

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

SEPTEMBER 13, 2018

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: August 9, 2018

Preliminary Plats

- (1) **P-0918-31** Liberty Park Joint Venture, LLP Is Requesting **Preliminary Plat Approval For The Marketplace At The Bray**. The Purpose For This Request Is To Approve Development Of Ingress/Egress And Future Access For Commercial Lots In Town Village. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PNC.

Final Plats

- (2) **P-0918-32** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For The Bray At Liberty Park**. The Purpose For This Request Is To Create One Lot From Acreage. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PNC.

Time of Adjournment.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

MINUTES

AUGUST 9, 2018

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:

Erica Barnes, Chair
Blaine House, Vice-Chair
Lyle Larson
Hasting Sykes
Rusty Weaver
Fred Goodwin
Cheryl Cobb
Johnathan Romeo

MEMBERS ABSENT:

Greg Gilchrist

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner

APPROVAL OF MINUTES

Mr. Larson stated that the minutes of the meeting of July 12, 2018 are presented for approval.

MOTION Motion to approve minutes was by Mr. Weaver and second was by Mr. Larson.
Voice vote as follows:

Mr. Goodwin – yes
Mr. Romeo – yes
Mr. House – yes
Mr. Larson – yes
Motion carried.

Mr. Sykes – yes
Ms. Cobb – abstained
Mr. Weaver – yes
Mrs. Barnes – yes

Final Plats

P-0818-30

Kelly Bottcher Is Requesting **Final Plat Approval** For **Bottcher’s Subdivision**. The Purpose For This Request Is Subdivide One Lot Into Two. The Property Is Owned By Kelly Bottcher and Is Zoned Vestavia Hills R-2.

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

MOTION Mr. Larson made a motion to approve Final Plat Approval For Bottcher’s Subdivision. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Sykes – yes
Mr. Romeo – yes	Ms. Cobb – yes
Mr. House – yes	Mr. Weaver – yes
Mr. Larson – yes	Mrs. Barnes – yes
Motion carried.	

Rezoning/Conditional Use Recommendations:

Compatible Rezonings For Annexations

P-0818-29

Paul Phillips Is Requesting **Rezoning** for **2401 Mountain Vista Dr.** from **Jefferson County E-2 to Vestavia Hills R-1** For The Purpose Of Compatible Rezoning.

Mr. Garrison explained that the property was never rezoned at the time of annexation and stated the City was obligated to approve the rezoning.

Ms. Barnes opened the floor for a public hearing.

Frances Knox inquired about the annexation process.

Ms. Barnes closed the public hearing and opened the floor for motions.

MOTION Mr. Weaver made a motion to recommend rezoning approval for 2401 Jannebo Rd. from 2401 Mountain Vista Dr. from Jefferson County E-2 to Vestavia Hills R-1. Second was by Mr. House. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Sykes – yes
Mr. Romeo – yes	Ms. Cobb – yes
Mr. House – yes	Mr. Weaver – yes
Mr. Larson – yes	Mrs. Barnes – yes
Motion carried.	

MOTION Mr. Gilchrist made a motion to recommend rezoning approval for 3332 Misty Ln.

Conrad Garrison, City Planner

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

Date: SEPTEMBER 13, 2018

- **CASE:** P-0918-31
- **REQUESTED ACTION:** Preliminary Plat Approval For The Marketplace At The Bray
- **ADDRESS/LOCATION:** Liberty Pkwy.
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Preliminary plat will prepare land for the commercial development. This includes a proposed easement into Lot 2 as well as the grading of the lot and construction of corresponding sanity sewer, water, and gas lines. The plat meets the minimum requirements for the Liberty Park PUD. Applicant will follow with a final plat.
- **LIBERTY PARK MASTER PLAN:** This request is consistent with the plan for Phase II.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Shawn Arterburn

ADDRESS: Liberty Park Joint Venture, LLP

1000 Urban Center Drive, Suite 235, Vestavia Hills, AL 35242

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home _____ Office 205-945-6459

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____
James Parsons, P.E. LEED, Principal and Director of Civil Engineering,
Schoel Engineering Company, 205-313-1134

III. ACTION REQUESTED

Preliminary Plat Approval

Explain reason for the request: Approval of a preliminary plat for the development of
ingress/egress and future access for commercial lots in the Town Village (700 Acres) of
Liberty Park.

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

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

Acreage situated in the N.E. 1/4 of the N.W. 1/4 of Section 13 and the S.E. 1/4 of the S.W.
1/4 of Section 12, Township 18 South, Range 2 West of Jefferson County, AL

Property size: _____ feet X _____ feet. Acres: +/- 22 Ac.

VI. ZONING/REZONING:

The above described property is presently zoned: PNC

2018 AUG 24 P 1:29

P0918-31//The Market Place at
The Bray
Liberty Park
Prelim. Map for Mass Grading Pkg
Liberty Park Joint Venture

P & Z Application
Preliminary Plat
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.



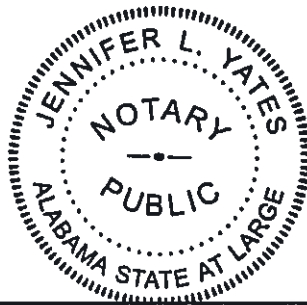
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 22nd day of August, 2018.


Notary Public

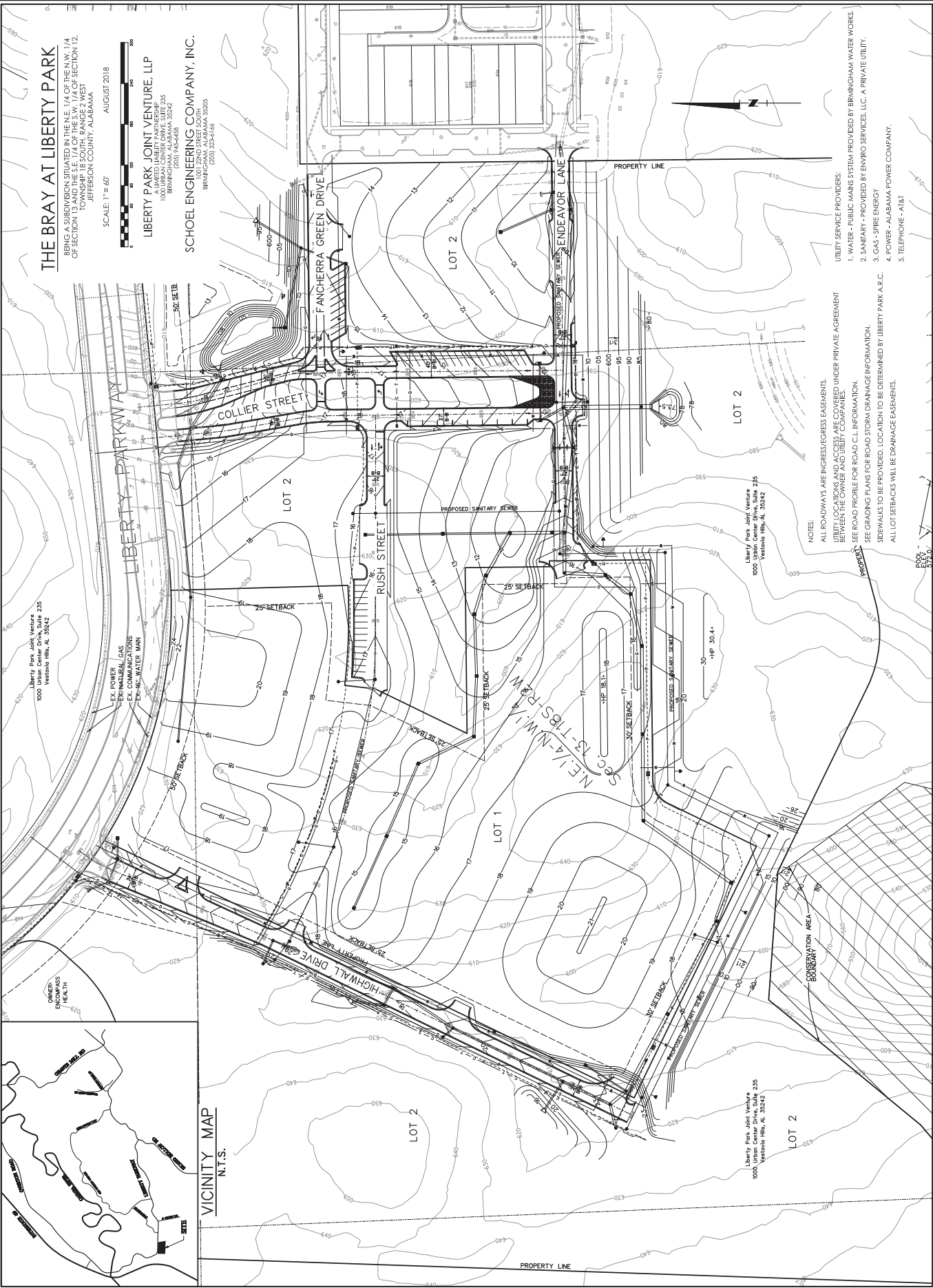
My commission expires 9th
day of May, 2020.





THE MARKETPLACE AT THE BRAY
VESTAVIA HILLS, ALABAMA

DRAWING SET:	APPROVAL SET - 8/23/18
REVISIONS:	
PRELIMINARY PLAT	
DRAWN BY: D.C. JAMES	
CHECKED BY: JAMP	
FILE NAME: 17184PT.DWG	
PLAT NO. 17184	



THE BRAY AT LIBERTY PARK
 BEING A SUBDIVISION SITUATED IN THE N.E. 1/4 OF THE N.W. 1/4
 OF SECTION 13 AND THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 12,
 TOWNSHIP 20 S., RANGE 17 E., WEST
 JEFFERSON COUNTY, ALABAMA.

AUGUST 2018
 SCALE: 1" = 60'

LIBERTY PARK JOINT VENTURE, LLP
 A LIMITED LIABILITY PARTNERSHIP
 1000 URBAN CENTER DRIVE, SUITE 235
 BIRMINGHAM, ALABAMA 35204
 (205) 742-6458
SCHOEL ENGINEERING COMPANY, INC.
 1001 20th Street South
 Birmingham, Alabama 35206
 (205) 924-1474

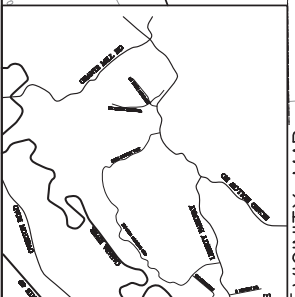
Liberty Park Joint Venture
 1000 Urban Center Drive, Suite 235
 Birmingham, AL 35204

EX-POWER
 EX-NATURAL GAS
 EX-COMMUNICATIONS
 EX-10" WATER MAIN

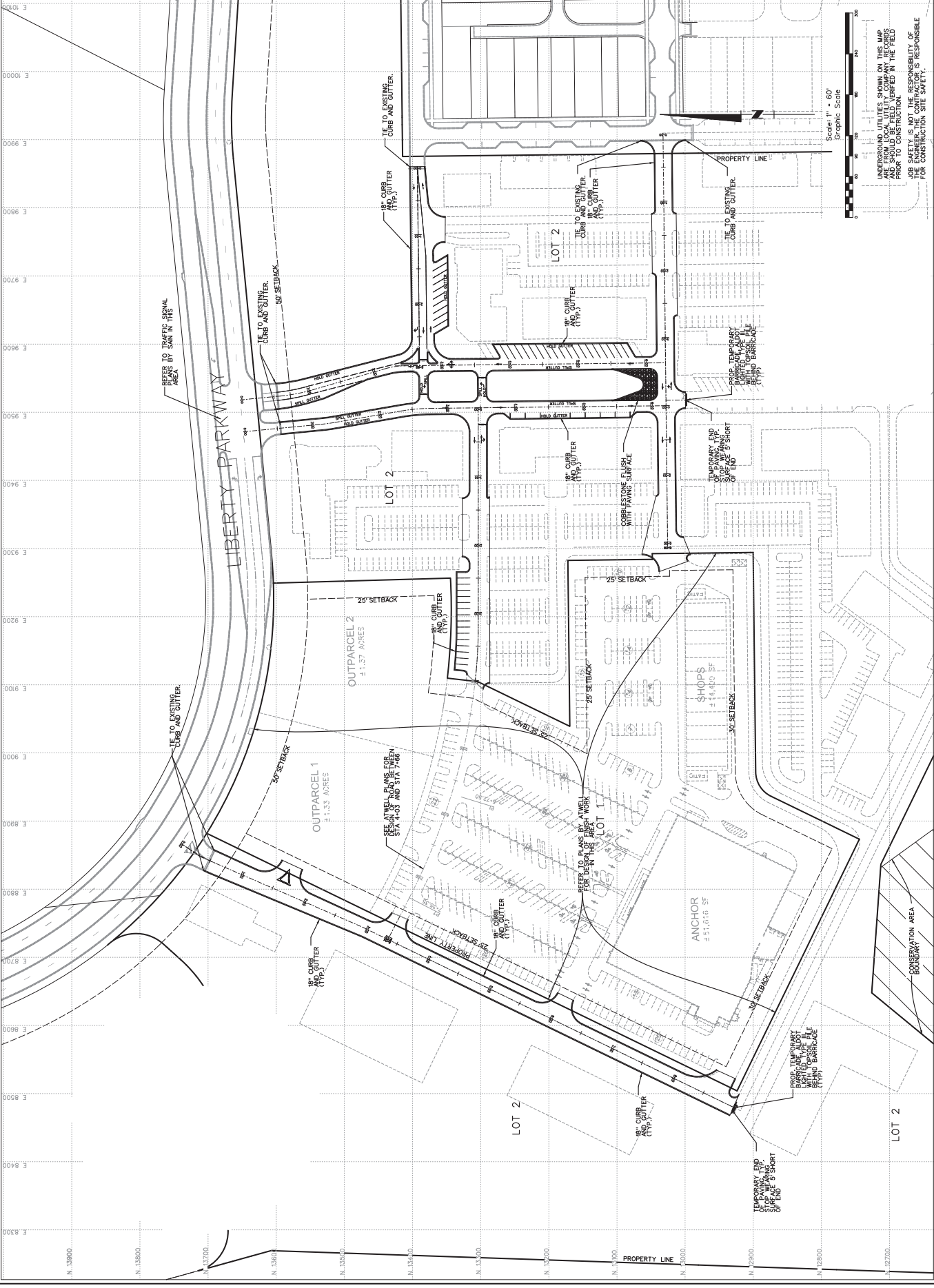
Liberty Park Joint Venture
 1000 Urban Center Drive, Suite 235
 Birmingham, AL 35204

NOTES:
 ALL ROADWAYS ARE INGRESS/EGRESS EASEMENTS.
 UTILITY LOCATIONS AND ACCESS ARE COVERED UNDER PRIVATE AGREEMENT
 BETWEEN THE OWNER AND UTILITY COMPANIES.
 SEE ROAD PROFILE FOR ROAD C.L. INFORMATION.
 SEE GRADING PLANS FOR ROAD STORM DRAINAGE INFORMATION.
 SIDEWALKS TO BE PROVIDED. LOCATION TO BE DETERMINED BY LIBERTY PARK A.P.C.
 ALL LOT SETBACKS WILL BE DRAINAGE EASEMENTS.

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 - SPIRCE ENERGY
 4. POWER - ALABAMA POWER COMPANY.
 5. TELEPHONE - AT&T



VICINITY MAP
 N.T.S.



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

Date: SEPTEMBER 13, 2018

- **CASE:** P-0918-32
- **REQUESTED ACTION:** Final Plat Approval For The Bray At Liberty Park
- **ADDRESS/LOCATION:** Liberty Parkway
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Plat will create Lot 1 out of acreage as part of the commercial development of Liberty Park. Plat will begin the development process on this site. The lot meets all the requirements of Liberty Park and the PNC zone.
- **LIBERTY PARK PUD:** This request is consistent with the PUD for commercial.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Liberty Park Joint Venture, LLP
ADDRESS: 1000 Urban Center Drive, Suite 235
Vestavia, AL 35242

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home _____ Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Schoel Engineering

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Final plat to divide acreage into one lot

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

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

A parcel of land situated in the NE 1/4 of the NW 1/4 of Section 13 and
the SE 1/4 of the SW 1/4 of Section 12, 18S, 2W

Property size: _____ feet X _____ feet. Acres: 10.070

VI. ZONING/REZONING:

The above described property is presently zoned: _____

2018 AUG 29 P 3: 28

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

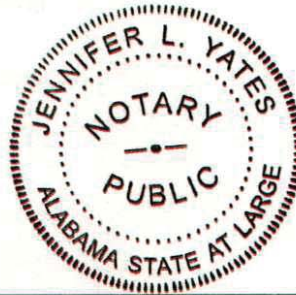


Representing Agent (if any)/date

Given under my hand and seal
this 29th day of August, 2018.



Notary Public



My commission expires 9th
day of May, 2020.



1001 22nd Street South
Birmingham, Alabama 35205
Water Resources
Engineering
and Consulting
L.L.P.
L.L.P.

THE BRAY AT LIBERTY PARK

BEING A SUBDIVISION OF ACREAGE
SITUATED IN THE N.E. 1/4 OF SECTION 13 AND
THE S.E. 1/4 OF SECTION 12 TOWNSHIP 18 SOUTH, RANGE 2 WEST
JEFFERSON COUNTY, ALABAMA

DATE: SEPTEMBER 2018
DRAWN BY: J.M.H., M.A.S.C.
FIELD BOOK: 2914
FIELD CREW: E.F.S.
FILE NAME: 17191-Final-Plan.dwg
DATE: 09/20/18

1 OF 1

STATE OF ALABAMA
JEFFERSON COUNTY

1. Joseph F. Beigelmeier, Jr., a Registered Professional Land Surveyor in the State of Alabama, Liberty Park Joint Venture, LLP, their said survey and that in a plat that map was made, sections to said Owners that this plat be given. In order to carry out the said survey, the said Surveyor and his assistants did drive the said lines, the north and angles of the boundaries of each lot and the number, direction and distance of each course, and the area of each lot, and the location of the said lot corners, as well as the number of rods for each block and showing the location of the said lot corners, in both Township 18 South, Range 2 West, Jefferson County, Alabama and that from the lot corners, and said points as shown and designated by small iron spikes on said plat or map, as shown, and said points as shown and designated by small iron spikes on said plat or map, as shown, based on knowledge and information in accordance with common, accepted procedures and standards, based on the current regulations of the Standards of Practice for Surveying in the State of Alabama, and that the said survey was made in accordance with the current regulations of the State of Alabama and that the same are not subject to any mortgage or other lien.

SCHUBEL ENGINEERING COMPANY, INC.

JOSEPH F. BEIGELMEIER, JR., A Licensed Land Surveyor No. 17518
BIRMINGHAM, ALABAMA

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

BOB SHAW, Secretary
The Vice President of Development



STATE OF ALABAMA
JEFFERSON COUNTY

1. Sheila Stegeman, as Notary Public in and for said County and State, do hereby certify that the foregoing is a true and correct copy of the original as shown to me and that the same are known to me and acknowledged before me on this date that after having been fully informed of the contents hereof, he executed the same voluntarily as such Surveyor with full authority therefor.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the ____ day of _____, 2018.

Notary Public
My Commission Expires: _____

STATE OF ALABAMA
JEFFERSON COUNTY

1. Sean Stephenson, whose as Notary Public in and for said County and State, do hereby certify that the foregoing is a true and correct copy of the original as shown to me and that the same are known to me and acknowledged before me on this date that after having been fully informed of the contents hereof, he executed the same voluntarily as such officer with full authority therefor.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the ____ day of _____, 2018.

Notary Public
My Commission Expires: _____



APPROVED: _____ DATE: _____
Victoria Hillis Planning & Zoning Commission

APPROVED: _____ DATE: _____
Victoria Hillis City Engineer

APPROVED: _____ DATE: _____
Victoria Hillis City Clerk

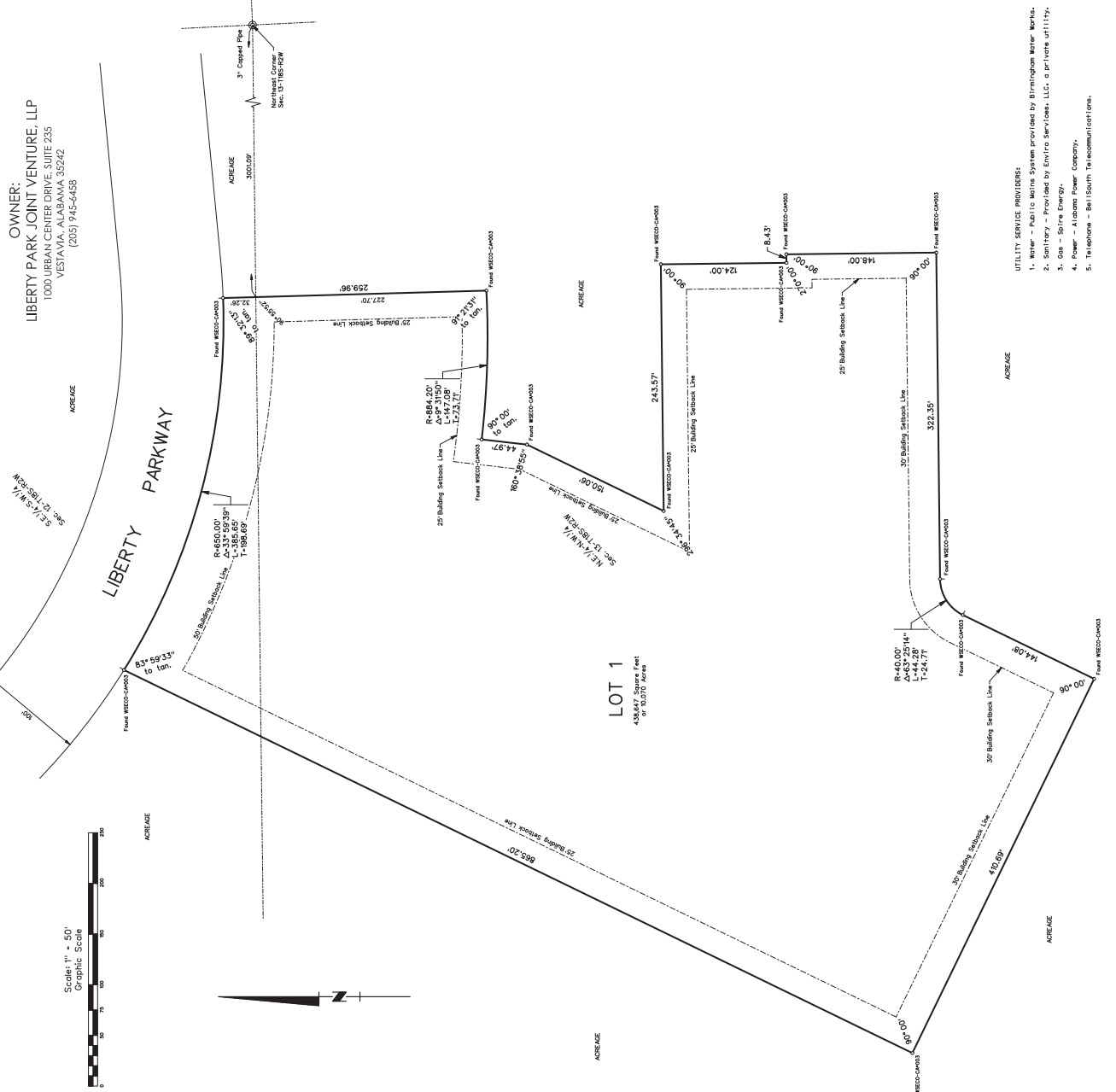
APPROVED: _____ DATE: _____
Jefferson County Department of Health

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

Environmental Services Department approval indicates that assessments have been dedicated for future use. In the future, any change in the Right-of-Way or Easement boundaries other than this date may be made by the City Engineer and the Director of Environmental Services. Environmental Services acknowledges that the maps showing this property are based on these assessments.

NOTES:

1. Access to utilities for installation, maintenance and repair shall be governed by private agreement between the owner and the utility company.
2. The area within all easements is subject to easements for storm drainage.
3. This property is not located within the 100 year flood zone and is in Undeveloped Zone "U". Areas within the 100 year flood zone are shown on the Flood Insurance Rate Map of Jefferson County, Alabama, according to Federal Emergency Management Agency, dated September 29, 2006, as published by the Federal Emergency Management Agency.



OWNER:
LIBERTY PARK JOINT VENTURE, LLP
1000 URBAN CENTER DRIVE, SUITE 235
VESTAL, NY 13850
(262) 945-4458

UTILITY SERVICE PROVIDERS:

1. Water - Public Mains System provided by Birmingham Water Works.
2. Sewer - Provided by Enviro Services, LLC, a private utility.
3. Gas - Spire Energy.
4. Power - Alabama Power Company.
5. Telephone - Bell South Telecommunications.