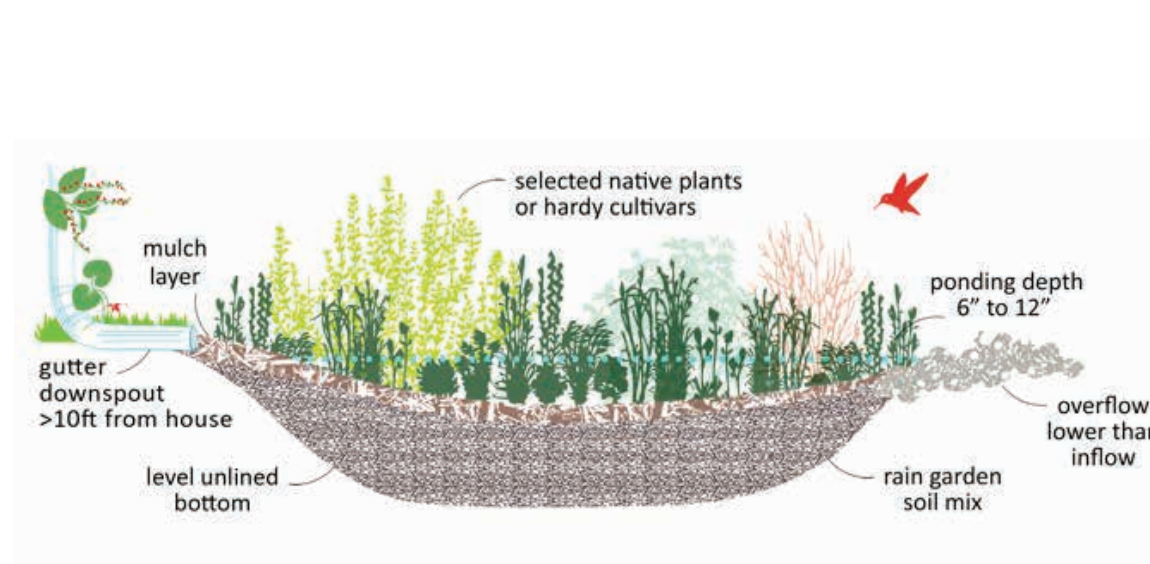
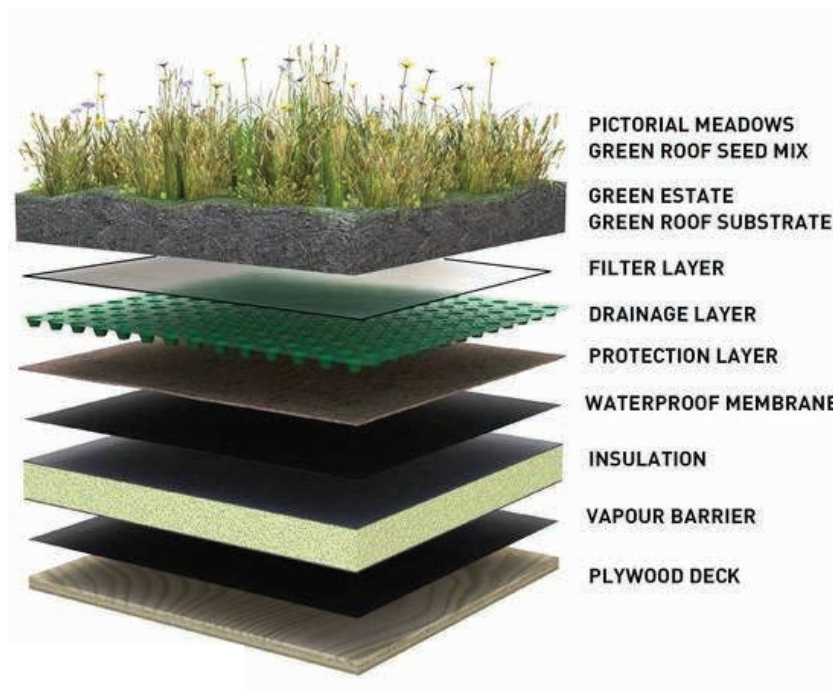
GREEN ROOF WITH NATIVE PLANTINGS



RAIN GARDEN & NATURAL CREEK EDGE
NATIVE PLANTINGS



PERMEABLE PARKING SURFACE

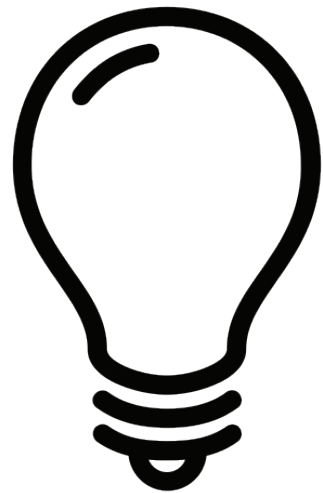


SYSTAINABLE BUILDING GOALS | PAGE 2

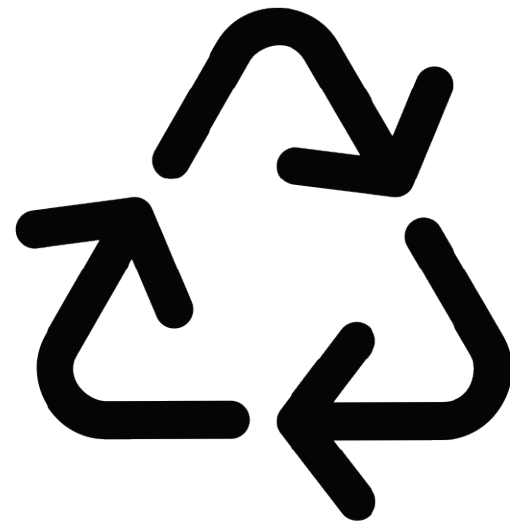
HIGH-EFFICIENCY SYSTEMS



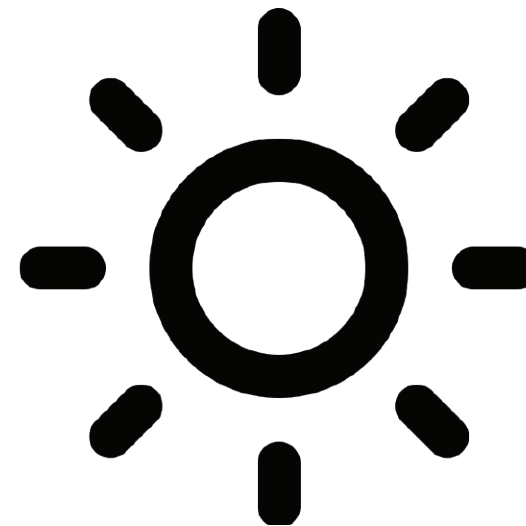
25 kW SOLAR CAR CANOPY CAPTURES SOLAR ENERGY, WHILE SIMULTANEOUSLY SHADING PARKING SPACES BELOW. THAT'S ENOUGH ENERGY TO POWER 2.5 AVERAGE AMERICAN HOMES



HIGH-EFFICIENCY LIGHTING FIXTURES REDUCE ENERGY CONSUMPTION OF BUILDING



RECYCLED & RENEWABLE MATERIALS REDUCE IMPACT ON LANDFILL DURING CONSTRUCTION & LIFETIME OF BUILDING



UTILIZING NATURAL LIGHT TO ILLUMINATE INTERIOR SPACES REDUCES NEED FOR ARTIFICIAL LIGHTING, ULTIMATELY REDUCING ENERGY CONSUMPTION

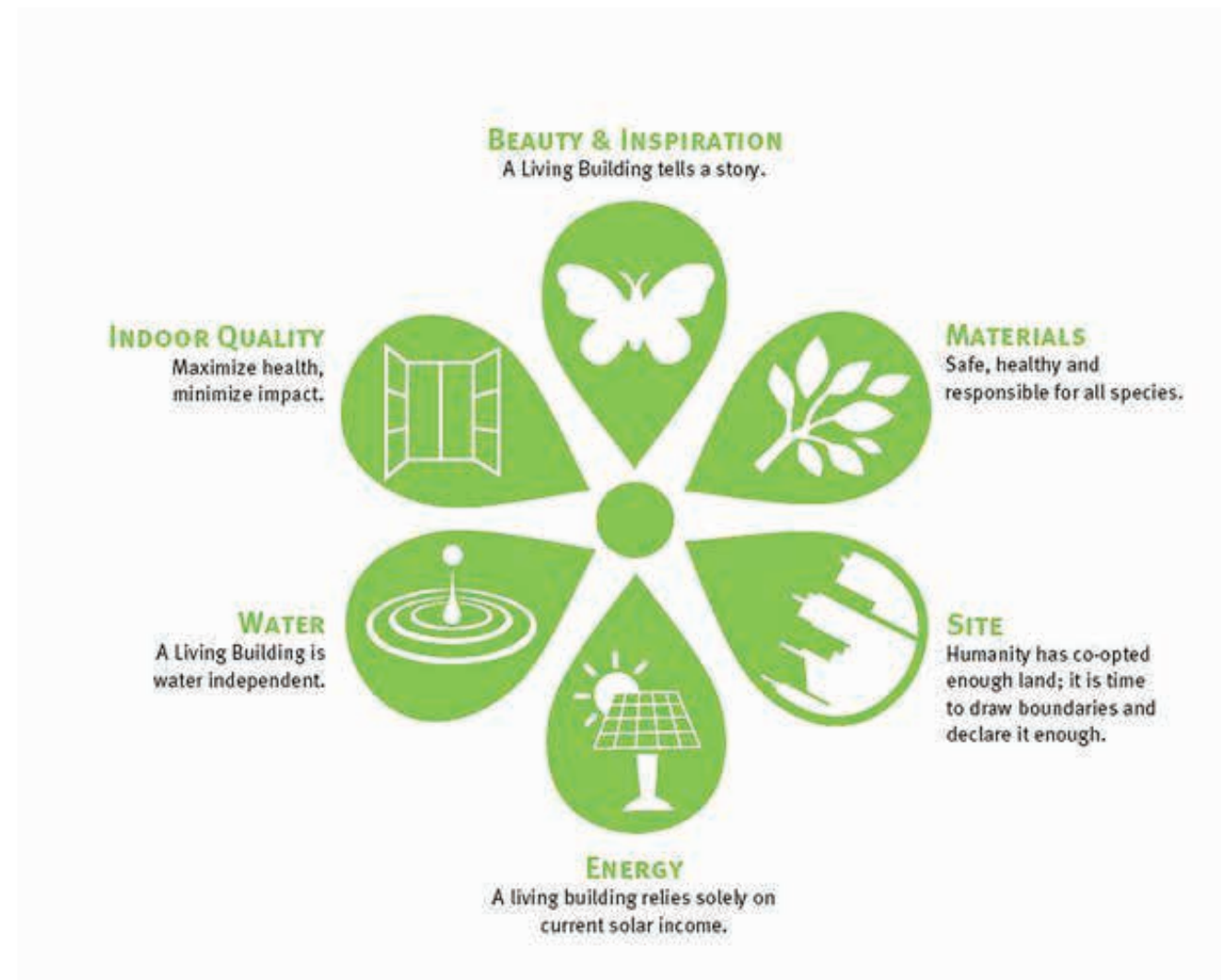


HIGH-EFFICIENCY MECHANICAL EQUIPMENT FOR VENTILATION, HEATING, COOLING AND MORE. REDUCES CARBON FOOTPRINT OF BUILDING



**LIVING
BUILDING
CHALLENGE**SM

The Living Building Challenge™ is a building certification program, advocacy tool and philosophy that defines the most advanced measure of sustainability in the built environment possible today and acts to rapidly diminish the gap between current limits and the end-game positive solutions we seek.



LIVING BUILDING CHALLENGE PRECEDENTS



CLINT JOSEY PAVILION // DECATUR, TX



OMEGA CENTER FOR SUSTAINABLE LIVING // RHINEBECK, NY



PACKARD FOUNDATION HEADQUARTERS // LOS ALTOS, CA

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

Date: NOVEMBER 10, 2016

- **CASE: P-1016-43**
- **REQUESTED ACTION:** from Vestavia Hills B-3 and Vestavia Hills R-4 To Vestavia Hills B-2
- **ADDRESS/LOCATION:** 3253 & 3257 Cahaba Heights Rd. and 3240 Pipeline Rd.
- **APPLICANT/OWNER:** Helen Crow & John C. Mills
- **REPRESENTING AGENT:** Sorrell Chew
- **GENERAL DISCUSSION:** Property is three lots with main frontage on Cahaba Heights Rd. Applicant is seeking rezoning to build a practice facility of the Vestavia Wrestling Club. The two lots along Cahaba Heights Rd. are already zoned B-3, however, the lot behind is zoned R-4. The rezoning would give all lots a B-2 zoning. Indoor recreation is a permitted use in a B-2. The building on 3253 Cahaba Heights Rd. would be rehabbed and remain. The structure on 3257 would be demolished. The proposed practice facility meets all requirements of a B-2 zoning, including parking and buffering. The lots would be recombined after rezoning is approved. A proposed site plan and landscape plan is attached. The applicants state that the facility would be used only for practices during the week.
- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the Cahaba Heights Community Plan for retail/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: Rezoning conditioned on resurvey approval/recordation.
 2. **City Engineer Review:** I have reviewed the application and have no issues with the 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: Helen Crow Mills and John C. Mills

ADDRESS: 3253 Cahaba Heights Rd. Vestavia Hills, AL 35243; 3257 Cahaba Heights Rd. Vestavia Hills, AL 35243; and 3240 Pipeline Road Vestavia Hills, AL 35243

MAILING ADDRESS (if different from above) 4604 Dolly Ridge Road Mountain Brook, AL 35243

PHONE NUMBER: Home _____ Office 205/254-3236

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Hydinger Stewart &

Chew Commercial Properties, LLC 2801 Hwy 2805

Ste 500
Bham 35223

2016 OCT - 6 PM 3:30 PM

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: 3253 Cahaba Heights Rd.-B3; 3257 Cahaba Heights Rd.-B3; and 3240 Pipeline Rd.- R4

To: B2

For the intended purpose of: Wrestling Facility

Refer to attached Project Description + Operating Hours

(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.)

3253 Cahaba Heights Rd. Vestavia Hills, AL 35243 Parcel ID# 28-00-22-1-017-004.000; 3257 Cahaba Heights Rd. Vestavia Hills, AL 35243

Parcel ID# 28-00-22-1-017.003.000; and 3240 Pipeline Road Vestavia Hills, AL 35243 Parcel ID# 28-00-22-1-017-010.000

Property size: _____ feet X _____ feet. Acres: +/- 1.89

V. INFORMATION ATTACHED:



Attached Checklist complete with all required information.



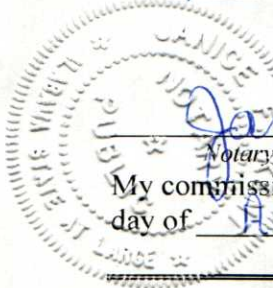
Application fees submitted.

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.

Helen Crow Mills
Owner Signature/Date

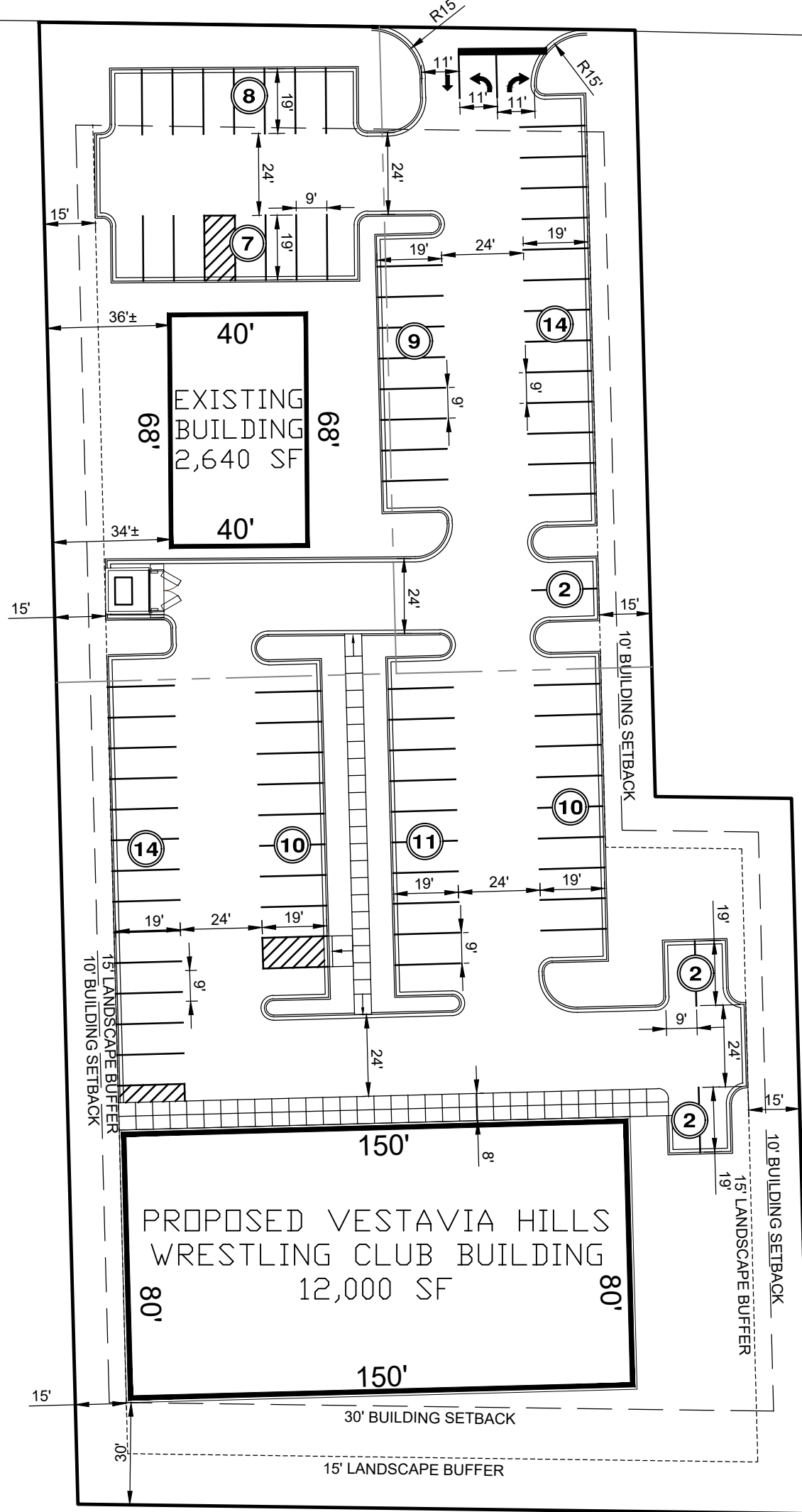
L. Small 10/4/16
Representing Agent (if any)/date

Given under my hand and seal
this 4 day of October, 20 16.



Janice F. Kent
Notary Public
My commission expires 12 TH
day of August, 20 16.

CAHABA HEIGHTS ROAD



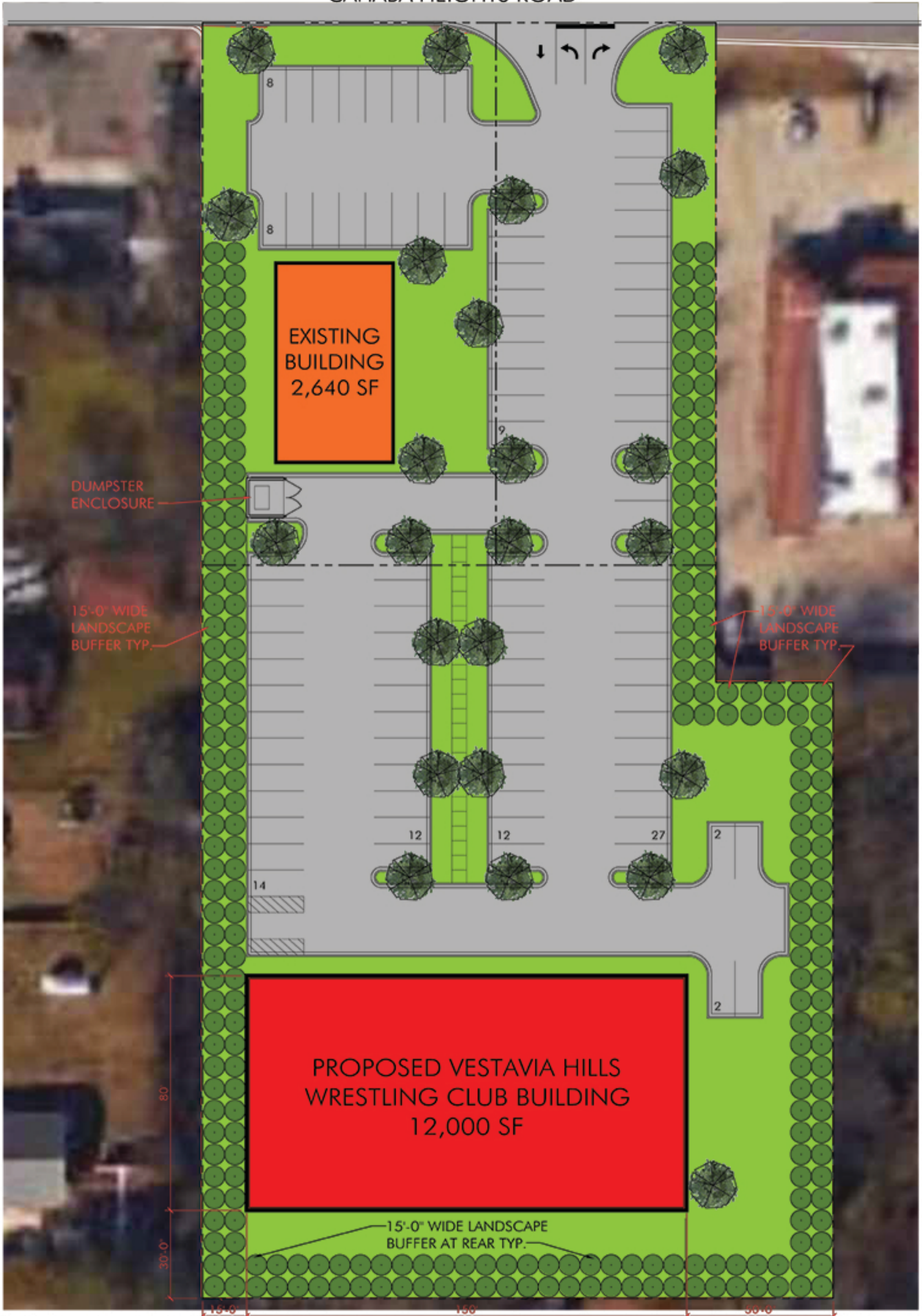
PROPOSED SITE LAYOUT PLAN
SCALE 1" = 40'

VESTAVIA HILLS WRESTLING CLUB
CAHABA HEIGHTS ROAD
VESTAVIA, ALABAMA 35243

C0.0



COHEN CARNAGGIO REYNOLDS



1

PROPOSED SITE PLAN

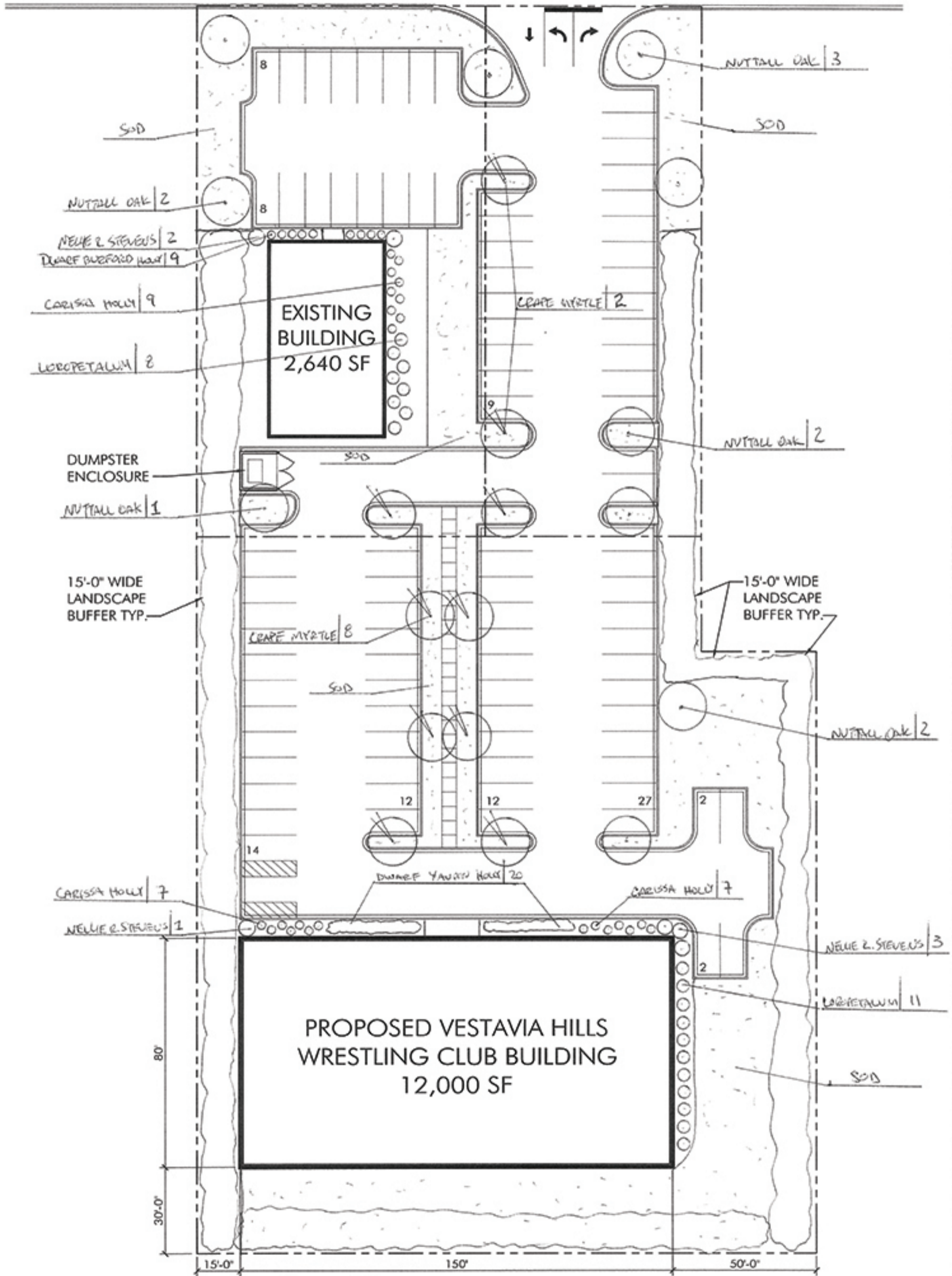
SCALE 1" = 30' / 94 PARKING SPACES SHOWN
74 PARKING SPACES REQUIRED



VESTAVIA HILLS WRESTLING CLUB
CAHABA HEIGHTS ROAD
VESTAVIA, ALABAMA 35243

10/06/16
 A1.0

CAHABA HEIGHTS ROAD



1 PROPOSED LANDSCAPE PLAN
SCALE 1" = 30'



VESTAVIA HILLS WRESTLING CLUB
CAHABA HEIGHTS ROAD
VESTAVIA, ALABAMA 35243

10/06/16
L1.0

TRANSMITTAL

PAGES:



DATE: October 6, 2016
PROJECT: **Vestavia Wrestling Club
Rezoning Application**

FROM: Roman Gary
JOB NO: 16125

ATTENTION: **Conrad Garrison, City Planner**

COMPANY: **City of Vestavia Hills**
ADDRESS: 1032 Montgomery Highway
CITY, STATE: Vestavia Hills, Alabama

PHONE: (205) 978-0179
FAX:
ZIP: 35216

COHEN CARNAGGIO REYNOLDS ARCHITECTURE.INTERIORS.DESIGN**2920 1ST AVENUE SOUTH, BIRMINGHAM, AL 35233 P 205-324-8864 F 205-324-8496**

Re: **Vestavia Wrestling Club – Rezoning Application**

Conrad,

Our submission for the Rezoning of the Vestavia Wrestling Club is attached for Planning & Zoning Approval. During the October 4th Work Session, the committee requested the description/purpose and Operating hours for the Wrestling Club. Thus the Description is as follows:

PROJECT DESCRIPTION & OPERATING HOURS

The Vestavia Wrestling Club (VWC) serves the youth of our community ranging from Kindergarten through 6th grade levels. VWC offers training and practice opportunities in folkstyle wrestling, as well as the Olympic styles of freestyle and greco-roman wrestling. VWC will hold practices 3 to 5 times per week in the afternoon/evenings for its members. Those practices will include the teaching and drilling of wrestling techniques along with games and activities to reinforce the teaching done by VWC coaches and staff.

We have attached the following documents for City of Vestavia Hills Planning & Zoning Approval.

1. \$100 Application Fee, Check #009214, payable to the City of Vestavia.
2. Two Original Applications with the Owner's signature notarized & representing agent designated.
3. Three copies of Vicinity Map & Existing Property Survey.
4. Three copies of Site Development Plan, dated 10/06/16.
5. Three copies of Landscaping Plan, dated 10/06/16.
6. Three copies of Civil Site Drainage Plan, dated 10/06/16.
7. Three copies of Civil Stormwater Management Report.
8. One CD Electronic copy of entire Rezoning Submission.

If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Roman Gary

Roman Gary, AIA, LEED AP
Vice President