

**CITY OF VESTAVIA HILLS**  
**PLANNING AND ZONING COMMISSION**

**AGENDA**

**OCTOBER 12, 2017**

**6:00 P.M.**

Roll Call.

Pledge of Allegiance

Approval of Minutes: September 14, 2017

**Rezoning/Conditional Use Recommendations:**

- (1) **P-1017-44** Wedgeworth Realty, Inc. Is Requesting **Rezoning** for **1644 Shades Crest Rd.** from **Jefferson County R-1 to Vestavia Hills R-2 Conservation Subdivision** For A 13 Lot Subdivision.
- (2) **P-1017-49** Overton Village Condos, LLC Is Requesting **Rezoning** for **3791 Poe Dr.** from **Vestavia Hills B-2 to Vestavia Hills R-9** For Residential Condominium Development.
- (3) **P-1017-50** Overton Investments, LLC Is Requesting **Rezoning** for **3779 & 3781 Poe Dr.** from **Vestavia Hills R-4 to Vestavia Hills R-9** For Residential Development.

Time of Adjournment.

**CITY OF VESTAVIA HILLS**  
**PLANNING AND ZONING COMMISSION**

**MINUTES**

**SEPTEMBER 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  
Brian Wolfe  
Cheryl Cobb  
Deloye Burrell  
Blaine House  
Jim Brooks  
Fred Goodwin

**MEMBERS ABSENT:** Rusty Weaver  
Greg Gilchrist

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

**APPROVAL OF MINUTES**

Mr. Larson stated that the minutes of the meeting of August 10, 2017 are presented for approval.

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

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

**Final Plats**

(1) **Consent Agenda:**

- A. **P-0917-45** Steve Gargis Is Requesting **Final Plat Approval For A Resurvey of Part of Lot 6 of New Merkle Heights.** The Purpose For This Request Is To Add an Easement. The Property Is Owned By Steve Gargis and Is Zoned Vestavia Hills R-4.
- B. **P-0917-46** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For Vestlake Cove Resurvey Resurvey No. 3.** The Purpose For This Request Is To Divide 3 existing lots into 4 lots. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.
- C. **P-0917-47** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For The Overlook.** The Purpose For This Request Is To Resurvey 12 Existing Lots & Acreage Into 64 New Lots. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.
- D. **P-0917-48** Liberty Park Joint Venture, LLP, Jennifer & Michael Joffrion, Jonathan & Sheri Cohen, and David & Patricia Halpern Are Requesting **Final Plat Approval For Heritage Hills-Phase 1 Resurvey No. 7.** The Purpose For This Request Is To Add A Storm Drainage Easement. The Property Is Owned By Liberty Park Joint Venture, LLP, Jennifer & Michael Joffrion, Jonathan & Sheri Cohen, and David & Patricia Halpern and Is Zoned Vestavia Hills PR-1.

**MOTION** Mr. Wolfe made a motion to approve items B-D. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

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

- A. **P-0917-45** Steve Gargis Is Requesting **Final Plat Approval For A Resurvey of Part of Lot 6 of New Merkle Heights.** The Purpose For This Request Is To Add an Easement. The Property Is Owned By Steve Gargis and Is Zoned Vestavia Hills R-4.

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

Mr. Larson opened the floor for a public hearing.

An adjoining property owner asked about, but had no issues with the request.

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

**MOTION** Mr. Burrell made a motion to approve item A. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

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

**Rezoning/Conditional Use Recommendations:**

- (2) **P-0917-42** Alpha Properties, LLC Is Requesting **Rezoning** for **3292 & 3296 Cahaba Heights Rd.** from **Vestavia Hills R-4** to **Vestavia Hills O-1** For **Office Use With A Conditional Use For Office Storage.**

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

Will Slappey was present to discuss the application and stated the property would be improved and used for paperwork storage.

Mr. Burrell asked about specific improvements to the site. Mr. Slappy explained the changes to the exterior of building and landscaping.

Mrs. Cobb asked if the building will be sprinkled. Mr. Slappy stated he will follow all building codes.

Mr. Larson opened the floor for a public hearing.

Joseph Dees, 2548 N. Cahaba Dr. and Kathy Green, 4132 N. Cahaba Dr. spoke in opposition to the request and stated they could not rely on the applicants to do what was stated.

Mr. Wolfe agreed that the property should remain residential.

The applicants asked to postpone the case to address the concerns of the neighbors and commission.

Case postponed.

(3) **P-0917-43** Sloss HTP, Inc Is Requesting **Rezoning** for **812 Chestnut St.** from **Vestavia Hills R-3 to Vestavia Hills B-2** For Office Parking.

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

Cole Williams and Norman Tynes were present to discuss the application. They stated the lot would be rezoned for parking for the redevelopment of Todd Mall. An easement between the two properties would also be vacated.

Mr. House stated he would like to see traffic discouraged along Chestnut St. The applicants agreed and discussed possible way for that to occur.

Mr. Larson opened the floor for a public hearing.

Devin Dolive, 915 Chestnut St. was concerned about traffic.

Kevin Gamble, 2060 Lakeview Dr. was concerned about runoff.

Paul Maddox, 814 Chestnut St. spoke in support.

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

**MOTION** Mr. House made a motion to recommend rezoning approval 812 Chestnut St. from Vestavia Hills R-3 to Vestavia Hills B-2 with the following conditions:

- A. Easement between Todd Mall and subject property to be vacated;
- B. Approval only for site plan presented;
- C. Applicants to use tools to encourage traffic to Canyon Rd.;
- D. Final improvements subject to engineering review.

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

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

Conrad Garrison, City Planner

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

Date: OCTOBER 12, 2017

- **CASE:** P-1017-44
- **REQUESTED ACTION:** Rezoning From Jefferson County R-1 to Vestavia Hills R-2 Conservation Subdivision
- **ADDRESS/LOCATION:** 1644 Shades Crest Rd.
- **APPLICANT/OWNER:** Wedgeworth Realty, Inc.
- **REPRESENTING AGENT:** Mike Wedgeworth
- **GENERAL DISCUSSION:** Applicant is currently in the 90 day annexation process. Applicant is requesting rezoning for a 13 lot R-2 Conservation subdivision. By right, the R-2 zoning would allow 13 lots. However, the applicant wishes to preserve the back of Shades Mountain and is clustering those lots at the front of the development. The conservations subdivision allows for reduced lot size and setbacks. 25% of the development must be preserved, which is met with this plan. The proposed street will have sidewalks on both sides. Because this is a conservation subdivision, the plan submitted acts as the preliminary plat and allows for no deviation. The site plan, with proposed setbacks is attached. Covenants for maintence of the conservation easement will be submitted with the final plat.
- **VESTAVIA COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for Neighborhood, Low/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 problems noted
  2. **City Engineer Review:** No problems noted.
  3. **City Fire Marshal Review:** No problems noted

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

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#### 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.**

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#### II. APPLICANT INFORMATION: (owner of property)

NAME: Wedgworth Realty, Inc

ADDRESS: 4154 Crosshaven Drive

Birmingham, Alabama 35243

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home 205 365-4344 Office 205 379-6051

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: \_\_\_\_\_

Michael W Wedgworth

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P1017-44//29-25-2-8-2  
1644 Shades Crest Rd.  
Rezone to VH R-2  
Wedgworth Realty, Inc.  
JC R-1

**III. ACTION REQUESTED**

Request that the above described property be zoned/rezoned

From: Jefferson County R-1

To: Vestavia R-2 Conservation Subdivision

For the intended purpose of: 13 Single Family Homes

*(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.)**

1644 Shades Crest Road

Property size: \_\_\_\_\_ feet X \_\_\_\_\_ feet. Acres: 5.02

**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.

Michael W. Wedgworth  
Owner Signature/Date

\_\_\_\_\_  
Representing Agent (if any)/date

Given under my hand and seal  
this 12 day of May, 2017.

[Signature]  
Notary Public

My commission expires 25  
day of August, 2017.

**SITE INFORMATION**

TOTAL PROPERTY = 218,735 SF (5.02 AC)

CONSERVATION AREA  
 REQUIRED = 54,684 SF (25.00%)  
 PROVIDED = 54,725 SF (25.02%)

**SETBACKS:**

FRONT: 15'  
 (LOTS 1-4, 10-13)

SIDE: 10'  
 (LOTS 5-9)

15' BETWEEN HOMES (LOTS 1-5, 9-13)

5' (SOUTH SIDE LOTS 1 AND 13)

5' (NORTH SIDE LOTS 5 AND 9)

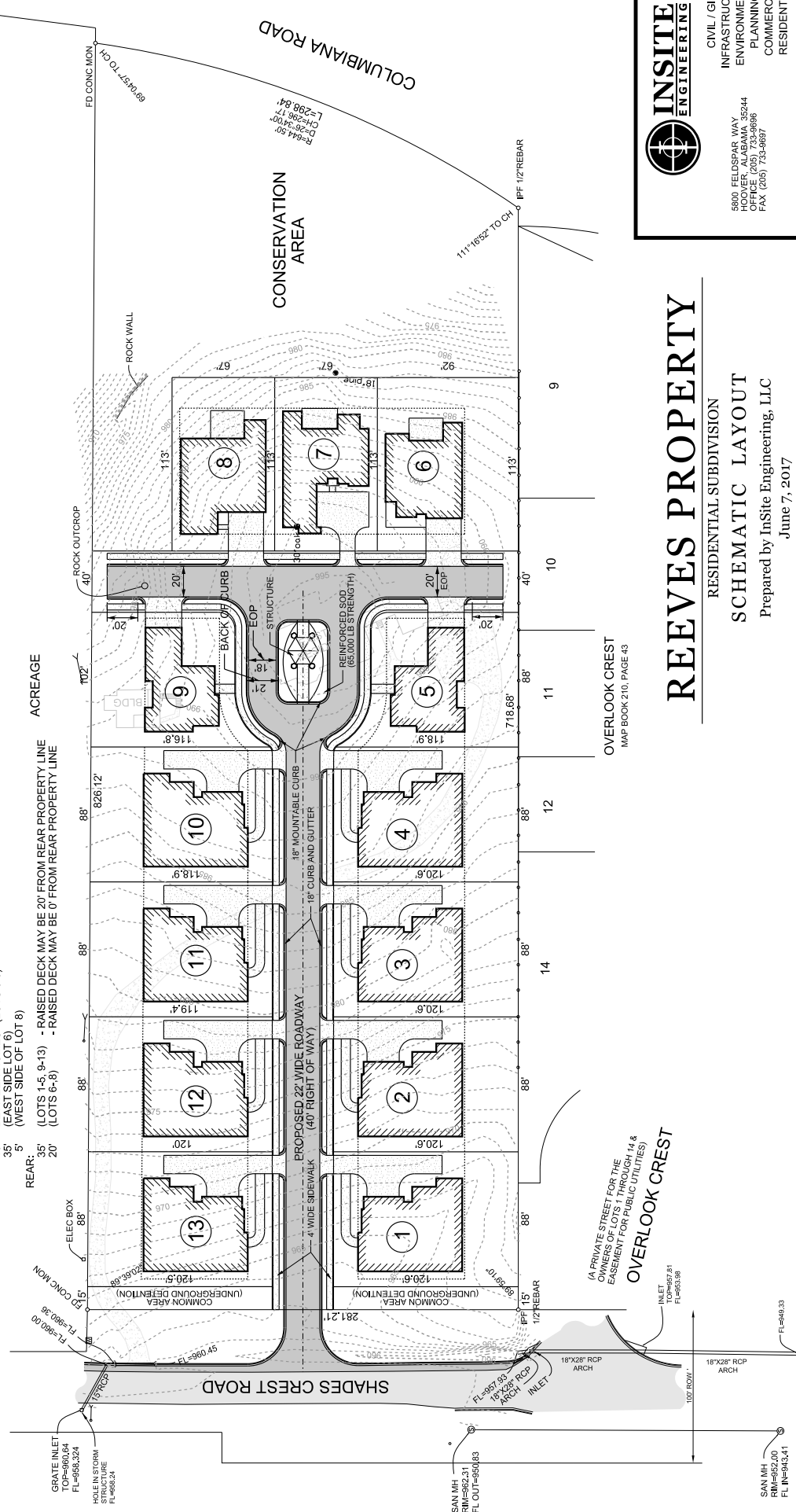
10' BETWEEN HOMES (LOTS 6-8)

35' (EAST SIDE LOT 6)

5' (WEST SIDE OF LOT 8)

REAR: 35' (LOTS 1-5, 9-13) - RAISED DECK MAY BE 20' FROM REAR PROPERTY LINE

20' (LOTS 6-8) - RAISED DECK MAY BE 0' FROM REAR PROPERTY LINE

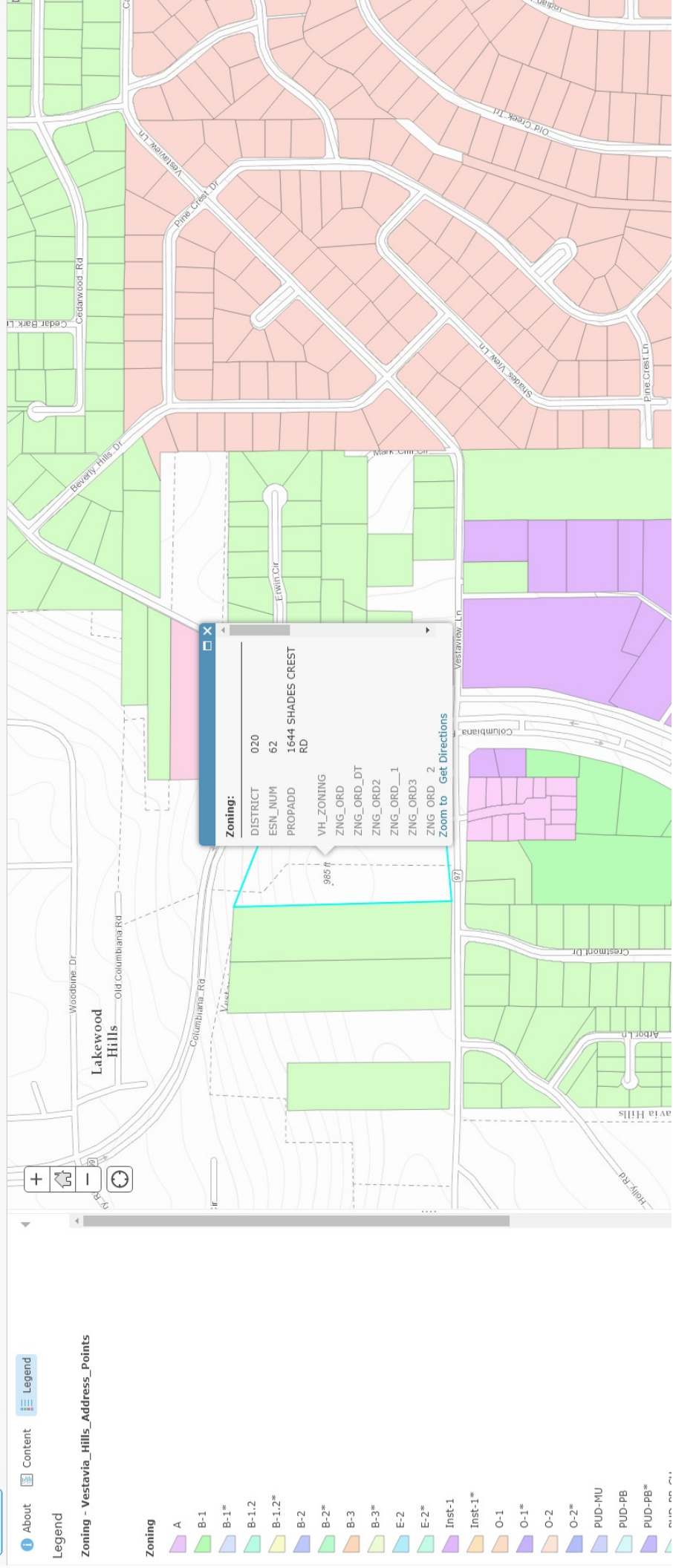


**REEVES PROPERTY**  
 RESIDENTIAL SUBDIVISION  
**SCHEMATIC LAYOUT**  
 Prepared by InSite Engineering, LLC  
 June 7, 2017

**INSITE ENGINEERING**  
 CIVIL / GIS  
 INFRASTRUCTURE  
 ENVIRONMENTAL  
 PLANNING  
 COMMERCIAL  
 RESIDENTIAL

5800 FELOSAP WAY  
 HOOVER, ALABAMA 35244  
 OFFICE (205) 733-8686  
 FAX (205) 733-8697

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Subject Parcel

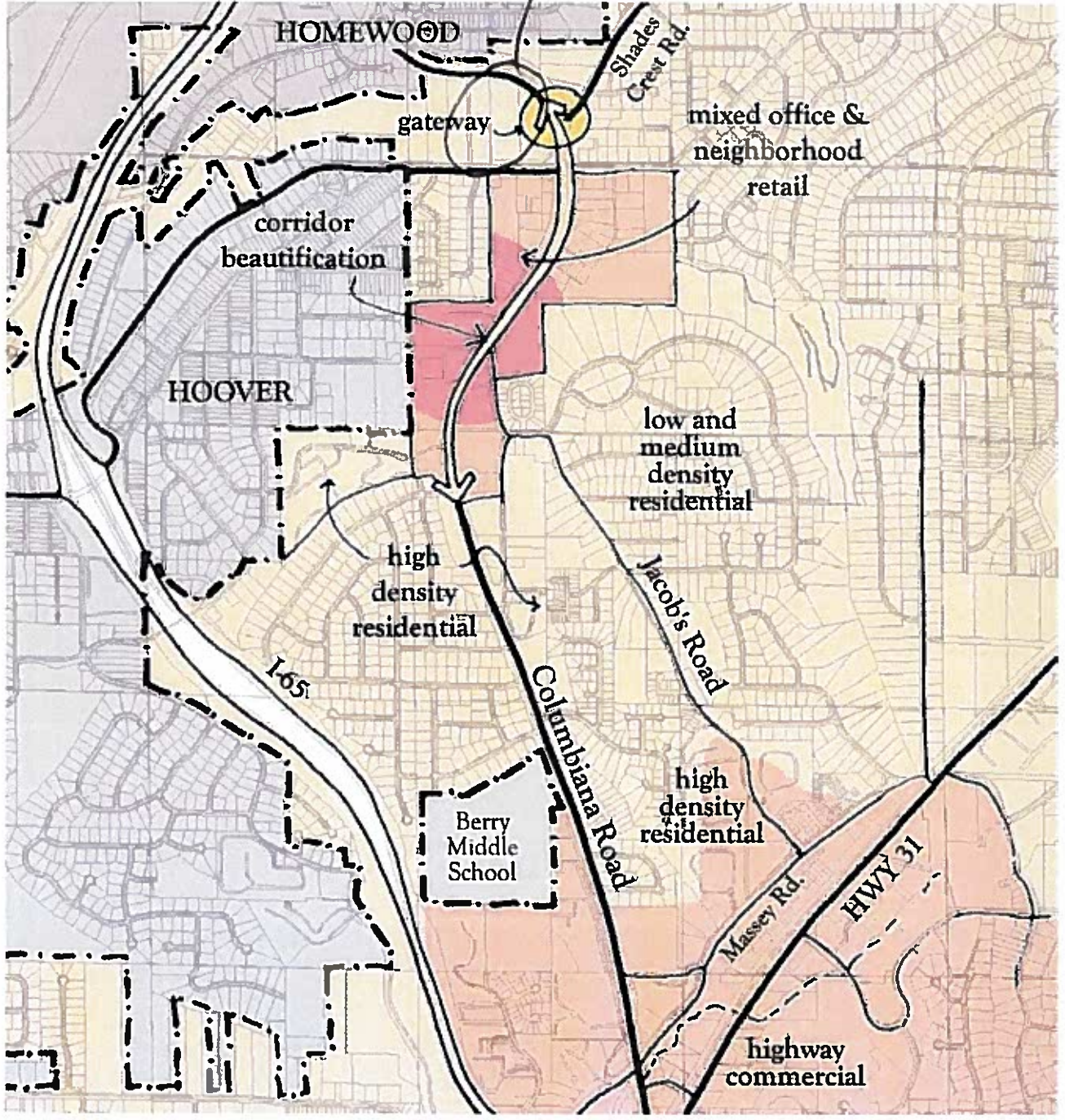


Figure 20: Columbiana Road  
Land Use Analysis

- Neighborhood - primarily low / medium density single-family residential areas with higher densities near village center(s). Other uses may include schools, places of worship, recreational areas, and open space.
- Village Center - mixed use centers with highest densities in core area. 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: OCTOBER 12, 2017

- **CASE:** P-1017-49
- **REQUESTED ACTION:** Rezoning From Vestavia Hills B-2 to Vestavia Hills R-9
- **ADDRESS/LOCATION:** 3791 Poe Dr.
- **APPLICANT/OWNER:** Overton Village Condos, LLC
- **REPRESENTING AGENT:** Marc Perlman, Lauren Barrett
- **GENERAL DISCUSSION:** The .5 acre Parcel was previously approved (Ord. 2171A) for a 3 story building with 4 retail units on ground floor and 16 condo units on floors 2-3. Under the old zoning code the development was permitted with a B-2 zoning.

Subsequently, ownership of the development has changed, as has the use and design of the building. The first floor retail has been jettisoned in favor of parking. The top 2 stories will still be residential but the count has dropped from 16 units to 10 units. Building height will be 39'-8". Applicants propose six 3 bedroom units and four 2 bedroom units. Applicant states that the average sale price will be \$300/sq. ft. Additional parking lot is in the rear of the building. Applicant also intends to build 5 on street parking spaces with a road widening project in front of the development. 19 spaces are required by code and 24 are provided. As with all R-9 developments, approval of the rezoning "locks in" the site plan presented.

The parcel is part of a larger 2.2 acre project that has two additional buildings in Mountain Brook that total 31 units. The Mountain Brook Planning and Zoning Commission have already recommended approval of the application with no conditions.

- **CAHABA HEIGHTS COMMUNITY PLAN:** The request may be considered consistent with the Community Plan for Retail/Mixed Use since it moves the building to the street, is pedestrian oriented, and three stories in height. Additionally, there are R-9 zoned single family housing directly across Poe Dr.
- **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:** CCR's to be submitted with final plat

2. **City Engineer Review:** No problems noted.
3. **City Fire Marshal Review:** No problems notes.
4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

# CITY OF VESTAVIA HILLS

## APPLICATION

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- (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: Marc Perlman for Overton Village Condos, LLC

ADDRESS: P.O. Box 11086 Birmingham, AL 35202

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home \_\_\_\_\_ Office (205) 803-3000

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: \_\_\_\_\_

**III. ACTION REQUESTED**

Request that the above described property be zoned/rezoned

From: ~~B-1~~ B-2 (per Becky)

To: R-9 Planned Residential

For the intended purpose of: construction of a ten-unit three story condominium building. see attached 'Statement of Purpose Letter'  
(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.)**

SEE ATTACHED LEGAL DESCRIPTION

Property size: \_\_\_\_\_ feet X \_\_\_\_\_ feet. Acres: \_\_\_\_\_

**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.

Mr. A. Deal / 9.6.17  
Owner Signature/Date

\_\_\_\_\_  
Representing Agent (if any)/date

Given under my hand and seal  
this 6<sup>th</sup> day of September, 2017.

Martha Katherine Kent  
Notary Public

My commission expires 28<sup>th</sup>  
day of January, 2019.



MARTHA KATHERINE KENT  
Notary Public, State of Alabama  
Alabama State At Large  
My Commission Expires  
January 28, 2019



## VESTAVIA PARCEL

(Jefferson County Tax Parcel # 28-00-15-1-011-008.000)

A parcel of land situated in the corporate limits of Vestavia Hills, being a part of Lot 1, Block 2, Overton Village as recorded in Map Book 227, Page 52 in the Probate Office of Jefferson County, Alabama and more particularly described as follows:

Begin at the Southwest corner of Lot 1, Block 2, Overton Village as recorded in Map Book 227, Page 52 in the Probate Office of Jefferson County, Alabama, said point also being on the Easterly right-of-way line of Poe Drive; thence in an Easterly direction along the South line of said Lot 1 a distance of 145.08 feet to a point; thence  $91^{\circ}39'17''$  to the right in a Northerly direction a distance of 180.04 feet to a point; thence  $88^{\circ}20'43''$  to the right in a Westerly direction along a line of said Lot 1 a distance of 145.00 feet to a point on the Easterly right-of-way line of Poe Drive and a corner of said Lot 1; thence  $91^{\circ}37'42''$  to the right in a Southerly direction along the Westernmost line of said Lot 1 and the Easterly right-of-way line of Poe Drive a distance of 180.04 feet to the Point of Beginning.

Contains 26,102.7 square feet or 0.6 Acres.

**Statement of Purpose**  
In Support Of  
Request for Rezoning at:  
3791 Poe Drive, 35243

The subject is currently zoned B-1, which was granted by the City approximately 10 years ago. Since the project scope has changed to be fully residential without any mixed-use occupancy, and B-1 no longer permits residential uses, a request is being made to re-zone the property located at 3791 Poe Drive to become R-9 Planned Residential for a ten-unit three-story condominium building.


A portion of the property is located within Mountain Brook, and fronts on Fairhaven Drive, which is also the subject of a re-zoning request from Mixed-Use to Residence 'G', which will allow the development of a three-story 27 unit condominium, and a four unit townhome building on the east side of Fairhaven Drive.

The Mountain Brook portion of the property is located within the Overton Village designation, and all development will be subject to the Village Overlay standards. Those include, but are not limited to a density of units per acre, height restrictions, exterior facade materials, landscaping and buffers.

The requested re-zoning request will reduce density of the previously approved mixed-use development from 60 residential units (total) to 41 residential units (total), elimination of 15,000sf of retail/commercial space, and the elimination of two levels of an underground parking garage.

The 10 condominium units within Vestavia Hills and the 31 units in Mountain Brook will be designed to attract purchasers who are primarily desiring to down-size from larger single family homes in Cahaba Heights and Mountain Brook who want to remain in the community where they have lived for a significant time; and, those who are young professionals without children. There will be no amenities such as pools, tennis courts, clubhouses, or playgrounds on the development.

We trust that the above narrative satisfactorily describes the scope of the project.

By: 

**For Overton Village Condos, LLC**

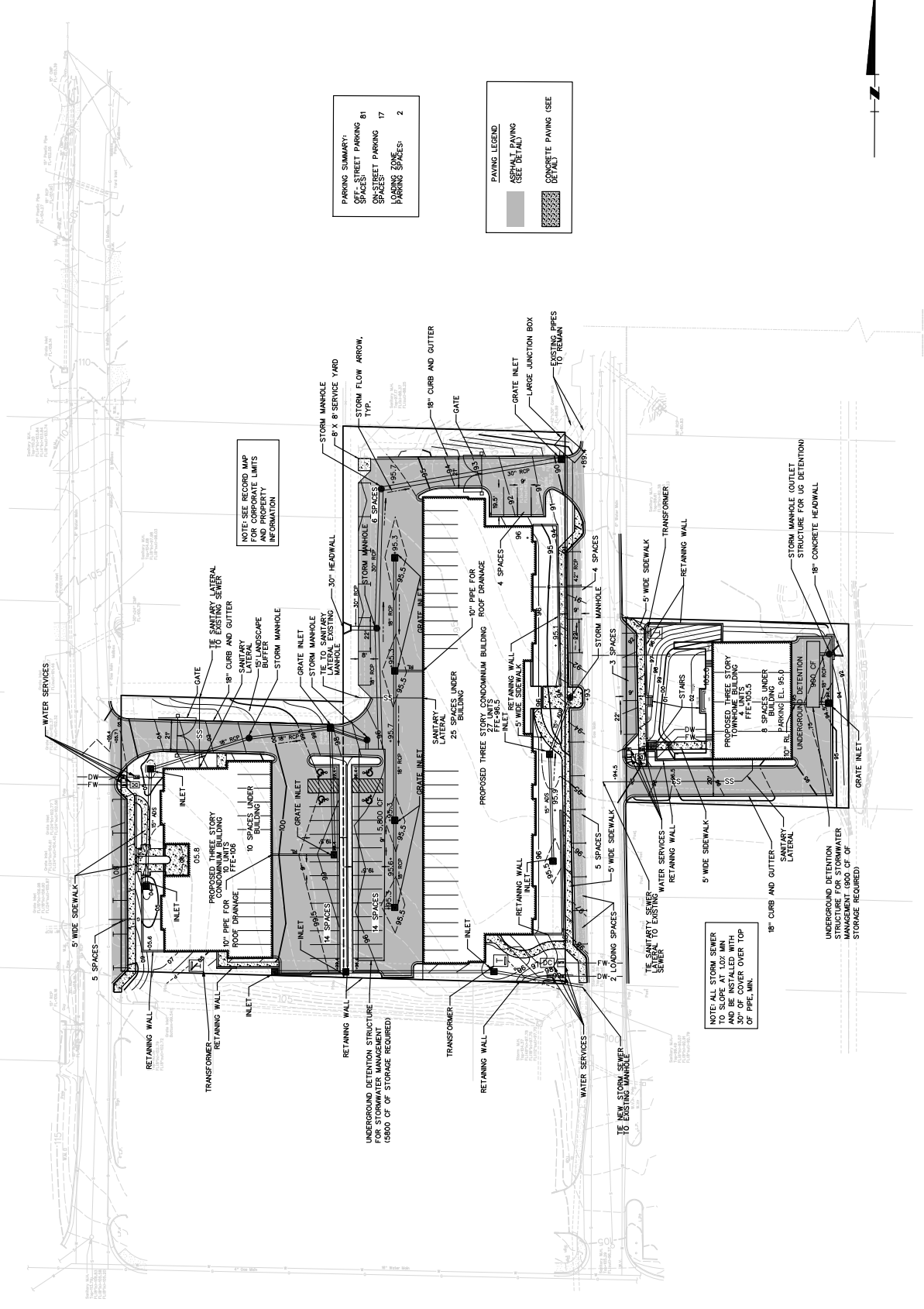
Date: 9.1.17



**OVERTON VILLAGE  
 MOUNTAIN BROOK AND  
 VESTAVIA HILLS, ALABAMA**

DRAWING SET: 9/7/2017  
 REVIEW SET: 9/7/2017  
 PERIODS:

**SITE DEVELOPMENT PLAN**  
 DRAWN BY: J.S.  
 CHECKED BY: J.M.S.  
 FILE NAME: 17142\_CPI  
 9/7/2017/09/08/2017



**PARKING SUMMARY:**

OFF-STREET PARKING	61 SPACES
ON-STREET PARKING	17 SPACES
LOADING ZONE	2 SPACES

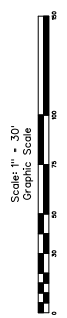
**PAVING LEGEND:**

[Symbol]	ASPHALT PAVING (SEE DETAIL)
[Symbol]	CONCRETE PAVING (SEE DETAIL)

NOTE: SEE RECORD MAP FOR CORPORATE LIMITS AND PROPERTY INFORMATION

NOTE: ALL STORM SEWER TO SLOPE AT 1.0% MIN. AND SANITARY SEWER TO SLOPE AT 0.5% MIN. COVER OVER TOP OF PIPE, MIN.

UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE BASED ON RECORD MAPS AND SHOULD BE FIELD VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION. THE ENGINEER'S AND CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION SITE SURVEY.

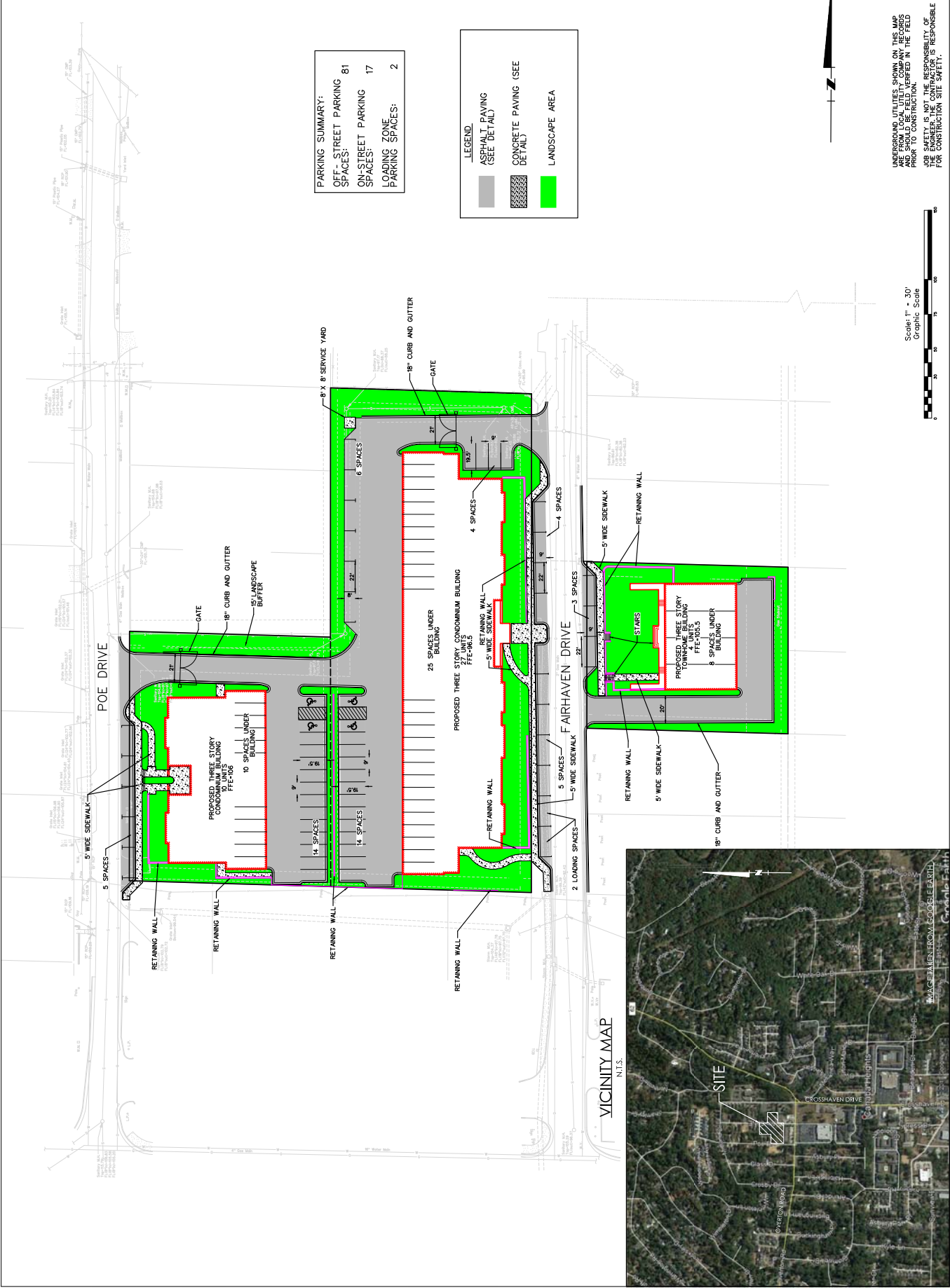


**PARKING SUMMARY:**

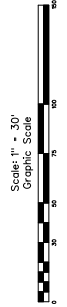
OFF-STREET PARKING SPACES:	81
ON-STREET PARKING SPACES:	17
LOADING ZONE PARKING SPACES:	2

**LEGEND:**

	ASPHALT PAVING (SEE DETAIL)
	CONCRETE PAVING (SEE DETAIL)
	LANDSCAPE AREA



UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE BASED ON RECORD DRAWINGS AND SHOULD BE FIELD VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION. THE ENGINEER'S AND CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION SITE SAFETY.





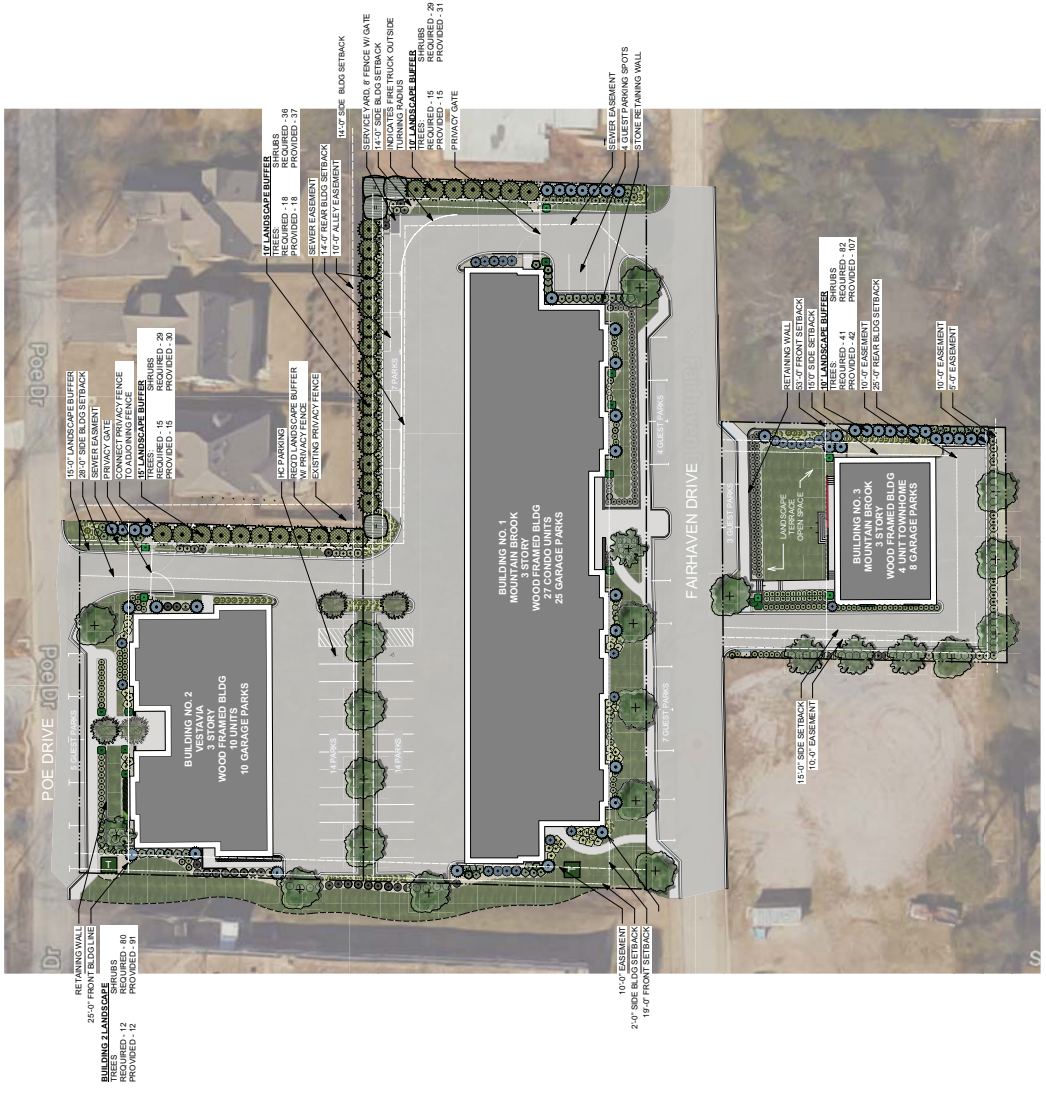
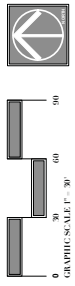
# Overton Village Landscape Plan

## Mountain Brook and Vestavia Hills, AL

REVISIONS

DATE: 8/07  
 SCALE: 1"=30'  
 DRAWN: dhp  
 PROJECT NO: 0710  
 SHEET TITLE: Overton Village Landscape Plan

SHEET NUMBER: L1.0  
 SHEET NUMBER: L1.0  
 SEQUENCE: 1 OF 2



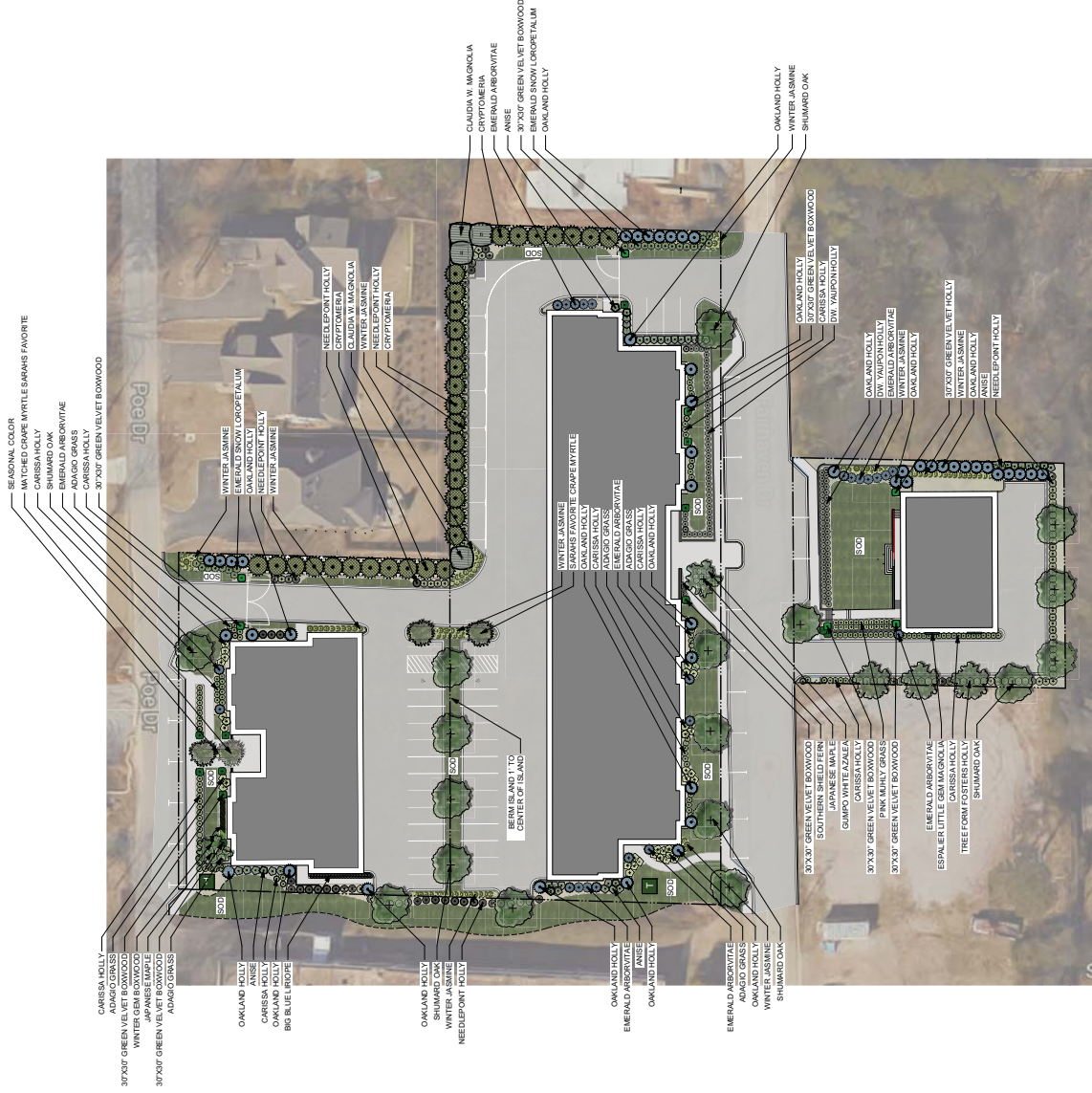


# OVERTON VILLAGE Landscape Plan Mountain Brook and Vestavia Hills, AL

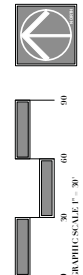
REVISIONS

DATE: 8/07  
 SCALE: 1"=30'  
 DRAWN: dhp  
 PROJECT NO: 205-223-5397  
 PROJECT NUMBER:

SHEET TITLE: **Schematic Planting Plan**  
 SHEET NUMBER: **L2.0**  
 SEQUENCE: 2 OF 2



**NOTE:**  
 THIS LANDSCAPE PLAN IS SCHEMATIC AND SUBJECT TO REVISION AS DETAILED SITE ARCHITECTURAL AND ENGINEERING PLANS DEVELOP. PLANT QUANTITIES AND PLANTING LAYOUT WILL VARY BASED ON FINAL ARCHITECTURAL AND ENGINEERING PLANS.

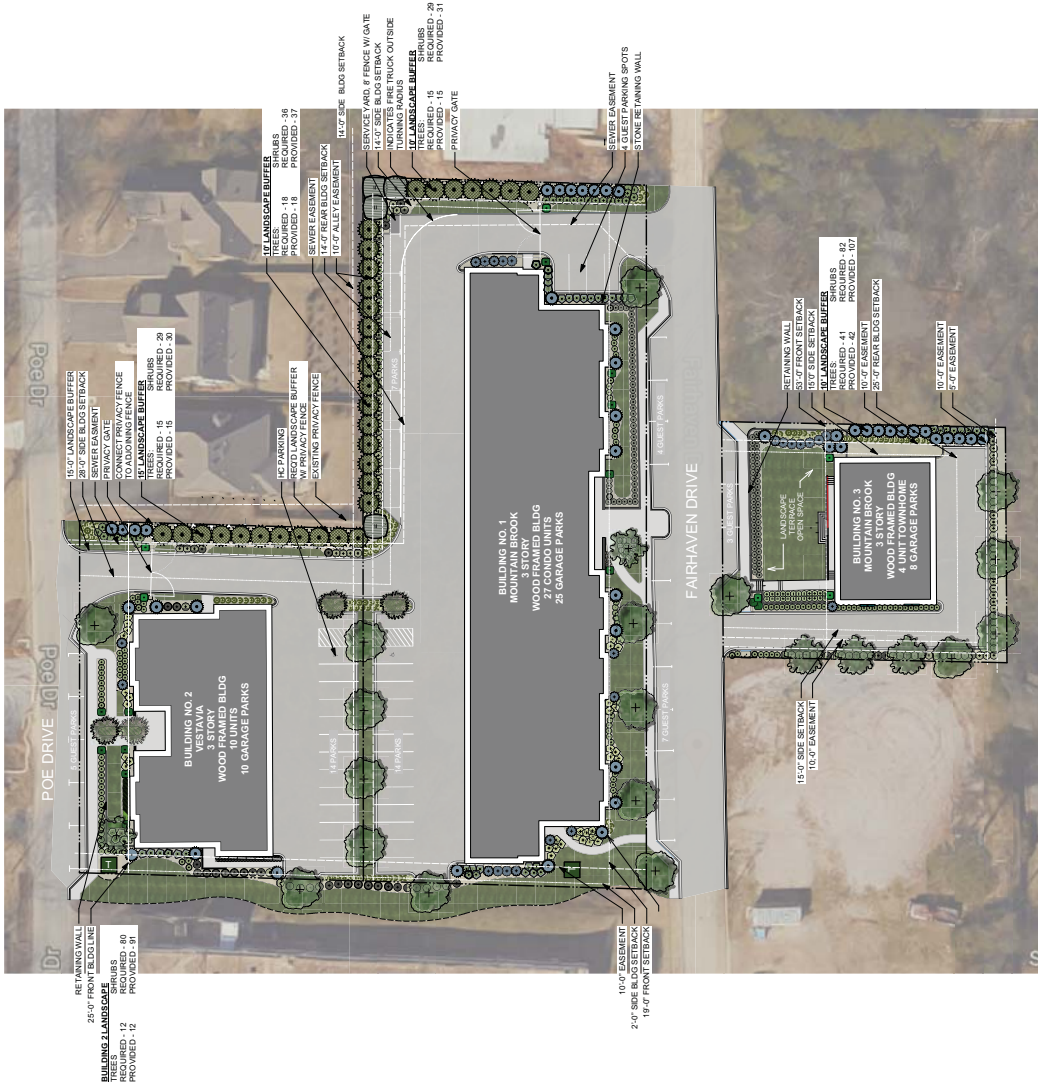
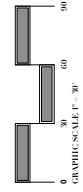




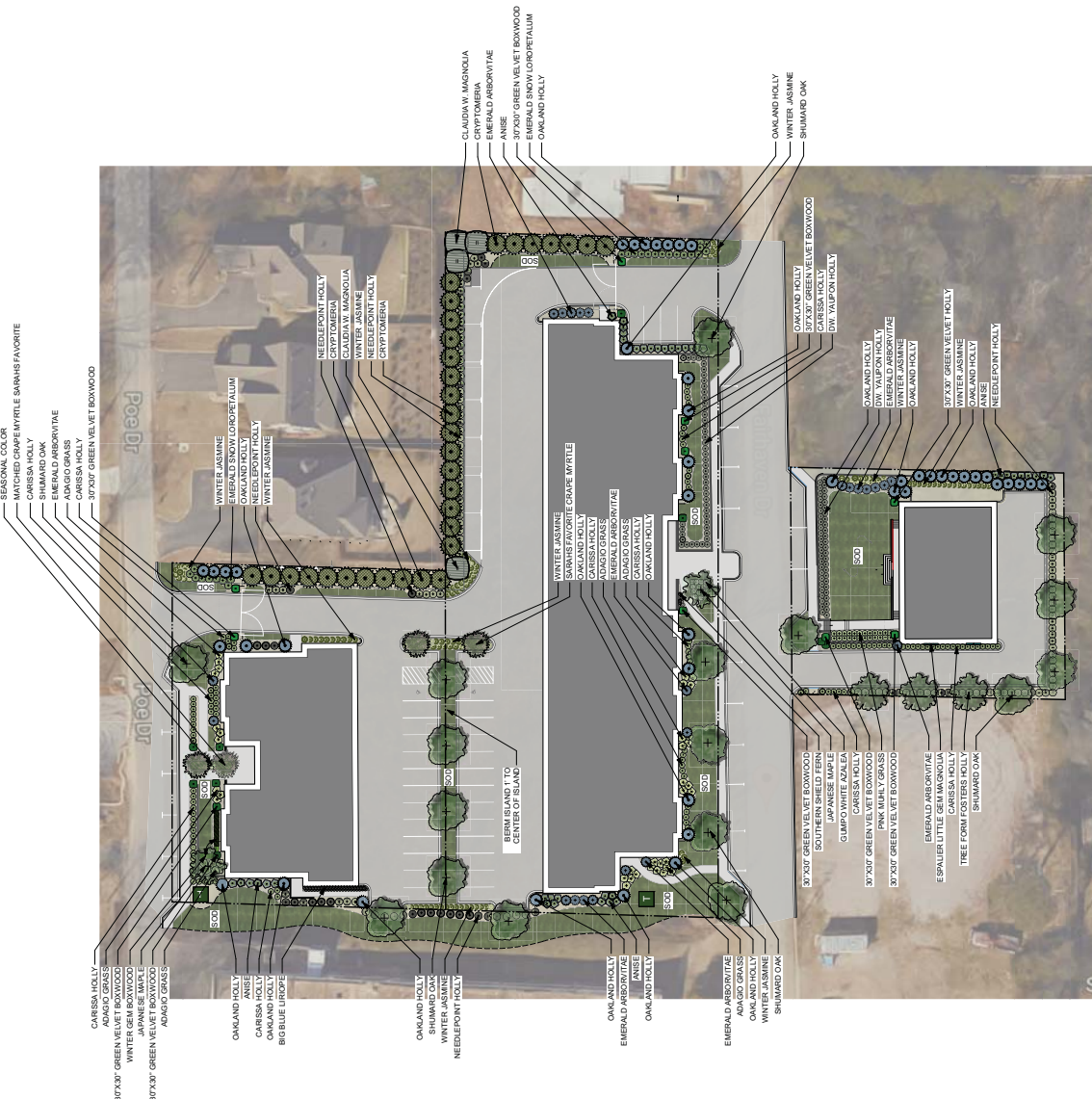
**Mountain Brook and Vestavia Hills, AL**  
**Overton Village**  
**Landscape Plan**

REVISIONS  
 1 02/17/17 dms  
 Plan List

DATE: 8/07/17  
 SCALE: 1"=30'  
 DRAWN: dms  
 PROJECT NO: 010  
 SHEET TITLE: Schematic Landscape Plan  
 SHEET NUMBER: L1.0  
 SEQUENCE: 1 OF 2







NOTE: THIS LANDSCAPE PLAN IS SCHEMATIC AND SUBJECT TO REVISION AS DETAILED SITE, ARCHITECTURAL, AND ENGINEERING PLANS DEVELOP. PLANT QUANTITIES AND PLANTING LAYOUT WILL VARY BASED ON FINAL ARCHITECTURAL AND ENGINEERING PLANS.

NOTE: PLANTS AND TREES INDICATED BELOW INDICATE THE DESIGN INTENT. IN THE EVENT THAT EACH PLANT ARE SHOWN, THE ALTERNATE PLANTS SHALL FULFILL THE DESIRED DESIGN AND OR SCREENING INTENT OF THE LANDSCAPE ARCHITECT AND BE OF A SIMILAR SIZE AND FORM AS THOSE ORIGINALLY PROPOSED.

PROPOSED PLANT LIST		ALTERNATE PLANT LIST 1	ALTERNATE PLANT LIST 2
<b>TREES</b>	<ul style="list-style-type: none"> <li>Camelia</li> <li>Carissa Myrtle</li> <li>Shinarump Oak</li> <li>Emerald Abrotynite</li> <li>Green Japanese Maple</li> <li>Japanese Maple</li> <li>Spider Plant</li> <li>Green Giant Magnolia</li> <li>Cryptomeria</li> <li>Clusia W. Magnolia</li> </ul>	<ul style="list-style-type: none"> <li>Carissa Myrtle</li> <li>Winter Jasmine</li> <li>Shinarump Oak</li> <li>Japanese Maple</li> <li>Green Japanese Maple</li> <li>Emerald Abrotynite</li> <li>Green Giant Magnolia</li> <li>Clusia W. Magnolia</li> </ul>	<ul style="list-style-type: none"> <li>Carissa Myrtle</li> <li>Nuttall Oak</li> <li>Myrtle Red Cedar</li> <li>Green Japanese Maple</li> <li>Chinese Pistache</li> <li>Emerald Abrotynite</li> <li>Myrtle Red Cedar</li> <li>Green Giant Magnolia</li> </ul>
<b>SHRUBS</b>	<ul style="list-style-type: none"> <li>Winter Jasmine</li> <li>Green Velvet Boxwood</li> <li>Green Velvet Boxwood</li> <li>Needlepoint Holly</li> <li>Winter Jasmine</li> <li>Carissa Myrtle</li> <li>Green Velvet Boxwood</li> <li>Emerald Abrotynite</li> <li>Winter Jasmine</li> <li>Shinarump Oak</li> </ul>	<ul style="list-style-type: none"> <li>Winter Jasmine</li> <li>Green Velvet Boxwood</li> <li>Needlepoint Holly</li> <li>Winter Jasmine</li> <li>Carissa Myrtle</li> <li>Green Velvet Boxwood</li> <li>Emerald Abrotynite</li> <li>Winter Jasmine</li> <li>Shinarump Oak</li> </ul>	<ul style="list-style-type: none"> <li>Winter Jasmine</li> <li>Green Velvet Boxwood</li> <li>Needlepoint Holly</li> <li>Winter Jasmine</li> <li>Carissa Myrtle</li> <li>Green Velvet Boxwood</li> <li>Emerald Abrotynite</li> <li>Winter Jasmine</li> <li>Shinarump Oak</li> </ul>
<b>GROUNDCOVER</b>	<ul style="list-style-type: none"> <li>Big Blue Linaria</li> <li>Southern Shad Fern</li> <li>Japanese Cedar</li> <li>Emerald Zoysia</li> </ul>	<ul style="list-style-type: none"> <li>Big Blue Linaria</li> <li>Southern Shad Fern</li> <li>Japanese Cedar</li> <li>Emerald Zoysia</li> </ul>	<ul style="list-style-type: none"> <li>Big Blue Linaria</li> <li>Southern Shad Fern</li> <li>Japanese Cedar</li> <li>Emerald Zoysia</li> </ul>



OVERTON VILLAGE CONDOMINIUMS

WEST ELEVATION | NOT TO SCALE

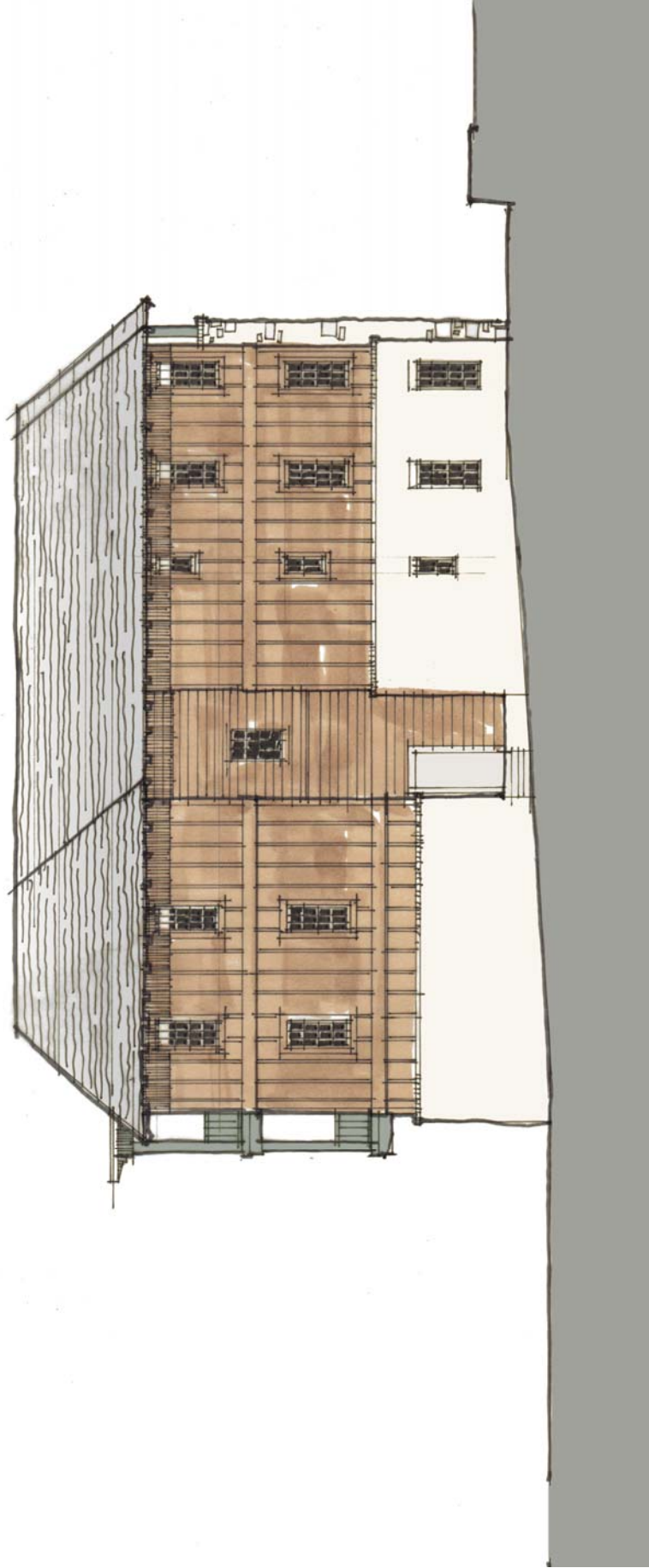


09.07.2017

**BARRETT**  
ARCHITECTURE  
STUDIO

OVERTON VILLAGE CONDOMINIUMS

EAST ELEVATION | NOT TO SCALE



OVERTON VILLAGE CONDOMINIUMS

NORTH ELEVATION | NOT TO SCALE

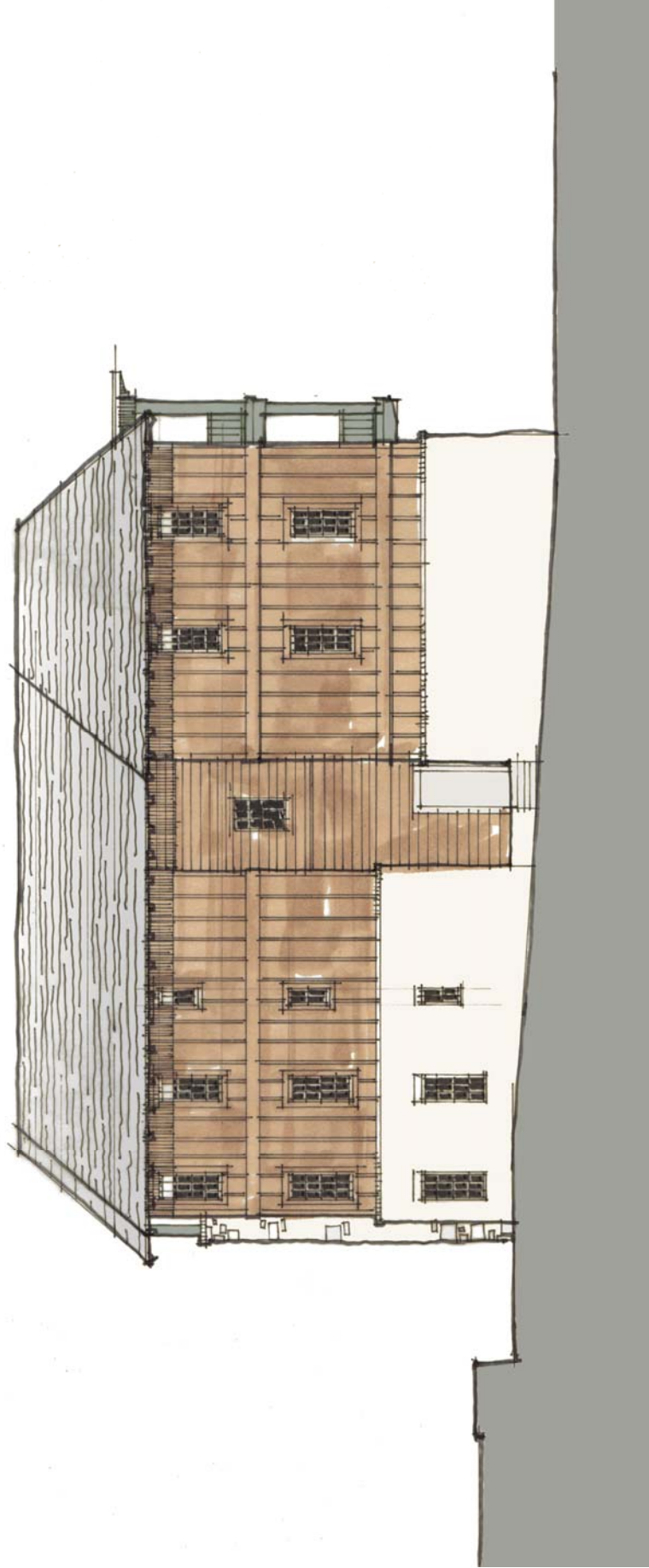
09.07.2017

BARRETT  
ARCHITECTURE  
STUDIO



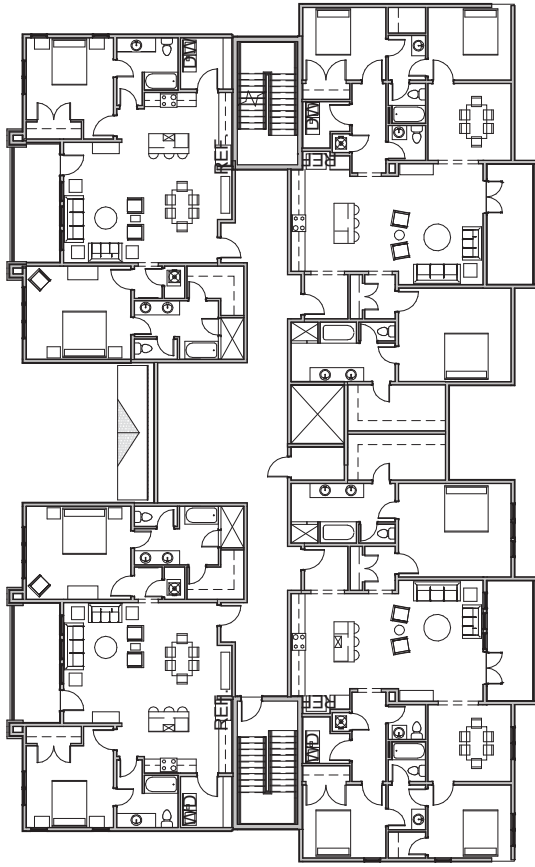
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**BARRETT**  
ARCHITECTURE  
STUDIO

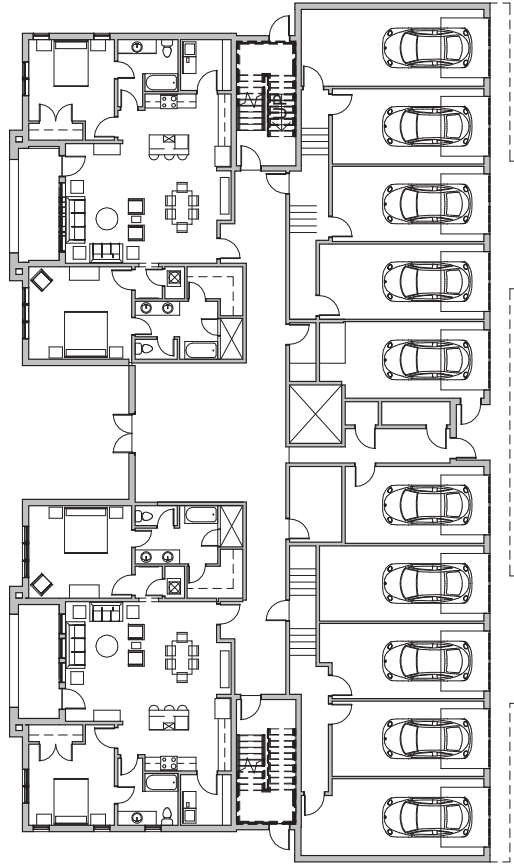


OVERTON VILLAGE CONDOMINIUMS

SOUTH ELEVATION | NOT TO SCALE



SECOND & THIRD FLOOR PLAN



FIRST FLOOR PLAN

OVERTON VILLAGE CONDOMINIUMS

FLOOR PLANS | NOT TO SCALE

09.07.2017

BARRETT  
ARCHITECTURE  
STUDIO



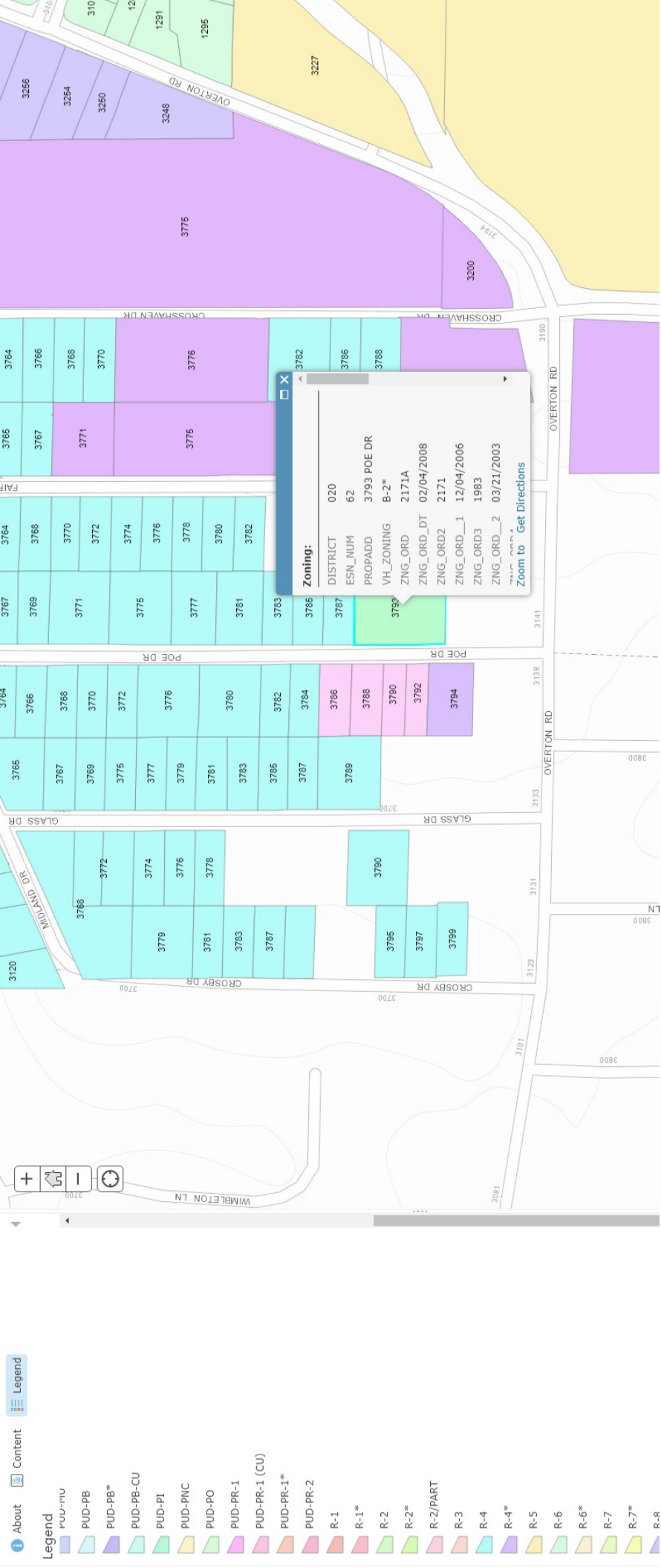
39'-8"  
FROM GRADE TO ROOF MIDPOINT

OVERTON VILLAGE CONDOMINIUMS

WEST ELEVATION | NOT TO SCALE

09.07.2017

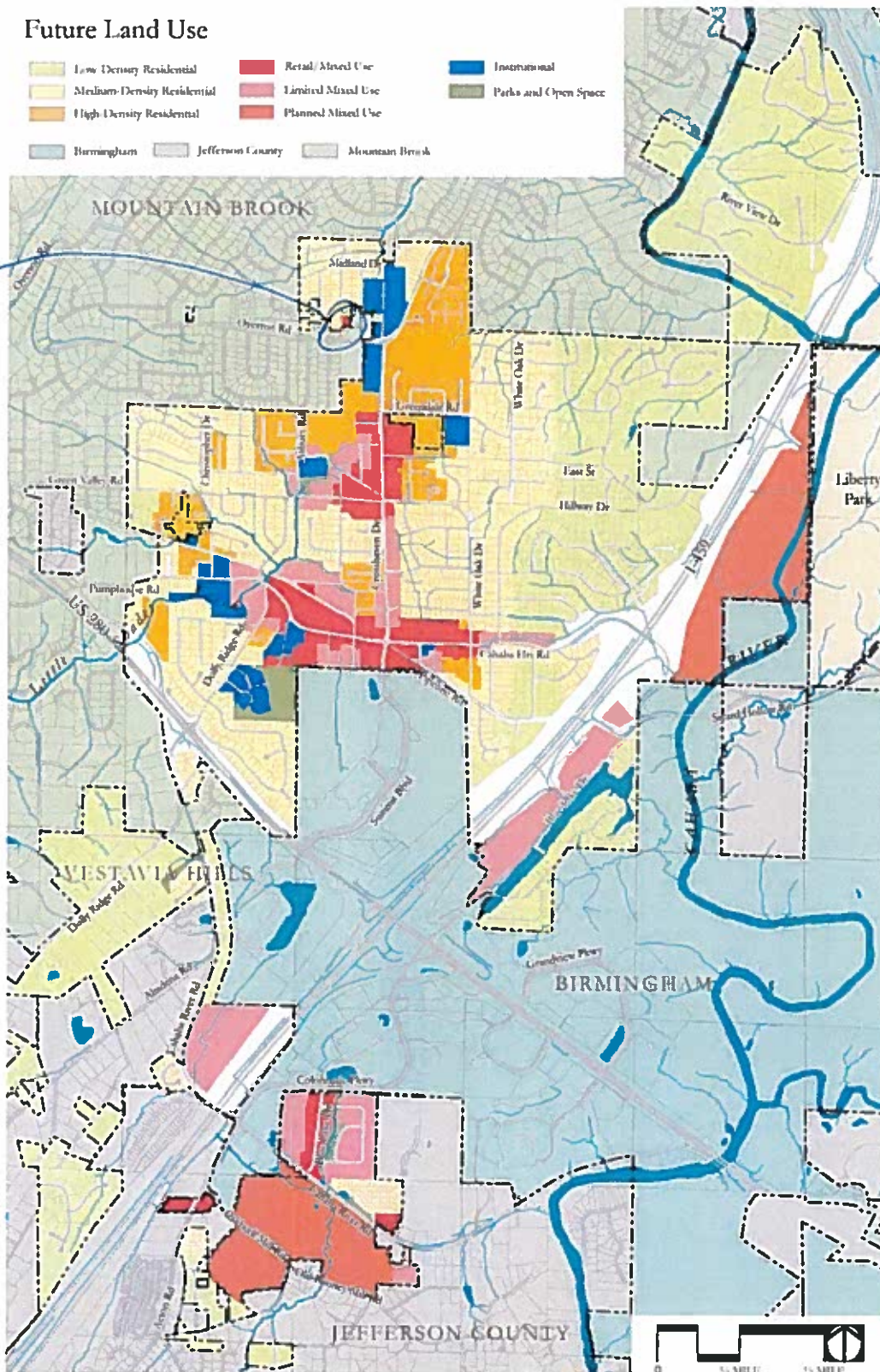
**BARRETT**  
ARCHITECTURE  
STUDIO





### 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 Parcel

Figure 4: Future Land Use Map



**L A W   O F F I C E S   O F**  
**J E F F   W .   P A R M E R ,   L L C**

October 3, 2017

Mr. Conrad Garrison  
City Planner  
City of Vestavia Hills  
1032 Montgomery Highway  
Vestavia Hills, Alabama 35216

RE: Rezoning Request – Overton Village Condos, LLC

Dear Mr. Garrison:

I am contacting you on behalf of St. Stephens Episcopal Church ("St. Stephens") in response to the Notice of Public Hearing received by St. Stephens regarding the rezoning request by Mr. Marc Perlman for the proposed Overton Village Condominiums. As you may know, St. Stephens is located on Crosshaven Drive, which is one block away from the proposed development.

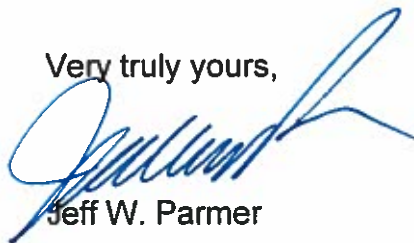
There is a deep concern on the part of St. Stephens that the construction of the proposed condominium development will greatly increase traffic on Poe Drive, Fairhaven Drive, Crosshaven Drive, as well as Overton Road. The side streets, especially, Poe Drive and Fairhaven Drive, are extremely narrow streets and could pose a danger to motorists and pedestrians with the increased traffic associated with the proposed development. My purpose in writing at this time is to formally request, on behalf of St. Stephens, that the City of Vestavia Hills require a traffic study of the impact of the development on the surrounding streets and traffic patterns prior to moving forward with acting on the rezoning request.

Thank you for your consideration in this matter. If there are any questions regarding this request by St. Stephens, please let me know.

Mr. Conrad Garrison  
October 3, 2017  
Page 2

With kindest regards, I am,

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jeff W. Parmer", is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jeff W. Parmer

JWP/mo

cc: Jen Manning

Enclosures

## **Conrad Garrison**

---

**From:** Carol Wood <clwood082@gmail.com>  
**Sent:** Friday, October 06, 2017 5:06 PM  
**To:** deloye@charter.net; Conrad Garrison; bigjimbrooks@gmail.com;  
houseblaine@gmail.com; fredgoodwin@att.net; llarson@balch.com;  
cheryldcobb@aol.com; Dennis Weaver  
**Subject:** Oct.12 Planning and Zoning Meeting

**Re:** Approval of 3 story, 30 unit condominium complex located off Overton Drive in the area of Glass Drive/Fairhaven/Poe Drive.

I urge you to vote NO to rezone this property for this proposal. There are several reasons -

traffic from this project will ultimately come to CrossHaven Drive which is and has been a nightmare for years, what benefit would this proposal give to Cahaba Heights.

the streets where this would be built are very narrow and with the new homes recently built have become busier and more congested.

Please vote NO. Don't let this become another BUSA soccer field problem.

Carol Wood  
3149 Canterbury Place, 35243  
205-837-7111

## Conrad Garrison

---

**From:** Jon Hinds <jhinds@onguard-inc.com>  
**Sent:** Wednesday, October 04, 2017 4:07 PM  
**To:** Conrad Garrison  
**Subject:** Zoning hearing 10/12/2017

Planning and Zoning,

10/05/2017

Concerning Lot 1, BLK 2 Overton Village Resurvey hearing on Oct 12, 2017

I did not oppose the original mixed use high end building that was proposed to the zoning board in 2006. However, I strongly object to the current zoning request and variances that are being applied for by Marc Perlman of Overton Village Condos, LLC.

In 2006

They were going to have underground parking, boutique ground floor shops and \$600 a sq. foot condominiums.

Some of my objections and points:

1. The new proposal and variances will not benefit the community but will hurt it.
2. It is not as upscale as the original. It looks more like apartments
3. Our street has taken a different direction with \$600,000 + homes
4. Many more pedestrians and kids than ever before walking and playing on the street.
5. Many of us have plans to improve our home. If the condos are approved we will not make the improvements because we do not believe we will see any positive return on our improvements.
6. They should stick with the approved 2006 plan 100% or build nice \$6-700,000 homes.

Jon Hinds  
3794 Poe Dr.  
[JHinds@OnGuard-inc.com](mailto:JHinds@OnGuard-inc.com)  
222-7233

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

Date: **OCTOBER 12, 2017**

- **CASE:** P-1017-50
- **REQUESTED ACTION:** Rezoning From Vestavia Hills R-4 to Vestavia Hills R-9
- **ADDRESS/LOCATION:** 3779 & 3781 Poe Dr.
- **APPLICANT/OWNER:** Overton Investments, LLC
- **REPRESENTING AGENT:** Jason Kessler
- **GENERAL DISCUSSION:** Applicant is seeking to rezone 2 lots on Poe Dr. into an R-9 3 lot subdivision. Setbacks for the three lots would be 25' for front and rear and 5' on the sides.

There is a proposed 10' storm sewer easement on the north side of Lot 27 and a 20' sanitary sewer easement along the rear of all three lots. A site plan is attached.

- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the Community Plan for medium density residential. There are also 4 R-9 zoned lots currently on Poe Dr.
- **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 problems noted.
  2. **City Engineer Review:** No problems noted.
  3. **City Fire Marshal Review:** No problems notes.
  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:

Overton Investments LLC

ADDRESS:

3505 Bent River Rd.

Birmingham, AL 35216

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home

985-7171

Office

369-5187

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

Jason Kessler

P1017-50//28-15-1-11-5-1 & 2  
3779 & 3781 Poe Drive  
Rezone to R-9  
Overton Investments, LLC  
VH R-4

**III. ACTION REQUESTED**

Request that the above described property be zoned/rezoned

From: R3 R4 - (per Becky)

To: R9

For the intended purpose of: 3 new residential homes

(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.)**

3779 and 3781 Poe Drive Lots 28A & 28B of

Hinds resurvey of Lots 27, 28, 29 Blk 2 of Glass' 3rd, add. to  
New Merkle

Property size: 180 feet X 145 feet. Acres: .599

**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] 9/7/17  
Owner Signature/Date

[Signature] 9/7/17  
Representing Agent (if any)/date

Given under my hand and seal  
this 8th day of Sept., 2017.

[Signature]  
Notary Public

My commission expires July 7, 2021  
day of \_\_\_\_\_, 20\_\_\_\_.





DATE:	08/08/2017
PROJECT FILE:	PLOT LAYOUT.DGN
CHECKED BY:	MM
PROJECT NO.:	KES0004
DATE:	08/08/2017

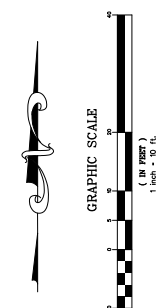
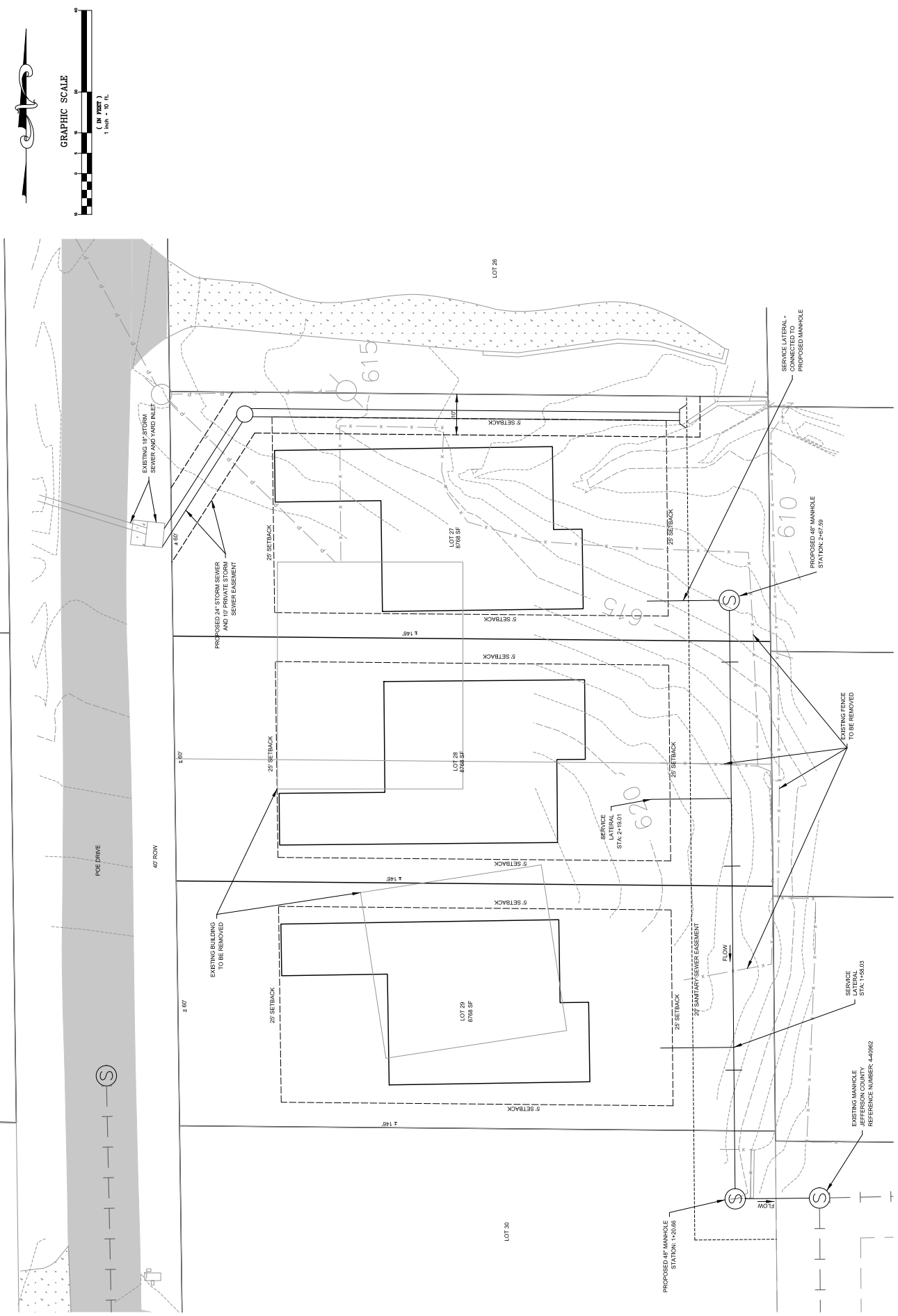
PROJECT: POE DRIVE  
 VESTAVIA HILLS, AL

TITLE: CONCEPTUAL LAYOUT PLAN

PROJECT: 120 BISHOP CIRCLE, SUITE 300  
 PERHAM, AL 35124  
 TEL - (205) 403-9158  
 FAX - (205) 403-9175

ENGINEERING DESIGN GROUP, LLC  
 (205) 403-9158  
**EDG**  
 ENGINEERING • LAND SURVEYING

EXB  
 SHEET NO. 11  
 PRINTED DATE: 8/15/17



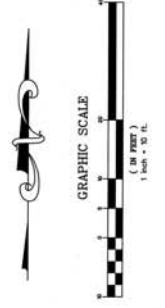
DATE	02/20/17
PROJECT	DEMOLITION OF STRUCTURES FOR EROSION CONTROL PLAN
PROJECT NO.	000004
DESIGNED BY	MHL
CHECKED BY	EH
DRAWN BY	EH
SCALE	AS SHOWN
DATE	02/20/17

PROJECT: POE DRIVE  
 VESTAVIA HILLS, AL  
 TITLE: EROSION CONTROL PLAN FOR DEMOLITION OF STRUCTURES

120 BISHOP CIRCLE, SUITE 300  
 PELHAM, AL 35124  
 TEL - (205) 403-9158  
 FAX - (205) 403-9175

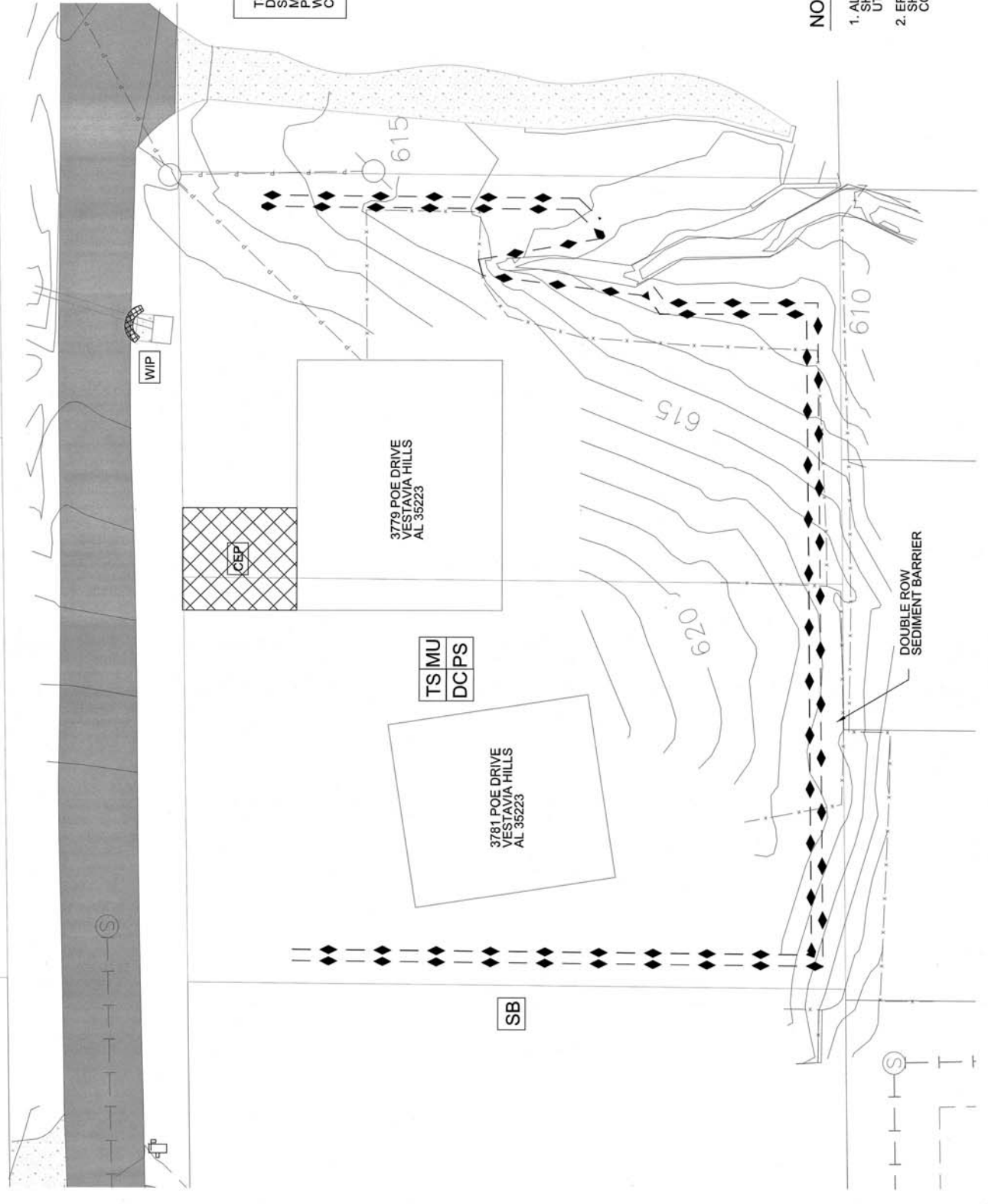


ESC  
 SHEET NO. 1/1














TS - TEMPORARY SEEDING  
 DC - DUST CONTROL  
 SB - SEDIMENT BARRIER  
 MU - MULCHING  
 PS - PERMANENT SEEDING  
 WIP - WATTLE INLET PROTECTION  
 CEP - CONSTRUCTION ENTRANCE PAD

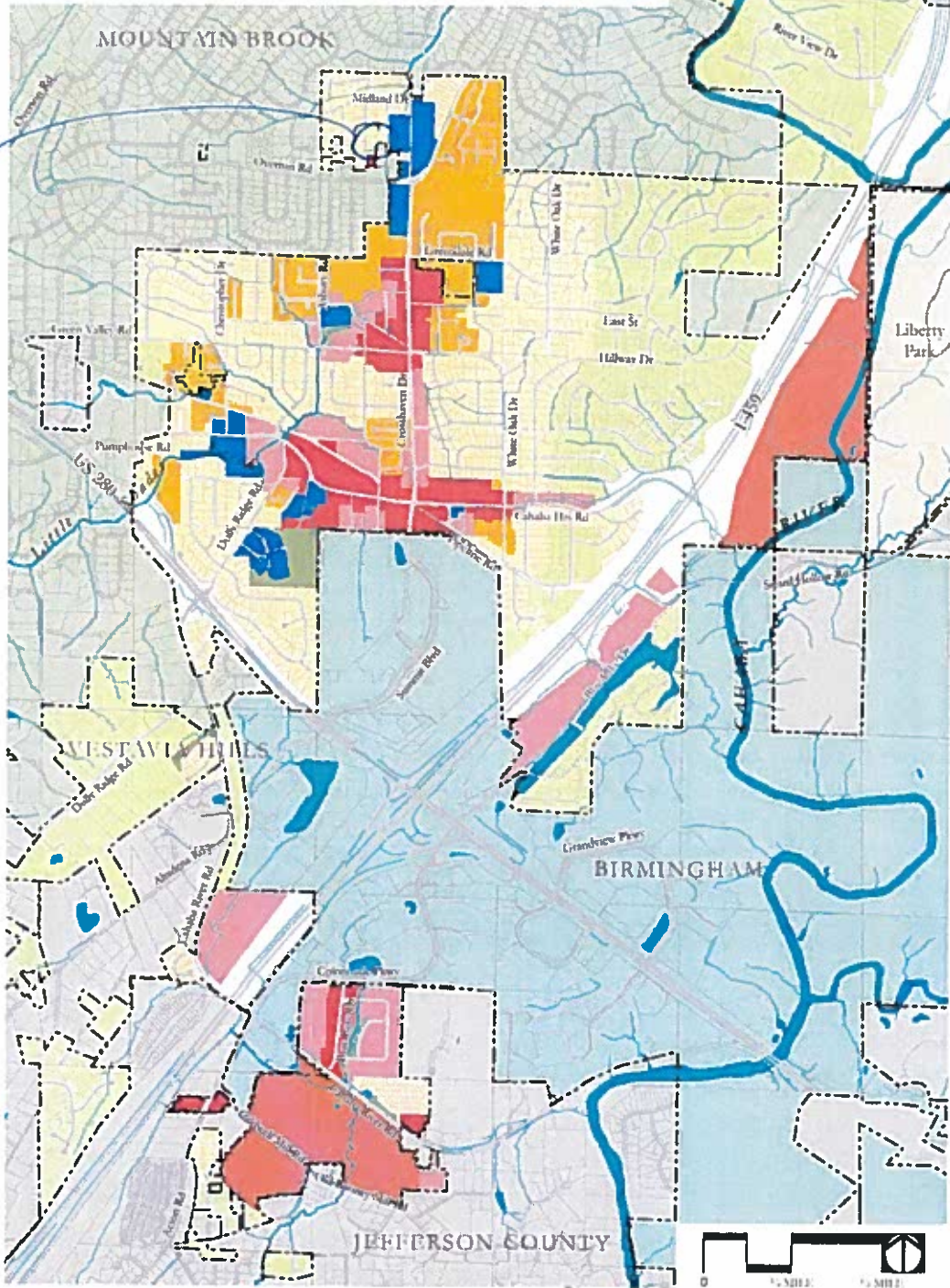
- NOTES:**
1. ALL UTILITY SERVICE LINES SHALL BE CUT AND CAPPED PER UTILITY PROVIDER'S SPECIFICATIONS
  2. EROSION CONTROL MEASURES SHALL BE MAINTAINED BY THE CONTRACTOR





### 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 Parcel

Figure 4: Future Land Use Map