

**Vestavia Hills
City Council Agenda
November 25, 2019
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Tom Bell; Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. Proclamation – Trafficking Free Zone
7. City Manager’s Report
8. Councilors’ Reports
9. Approval Of Minutes – November 13, 2019 (Regular Meeting)

Old Business

10. Resolution Number 5202 – A Resolution To Provide Tier I Benefits To Tier II Plan Members Pursuant To Alabama Act 2019-132 (*public hearing*)
11. Ordinance Number 2502-A – An Ordinance Amending Ordinance Number 2502 To Further Amend Chapter 8 Of The Vestavia Hills Code Of Ordinances Entitled “License And Business Regulations” To Add An Article To Establish A NAICS Code, Operating Standards And Definitions For Mobile Food Units Operating Within The City Of Vestavia Hills, Alabama And To Provide For Penalties For Violation Thereof (*public hearing*)
12. Ordinance Number 2885 – Annexation – 90 Day Final – 3516 Squire Lane; Brook And Celine Russell, Owners (*public hearing*)
13. Ordinance Number 2886 – Rezoning – 3516 Squire Lane, Rezone From VH E-2 To VH R-1; Brook And Celine Russell, Owners (*public hearing*)
14. Ordinance Number 2887 – Annexation – 90 Day Final – 929 Mountain Branch Circle; Lot 40, Mountain Branch Sub; Honeycutt Real Estate Holdings, Owners (*public hearing*)
15. Ordinance Number 2888 – Rezoning – 929 Mountain Branch Circle; Lot 40, Mountain Branch Sub; Rezone From JC R-1 To VH R-2; Honeycutt Real Estate Holdings (Owners) (*public hearing*)
16. Ordinance Number 2889 – Annexation – 90 Day Final – 2790 Acton Place; Hugh Humphrey, Owner (*public hearing*)

17. Ordinance Number 2890 – Rezoning – 2790 Acton Place; Rezone From JC R-1 To VH R-2; Hugh Humphrey, Owner (*public hearing*)
18. Ordinance Number 2891 – Annexation – 90 Day Final – 2606 Acton Road; Lot 5, Altadena Valley Country Club; Mark And Jennifer Weldon (*public hearing*)
19. Ordinance Number 2892 – Rezoning – 2606 Acton Road; Lot 5, Altadena Valley Country Club; Rezone from Jefferson County Agriculture to VH A; Mark and Jennifer Weldon (*public hearing*)
20. Ordinance Number 2893 – Annexation – 90 Day Final – 2429 Kenvil Circle; Lot 36, Res Of Lots 18, 19, 20, 33, 34, 46, 47 & 48, Buckhead, Second Sector; William Ennis (*public hearing*)
21. Ordinance Number 2894 – Rezoning – 2429 Kenvil Circle; Lot 36, Res Of Lots 18, 19, 20, 33, 34, 46, 47 & 48, Buckhead, Second Sector; Rezone From Jefferson County E-2 To VH R-1; William Ennis (*public hearing*)
22. Ordinance Number 2895 – Annexation – 90 Day Final – 2645 Alta Glen Drive; Paul And Gloria Russell (*public hearing*)
23. Ordinance Number 2896 – Rezoning – 2645 Alta Glen Drive; Rezone From JC E-1 To VH E-2; Paul And Gloria Russell (*public hearing*)
24. Ordinance Number 2897 – Rezoning – 4222 Dolly Ridge Road; Rezone From VH B-3 To Vestavia Hills B-1.2 For Construction Of A Commercial Building With A Residential Unit On 2nd Floor; Timothy Higgins, Owner (*public hearing*)
25. Ordinance Number 2899 - An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With Jefferson County Commission To Join A Jefferson County GIS Consortium For The Utilization Of GIS Planimetric Data Over The Next 3 Years (*public hearing*)

New Business

26. Resolution Number 5206 – A Resolution Authorizing The City Manager To Transfer Fifty Percent Of The FY2019 General Fund Surplus To The City’s Capital Projects Fund
27. Ordinance Number 2902 – An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With Maddox Enterprises, LP And The City Of Vestavia Hills In Order To Forgive A Portion Of A Lien And Authorizing The Development Of Lot 1 Along With Designating Certain Prohibited Uses On Lot 2

New Business (Requesting Unanimous Consent)

28. Resolution Number 5207 – A Resolution Declaring Water Damage At The Cahaba Heights Police Substation As An Emergency And Authorizing The City Manager To Take All Actions Necessary To Repair Said Damage (*public hearing*)

First Reading (No Action To Be Taken At This Meeting)

29. Ordinance Number 2900 – Rezoning – 2926 Columbiana Road (2927 Columbiana Court); Elevation Apartments (Formerly Windcliff Apartments); Rezone From Jefferson County R-4 (Multi-Family Residential) To Vestavia Hills R-5 (Multi-Family Residential), Compatible Zoning From A 1983 Annexation; ECG Vestavia, LLC; Summit Vestavia I, LLC; Summit Vestavia II, LLC As Tenants In Common, Owners (*public hearing scheduled for December 16, 2019*)
30. Ordinance Number 2901 – Rezoning For A Revised Site Plan And A Conditional Use Approval – 3127 Blue Lake Drive; Lot 10A-, Resurvey Of Lots 8, 9 & 10, Topfield Subdivision And Lot 11, Topfield Subdivision; The Purpose Of The Request Is To Revise A Site Plan Of A B-1.2 Zoned Development And A Conditional Use Approval To Allow An Additional 2,500 Square Foot To Allow For A Total 12,500 Square Foot Building; SWBP Investments, LLC, Owners (*public hearing scheduled for December 16, 2019*)
31. Citizens Comments
32. Motion for Adjournment

WHEREAS, Birmingham, Alabama has been chosen to host The World Games 2021, an international sporting event that will bring thousands of athletes, as well as countless tourists and media, to the Birmingham metro area; and

WHEREAS, an increase in tourists seeking entertainment, including commercial sex, increases the potential risk for exploitation and human trafficking. Traffickers are opportunistic hunters and see major sporting events as an opportunity for huge profits with little risk of penalty or punishment; and

WHEREAS, human trafficking is a form of modern-day slavery in which victims are forced to work in various forms of exploitation, including debt bondage, forced marriage, labor & commercial sexual exploitation, that are induced through force, fraud or coercion; and

WHEREAS, due to its isolating nature, many individuals are unaware that trafficking exists in their neighborhoods so the first step in eliminating human trafficking in our community is to educate others and make them aware of how to spot it; and

WHEREAS, Vestavia Hills is committed to becoming a TraffickingFree Zone by ensuring that our community is prepared to recognize signs of human trafficking as well as implement and enforce a zero-tolerance policy against any act which may support human trafficking; and

WHEREAS, Vestavia Hills will continue its efforts to combat the commercial sexual exploitation of our children and vulnerable adults and mitigate the associated public safety, economic and health risks to our community, in collaboration with the Child Trafficking Solutions Project, the U.S. Institute Against Human Trafficking, and other anti-human trafficking organizations.

NOW, THEREFORE, I, Ashley C. Curry, by virtue of the authority vested in me as Mayor of the City of Vestavia Hills in the State of Alabama, do hereby proclaim Vestavia Hills, Alabama a

HUMAN TRAFFICKINGFREE ZONE

and ask all citizens of Vestavia Hills to join us in promoting a shift away from the culture of tolerance toward human trafficking.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 25th day of November 2019.

Ashley C. Curry
Mayor

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

NOVEMBER 13, 2019

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, rescheduled from November 11, 2019, following publication and posting pursuant to Alabama law. Mayor Curry called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor **
Paul Head, Councilor
George Pierce, Councilor
***arrived at 6:20 PM*

OTHER OFFICIALS PRESENT:

Rebecca Leavings, City Clerk
Melvin Turner, Finance Director
George Sawaya, Asst. Finance Director
Dan Rary, Police Chief
Jason Hardin, Police Captain
Marvin Green, Fire Chief
Christopher Brady, City Engineer
Cinnamon McCulley, Communications Specialist

Butch Williams; Vestavia Hills Senior Chaplain, led the invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- The Mayor stated that only one application was received for the upcoming vacancy of the Vestavia Hills Library Board and six applications for Parks and Recreation Board. Interviews will be held on the 26th of November for these vacancies.
- Mr. Pierce recognized Board Member James Robinson who was in attendance representing the Chamber of Commerce.
- Mr. Weaver announced that the Planning and Zoning Commission will meet in regular session tomorrow evening at 6 PM in the Council Chamber here at City Hall.
- Mr. Weaver welcomed Park Board Mitch Bevill to the meeting. He announced that the Parks and Recreation Board's regular meeting will be held on November 19, 2019 beginning at 7 AM in the Executive Conference Room here at City Hall.

CITY MANAGER'S REPORT

- Mr. Downes showed the Council and the audience the projected year-end capital balance for FY 2019 with a balance of almost 1.4 million. He stated that the City has had a great year. Mr. Downes stated he would like to suggest taking that healthy fund balance and transfer some of it to the capital fund to match the expected 20% matches of the federal funded budgets that are upcoming. He stated that will be a future decision of the Council and he wanted to introduce it to them as food for thought.
 - The Mayor stated that he would feel better if the City positioned the matches of Massey Road and the Pedestrian Bridge over 31 so this sounds like a viable proposition.

COUNCILOR REPORTS

- Mr. Pierce stated that the keynote speaker at the Chamber luncheon was Tony Cooper, Executive Director of the Jimmie Hale Mission. He saluted Mr. Cooper for his work with Jimmie Hale missions and the community.
- Mr. Pierce highlighted several upcoming events from Holidays in the Hills including Shop Dine and Play Bingo, November 1-25; Deck the Heights, November 14; Christmas Tree Lighting, December 3; Breakfast with Santa, December 7; and the City Christmas Parade at Liberty Park Sports Complex on December 8. He encouraged everyone to eat and shop locally in Vestavia Hills.
- The Mayor stated that the Veterans event held last Thursday was a tremendous success . He stated that it highlighted the history of four WWII veterans. He looks forward to this event becoming an annual event.
 - Mr. Weaver echoed the Mayor's comments stating that the Veterans Day event was wonderful. He commended everyone who put this event together and stated that the presentation was very well done and enjoyed by all.

FINANCIAL REPORTS

Melvin Turner, III, Finance Director, presented the financial reports for FY2019. He read and explained the closing balances.

APPROVAL OF MINUTES

The minutes of the following meeting were presented for approval: October 28, 2019 (Work Session).

MOTION Motion to dispense with the reading of the minutes of the October 28, 2019 (Work Session); and approve them as amended was by Mr. Weaver seconded by Mr. Pierce. Roll call vote as follows:

Mr. Head – yes
Mr. Weaver – yes

Mr. Pierce – yes
Mayor Curry – yes
Motion carried.

MOTION Motion to dispense with the reading of the minutes of the October 28, 2019 (Regular Meeting); and approve them as amended was by Mr. Weaver seconded by Mr. Pierce. Roll call vote as follows:

Mr. Head – yes
Mr. Weaver – yes

Mr. Pierce – yes
Mayor Curry – yes
Motion carried.

OLD BUSINESS

RESOLUTION NUMBER 5194

Resolution Number 5194 – Vacation – Lot Line/Utility Easements Located On Lots 1, 2, 3 And 4, Block 2, Meadowlawn Estates; 1st Addition; Tiebo, LLC, Owners (*public hearing*)

MOTION Motion to approve Resolution Number 5194 was by Mr. Weaver seconded by Mr. Pierce.

Mr. Downes stated that these easements exists under a commercial business in Cahaba Heights. The utilities and engineer have signed off and this cleans up that lot.

Mayor Curry opened the floor for public hearing. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

Mr. Head – yes
Mr. Weaver – yes

Mr. Pierce – yes
Mayor Curry – yes
Motion carried.

RESOLUTION NUMBER 5200

Resolution Number 5200 – A Resolution To Reinstate Incentives For Serra Automotive Group And Anthony And Mary Margaret Serra For The Purpose Of Construction Of Land And Facility Improvements And Conveyance Of Property To Be Used For Public Purposes Within The Massey Road Project (*public hearing*)

MOTION Motion to approve Resolution Number 5200 was by Mr. Weaver seconded by Mr. Head.

Mr. Downes gave a brief background of this request on a dealership located at the south end of Montgomery Highway, owned by Serra Automotive Group. In 2012, a previous Council entered into an incentive agreement and later, the dealership experienced some flooding and closed. Since then, the dealership has done flood mitigation on the property to raise a portion of the property above flood elevation and lowering another portion to allow for water retention in flooding events in an effort to reopen. This request is to reinstate the old agreement to commence at the day the dealership opens or is validated by the courts. This agreement was amended to include some donation of property on the other side of the creek to be utilized by the City in the Massey Road project.

***Mrs. Cook entered the meeting at 6:20 PM.*

Mr. Pierce asked about the projected opening of the dealership.

Alton Parker, attorney representing the Serras, explained that some landscaping needs to occur and then the paving of the parking lot. Once finished, high-end vehicles will be sold from the lot and they anticipate really good sales from the property. He stated they hope to give the property toward Massey Road to the City soon.

Mr. Pierce asked about DRB review.

Ms. Leavings stated that they have already been to DRB.

Keith Andrews, 3026 Massey Road, stated that there is signage availability but does the incentive follow if another dealership opens.

Mr. Downes explained an assignment clause in the agreement and the intent would be to keep an active business operating on this property.

Discussion ensued as to the reassignment clause of the agreement.

Mayor Curry opened the floor for public hearing. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

ORDINANCE NUMBER 2880

Ordinance Number 2880 - An Ordinance To Amend Section 12-4 Of The Vestavia Hills Code Of Ordinances Entitled “Vestavia Hills Athletic Complex Cahaba Heights” To Rename The Park As “Cahaba Heights Park” (public hearing)

MOTION Motion to approve Ordinance Number 2880 was by Mr. Weaver seconded by Mr. Head.

Mr. Downes stated that the Parks and Recreation Board recommended renaming this park to be more encompassing and like other parks. Signage will include the city's logo and marketed to show it's in the City and an all-inclusive park rather than just fields.

Mayor Curry opened the floor for public hearing. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

RESOLUTION NUMBER 5196

Resolution Number 5196 – Annexation – 90 Day – 2312 St. Joseph Road; Lot 22, St. Joseph Retreat; Vincent And Julie Pappalardo, Owners (*public hearing*)

MOTION Motion to approve Resolution Number 5196 was by Mr. Weaver seconded by Mrs. Cook.

Mr. Pierce gave the annexation report for this property with no adverse information given.

Mr. and Mrs. Pappalardo were present in regard to this request.

Mayor Curry opened the floor for public hearing for both this resolution and the following ordinance. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

ORDINANCE NUMBER 2881

Ordinance Number 2881 – Annexation – Overnight – 2312 St. Joseph Road; Lot 22, St. Joseph Retreat; Vincent And Julie Pappalardo, Owners (*public hearing*)

MOTION Motion to approve Ordinance Number 2881 was by Mr. Weaver seconded by Mr. Pierce.

Mayor Curry opened the floor for public hearing. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

RESOLUTION NUMBER 5197

Resolution Number 5197 – Annexation – 90 Day – 2801 Gresham Drive; Lot 13, Gresham Woods Subdivision; Carla And Robert Ingram Jr., Owners (*public hearing*)

This request was withdrawn by the applicant.

ORDINANCE NUMBER 2881

Ordinance Number 2881 – Annexation – Overnight – 2801 Gresham Drive; Lot 13, Gresham Woods Subdivision; Carla And Robert Ingram Jr., Owners (*public hearing*)

This request was withdrawn by the applicant.

RESOLUTION NUMBER 5198

Resolution Number 5198 – Annexation – 90 Day – 2637 Alta Glen Drive; Jimit Parekh And Pallavi Shah, Owners (*public hearing*)

MOTION Motion to approve Resolution Number 5198 was by Mr. Weaver seconded by Mr. Head.

Mr. Pierce gave the annexation report for this property with no adverse information given other than a narrow road.

Pallavi Shah was present in regard to this request.

Mayor Curry opened the floor for public hearing for both this resolution and the following ordinance. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

ORDINANCE NUMBER 2883

Ordinance Number 2883 – Annexation – Overnight – 2637 Alta Glen Drive; Jimit Parekh And Pallavi Shah, Owners (public hearing)

MOTION Motion to approve Ordinance Number 2883 was by Mr. Weaver seconded by Mrs. Cook.

Mayor Curry opened the floor for public hearing. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

ORDINANCE NUMBER 2884

Ordinance Number 2884 – An Ordinance Granting A Non-Exclusive Right-Of-Way Use Agreement To Level 3 Communications, LLC, For The Purpose Of Constructing And Maintaining A Fiber-Optic Transmission Line Within Certain Public Rights-Of-Way Within The City Of Vestavia Hills, Alabama (public hearing)

MOTION Motion to approve Ordinance Number 2884 was by Mr. Pierce seconded by Mr. Weaver.

Mr. Downes explained that Level 3 Communications has approached the City for a franchise agreement for installation of fiber optic facilities within various rights-of-way of the City. He showed a map which depicts the area. Mr. Boone has reviewed the proposed agreement and finds no issues.

Mayor Curry opened the floor for public hearing. There being no one to further address the Council, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

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

NEW BUSINESS

RESOLUTION NUMBER 5201

Resolution Number 5201 – A Resolution Changing The Regular Meeting Of The Vestavia Hills City Council From December 23, 2019 To December 16, 2019 Beginning

At 6 PM And Rescheduling The December 16, 2019 Work Session From 6 PM To 5 PM

MOTION Motion to approve Resolution Number 5201 was by Mr. Head seconded by Mr. Weaver.

There being no one to further address the Council, the Mayor called for the question. Roll call vote as follows:

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

RESOLUTION NUMBER 5203

Resolution Number 5203 – A Resolution To Allow A New Type Of Employee Contribution To The City’s Deferred Compensation Plan Known As A Roth Contribution

MOTION Motion to approve Resolution Number 5203 was by Mr. Weaver seconded by Mr. Pierce.

Mr. Downes stated that this is a 100% employee contribution plan for retirements which allows an employee to contribute should he/she choose to do so.

There being no one to further address the Council, the Mayor called for the question. Roll call vote as follows:

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

RESOLUTION NUMBER 5204

Resolution Number 5204 – A Resolution Authorizing The City Manager To Execute And Deliver All Agreements And Documents Necessary In Order To Secure Water Main Extensions And Three Fire Hydrants At Wald Park

MOTION Motion to approve Resolution Number 5204 was by Mr. Weaver seconded by Mrs. Cook.

Mr. Downes stated this was reviewed by the design team and recommended for approval.

There being no one to further address the Council, the Mayor called for the question. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

RESOLUTION NUMBER 5205

Resolution Number 5205 – A Resolution Authorizing The City Manager To Execute And Deliver An Intergovernmental Purchasing Agreement With The North Alabama Cooperative Purchasing Association

MOTION Motion to approve Resolution Number 5205 was by Mr. Weaver seconded by Mr. Pierce.

Mr. Downes stated that the FY2020 budget allowed the purchase of vehicles and since the state's bid list is behind, the only option found would be to purchase through this coop. He stated that the City belongs to several cooperatives like this. This allows the City to get into line for first come first purchase.

There being no one to further address the Council, the Mayor called for the question. Roll call vote as follows:

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

ORDINANCE NUMBER 2898

Ordinance Number 2898 - An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver Agreements With The Vestavia Hills Board Of Education Regarding Access To The School System's Live Fee Security System

MOTION Motion to approve Ordinance Number 2898 was by Mrs. Cook seconded by Mr. Head.

Mr. Downes stated that these agreements allow the City's police department and SRO's are treated as school employees to view live feeds of various school cameras.

There being no one to further address the Council, the Mayor called for the question. Roll call vote as follows:

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

The Mayor passed the gavel and Mr. Weaver, Mayor Pro-Tem, who announced that the following resolutions and/or ordinances will be presented at a public hearing at the Council's next regular meeting on November 25, 2019, at 6:00 PM.

- Resolution Number 5202 – A Resolution To Provide Tier I Benefits To Tier II Plan Members Pursuant To Alabama Act 2019-132 (*public hearing*)
- Ordinance Number 2502-A – An Ordinance Amending Ordinance Number 2502 To Further Amend Chapter 8 Of The Vestavia Hills Code Of Ordinances Entitled “License And Business Regulations” To Add An Article To Establish A NAICS Code, Operating Standards And Definitions For Mobile Food Units Operating Within The City Of Vestavia Hills, Alabama And To Provide For Penalties For Violation Thereof (*public hearing*)
- Ordinance Number 2885 – Annexation – 90 Day Final – 3516 Squire Lane; Brook And Celine Russell, Owners (*public hearing*)
- Ordinance Number 2886 – Rezoning – 3516 Squire Lane, Rezone From VH E-2 To VH R-1; Brook And Celine Russell, Owners (*public hearing*)
- Ordinance Number 2887 – Annexation – 90 Day Final – 929 Mountain Branch Circle; Lot 40, Mountain Branch Sub; Honeycutt Real Estate Holdings, Owners (*public hearing*)
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- Ordinance Number 2889 – Annexation – 90 Day Final – 2790 Acton Place; Hugh Humphrey, Owner (*public hearing*)
- Ordinance Number 2890 – Rezoning – 2790 Acton Place; Rezone From JC R-1 To VH R-2; Hugh Humphrey, Owner (*public hearing*)
- Ordinance Number 2891 – Annexation – 90 Day Final – 2606 Acton Road; Lot 5, Altadena Valley Country Club; Mark And Jennifer Weldon (*public hearing*)
- Ordinance Number 2892 – Rezoning – 2606 Acton Road; Lot 5, Altadena Valley Country Club; Rezone from Jefferson County Agriculture to VH A; Mark and Jennifer Weldon (*public hearing*)
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- Ordinance Number 2894 – Rezoning – 2429 Kenvil Circle; Lot 36, Res Of Lots 18, 19, 20, 33, 34, 46, 47 & 48, Buckhead, Second Sector; Rezone From Jefferson County E-2 To VH R-1; William Ennis (*public hearing*)
- Ordinance Number 2895 – Annexation – 90 Day Final – 2645 Alta Glen Drive; Paul And Gloria Russell (*public hearing*)
- Ordinance Number 2896 – Rezoning – 2645 Alta Glen Drive; Rezone From JC E-1 To VH E-2; Paul And Gloria Russell (*public hearing*)

- Ordinance Number 2897 – Rezoning – 4222 Dolly Ridge Road; Rezone From VH B-3 To Vestavia Hills B-1.2 For Construction Of A Commercial Building With A Residential Unit On 2nd Floor; Timothy Higgins, Owner (*public hearing*)
- Ordinance Number 2899 - An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With Jefferson County Commission To Join A Jefferson County GIS Consortium For The Utilization Of GIS Planimetric Data Over The Next 3 Years (*public hearing*)

CITIZEN COMMENTS

None.

At 6:48 PM, Mr. Pierce made a motion to adjourn. The meeting adjourned at 6:49 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5202

A RESOLUTION TO PROVIDE TIER I BENEFITS TO TIER II PLAN MEMBERS UNDER THE PROVISIONS OF ALABAMA ACT 2019-132

WHEREAS, under the provisions of Act 2019-132, employers who participate in the Employees' Retirement System pursuant to *Ala. Code* §36-27-6 may elect to provide Tier I retirement benefits to Tier II plan members, and

WHEREAS, the City of Vestavia Hills participates in the Employees' Retirement System pursuant to *Ala. Code* §36-27-6 and wishes to improve retirement benefits for its Tier II plan members;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, that the City of Vestavia Hills elects to provide Tier I retirement benefits to its Tier II plan members, subject to approval by the Employees' Retirement System Board of Control; that, if approved, such election shall be effective the following fiscal year and is irrevocable.

BE IT FURTHER RESOLVED that the City of Vestavia Hills has reviewed the actuarial cost estimates provided by the Employees' Retirement System for such election and agrees to pay any resulting increases in the employer contribution rate.

BE IT FURTHER RESOLVED that beginning in the Month that such election is effective, the City of Vestavia Hills's Tier II plan members shall contribute 7.5% of their earnable compensation to the Employees' Retirement System and the City of Vestavia Hills' Tier II plan members who are firefighters or law enforcement officers, as defined by *Ala. Code* § 36-27-59(a), shall contribute 8.5% of their earnable compensation to the Employees Retirement System, as required by Act 2019-132.

BE IT FURTHER RESOLVED that the City of Vestavia Hills has not increased the member contribution rates for its Tier I members as provided by Act 2011-676 and, as required by *Ala. Code* § 36-27-6.5, the City of Vestavia Hills has submitted to the Employees' Retirement System a plan to increase such rates as referenced as Exhibit A to this Resolution Number 5201.

This Resolution shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 25th day of November, 2019.

Ashley C. Curry,
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Employer Information

Name of Agency City of Vastavia Hills
Full name, no initials please
Unit Code _____

Plan Information

If employer has not increased Tier I member contribution rates as provided by Act 2011-676 and has passed a resolution to elect to provide Tier I retirement benefits to Tier II plan members as provided by Act 2019-132, employer must complete the following section.

As required by that Act 2019-132, employer submits the following plan to the Employees' Retirement System (ERS) to increase the member contribution rates for its Tier I plan members from 5% to 7.5% of earnable compensation, and for Tier I plan members who are firefighters or law enforcement officers, as defined by Ala. Code § 36-27-59(a), from 6% to 8.5% of earnable compensation.

Plan Options

Employer shall increase the rates as set forth above if and when (Check One):

- Employer's funding level drops below _____ %.
- Employer's contribution rate increases above _____ %.
- Employer is unable to make its required employer contribution.
- On _____ (insert date).
- Other (insert other circumstances): _____

Employer Certification

When the above conditions are met as provided by the plan, employer agrees to raise the Tier I plan member contribution rates by passing a resolution to do so as required by Act 2011-676 and provide such resolution to the ERS.

Sign Here → Signature of Authorizing Official _____ Date _____

Name and Title Jeffrey Downes, City Manager
Please Print

Telephone Number 205-978-0195

ORDINANCE NUMBER 2502-A

AN ORDINANCE AMENDING ORDINANCE NUMBER 2502 TO FURTHER AMEND CHAPTER 8 OF THE VESTAVIA HILLS CODE OF ORDINANCES ENTITLED “LICENSES AND BUSINESS REGULATIONS” TO ADD AN ARTICLE TO ESTABLISH A NAICS CODE, OPERATING STANDARDS AND DEFINITIONS FOR MOBILE FOOD UNITS OPERATING WITHIN THE CITY OF VESTAVIA HILLS, ALABAMA AND TO PROVIDE FOR PENALTIES FOR VIOLATION THEREOF

WITNESSETH THIS ORDINANCE NUMBER 2502-A WHICH IS CONSIDERED AND APPROVED ON THIS THE 25th DAY OF NOVEMBER, 2019.

WITNESSETH THESE RECITALS

WHEREAS, on April 28, 2014, the City Council of the City of Vestavia Hills (“City”) adopted and approved Ordinance Number 2498 to adopt a Code of Ordinances for the City of Vestavia Hills; and

WHEREAS, Chapter 8 of the Vestavia Hills Code of Ordinance, (“City Code”) entitled “Licenses and Business Regulations” sets forth the requirements for operation of commercial businesses within the City of Vestavia Hills; and

WHEREAS, on July 14, 2014, the City Council adopted and approved Ordinance Number 2502 to establish a NAICS code, operating standards and definitions for mobile food units operating within the City; and

WHEREAS, the Mayor and City Council have determined that it is in the best public interest to further establish standards for the operation of Mobile Food Units which are intended to promote the public health, safety and welfare by amending Article 8 to establish standards and a definition for the operation of Mobile Food Units within the City to be detailed and amended in its entirety, as follows:

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

1. Chapter 8 of the City’s Code is hereby amended for the addition of the following:

Article X - Establishing Standards and Definitions for Mobile Food Units

Section 1. Definitions.

Mobile Food Unit – A self-contained vehicle, trailer or pushcart that serves prepared foods or prepares and serves food in various locations of the City.

Section 2. Standards and Requirements for Operation.

1. All Mobile Food Unit operators shall obtain an annual business license issued by the City of Vestavia Hills Finance Department prior to commencing any food sales in the City. Said license shall be assigned the NAICS code 722330 and shall be subject to the Schedule 5A as detailed in Section 8-37, License Classifications.
2. In addition to an annual business license all Mobile Food Unit operators shall obtain an annual operating permit for each unit to be issued by City of Vestavia Hills City Clerk, unless otherwise exempted in this Chapter. Permits shall be issued for the period beginning January 1 and ending December 31 of each year. This permit shall be posted in a visible location on the Mobile Food Unit at all times while in operation. In order to obtain said permit, operators shall submit copies of all required and current health department approvals for both commissary and each Mobile Food Unit and current City business license. Applicant shall be responsible for having each unit inspected and approved by the City's Fire Marshal prior to issuance of permit. Temporary Permits may be issued upon issuance of a waiver from the City Manager pursuant to Section 4 of this Ordinance Number 2502-A.
3. Location and/or operation of all Mobile Food Units shall be only in areas and/or districts zoned non-residential.
4. Mobile Food Unit operators shall have approval of the property owner for each location at which the Mobile Food Unit operates. This approval shall be in writing, signed by the property owner and must be made available for inspection upon request of any City Official at any time during the operation of the Mobile Food Unit.
5. No Mobile Food Unit shall be allowed to operate in excess of eight (8) hours per day; operational meaning food sales (excluding food prep).
6. No Mobile Food Unit shall be allowed to operate in excess of three (3) consecutive days in any one location. During days of non-operation, the Mobile Food Unit and all associated vehicles and accessories including, but

not limited to tables, chairs, picnic tables, benches, tents, popups, tarps, waste receptacles, etc., must be completely removed from the premises.

7. Hours of operation for all Mobile Food Units shall be limited to 6:00 AM to 9:00 PM, local time.
8. No Mobile Food Unit shall operate on more than two (2) individual sites within the City per day.
9. No more than one (1) Mobile Food Unit shall operate on the same site per day unless specially approved festivals, celebrations, etc., and at the approval of the City Manager pursuant to Section 4 of this Ordinance Number 2502-A.
10. Mobile Food Units shall not be located within two hundred (200) feet of the main entrance of the nearest restaurant during the restaurant's posted hours of operation.
11. Mobile Food Unit operators are responsible for the proper disposal of waste and trash associated with the operation. Operators shall remove all waste and trash every 24 hours to maintain the health and safety of the public and to prevent any adverse odors. City trash receptacles shall not be used for this purpose.
12. All associated equipment, including trash receptacles, must be located within three (3) feet of the Mobile Food Unit.
13. All Mobile Food Units shall be located a minimum of five (5) feet away from any fire hydrant, sidewalk, utility boxes, handicap ramps and/or building entrances.
14. Mobile Food Units must be located off the public rights-of-way. No fire lanes, vehicular access ways or pedestrian walkways may be obstructed or encroached upon by the Mobile Food Unit. For the safety of customers, all picnic tables, benches, chairs provided by the Mobile Food Unit shall be located a safe distance from the public rights-of-way and vehicular traffic.
15. No amplified microphones or bull horns, no flashing lights or any other distraction shall be permitted as a part of the Mobile Food Unit operation.

16. Mobile Food Units shall not occupy parking spaces required to fulfill the minimum requirements of a principal use, unless the hours of operation of the principal use do not coincide with those of the Mobile Food Unit except at the approval of the Zoning Official.
17. Signage is limited to signage located on Mobile Food Unit. No portable signage is allowed.

Section 3. Penalties.

Any person violating any provision of this article may be issued a citation by the Vestavia Hills Police Department or at the request of the Finance Director or his designee be issued a summons and shall be required to appear in the Vestavia Hills Municipal Court. Upon conviction, any person shall be subject to any fines and other applicable court costs which may be assessed by the Vestavia Hills Municipal Court.

Section 4. Exceptions.

The City Manager shall, at his discretion, be authorized to issue an exemption to any Mobile Food Unit who is operating in an organized civic event, festival, celebration, non-profit event or any other event where it is deemed as being in the public's interest in order to exempt the operator of the Mobile Food Unit from business license fees and permitting requirements; however, all operators are still responsible for the collection and remittance of sales taxes associated with the sale of said inventory, as well as inspection of food preparation facilities by the Fire Marshal.

Section 5. Severability.

If any part, section or subdivision of this resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this resolution, which shall continue in full force and effect notwithstanding such holding.

Section 6. Effective Date:

This Ordinance Number 2502-A shall become effective immediately following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 2502-A is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 25th day of November, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 2885

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 22nd day of July, 2019, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

3516 Squire Lane
Brook and Celine Russell

The part of the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows: Begin at the Southeast corner of said 1/4 – 1/4 section and run thence Westwardly along the South line thereof for a distance of 413.25 feet to point of beginning of tract here described, from point of beginning thus obtained continue Westwardly along the South line of said 1/4 – 1/4 section for a distance of 265.20 feet; thence turn an angle to the right of 88 degrees 05 ½ minutes and run Northwardly for a distance of 328.31 feet; thence turn an angle to the right of 91 degrees 46 minutes and run Eastwardly for a distance of 265.20 feet; thence turn an angle to the right of 88 degrees 14 minutes and run Southwardly for a distance of 328.97 feet to the point of beginning.

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

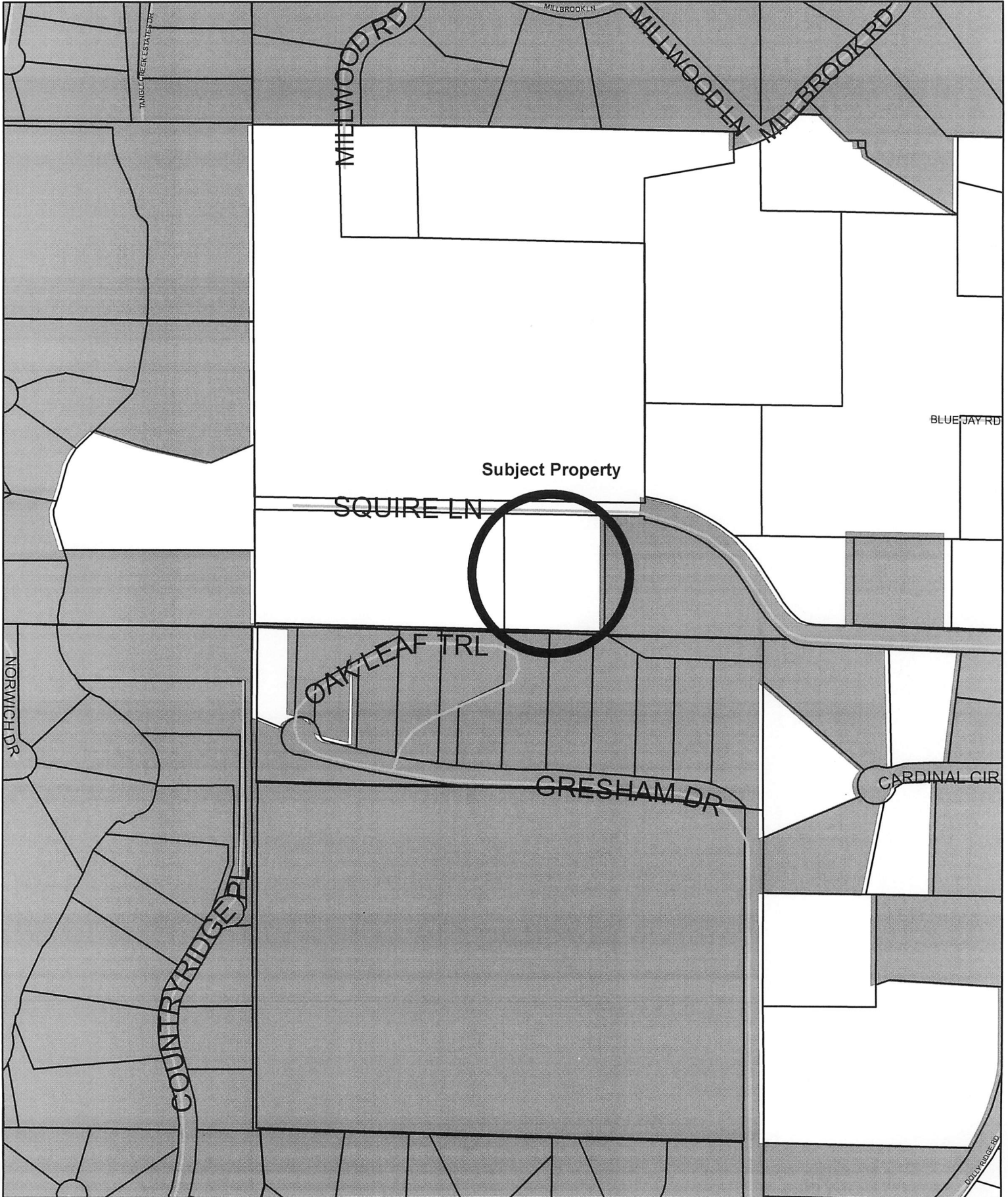
I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2885 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.


Rebecca Leavings
City Clerk

3516 Squire Lane

3516 Squire Lane



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
April 24, 2019



3516 Squire Lane

PARCEL #: 28 00 28 2 001 026.000
OWNER: RUSSELL BROOK A & CELINE C
ADDRESS: 3516 SQUIRE LANE BIRMINGHAM AL 35243
LOCATION: 3516 SQUIRE LN AL 35243

[111-C0] Baths: 2.5 H/C Sqft: 2,399
 18-012.0 Bed Rooms: 3 Land Sch: A114
 Land: 257,500 Imp: 147,200 Total: 404,700
 Acres: 0.000 Sales Info: 08/15/2013
 \$311,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2018

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 2014
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1
 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$404,700.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$257,500
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 POOL VINYL 70 29VP700 \$10,600
 BLDG 001 111 \$136,600
 TOTAL MARKET VALUE [APPR. VALUE: \$404,700]: \$404,700
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$40,480	\$263.12	\$4,000	\$26.00	\$237.12
COUNTY	3	1	\$40,480	\$546.48	\$2,000	\$27.00	\$519.48
SCHOOL	3	1	\$40,480	\$331.94	\$0	\$0.00	\$331.94
DIST SCHOOL	3	1	\$40,480	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$40,480	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$40,480	\$206.45	\$0	\$0.00	\$206.45
SPC SCHOOL2	3	1	\$40,480	\$680.06	\$0	\$0.00	\$680.06

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$40,480.00

\$2,028.05

GRAND TOTAL: \$1,980.05

FULLY PAID

DEEDS

INSTRUMENT NUMBER

[201363-28738](#)
[200811-24213](#)
[2427-910](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
8/15/2013	12/7/2018	2018	CORELOGIC INC	\$1,980.05
10/15/2008	11/17/2017	2017	CORE LOGIC INC	\$1,980.05
11/28/1983	11/21/2016	2016	CORELOGIC	\$1,980.05
	12/1/2015	2015	CORELOGIC INC	\$2,465.06
	12/31/2014	2014	BROOK RUSSELL	\$1,966.02
	1/21/2014	2013	RUSSELL, BROOK	\$1,966.02
	11/21/2012	2012	CORELOGIC INC	\$1,966.02

Annexation Committee Petition Review

Property: 3516 Squire Lane

Owners: Brook and Celine Russell

Date: 06-20-2019

1. The property in question is contiguous to the city limits.
 Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
 Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
 Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
 Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$404,400. Meets city criteria: Yes No
 Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
 Yes No
 Number of total homes 10 Number in city 10
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
 Agreed to by petitioner: Yes No Comment _____

Property: 3516 Squire Lane

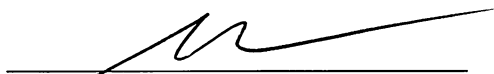
8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is ~~free~~ and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes No _____ Comments: Fire Dept. -
concerns about width and length of
driveway. Per applicant driveway will be
improved

11. Information on children: Number in family 3; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman 6-21-19

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 3516 Squire Lane

Engineering; Public Services

Date: 5/24 Initials: CBrady

3516 Squire Lane -- no significant concerns noted; roadway is narrow and asphalt is in poor to fair condition; majority of roadway remains within Jefferson County and within their maintenance responsibility.

Police Department:

Date: 5/28/19 Initials: CV

Comments: No issues

Fire Department:

Date: 5/30/19 Initials: CV

Comments: Concerns about width & length of driveway per City Ordinance.

Board of Education:

Date: 5/17/19 Initials: SB via email

Thank you for the info. This seems to be smaller annexations which should not affect school enrollment beyond what is expected. As a system we would like to keep an eye on the subdivision of properties into multiple properties, thus allowing more dwellings to be built than what is originally intended.

Thank you, _____
 Steve

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 1/24/19

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Brook Russell 205. 283. 6228

Celine Russell 205. 482. 4542

brookarussell@gmail.com

celinelynn@gmail.com

EXHIBIT "A"

LOT: _____

BLOCK: _____

SURVEY: _____

RECORDED IN MAP BOOK LR201363, PAGE 28738 IN THE
PROBATE OFFICE OF SEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

See Attached

EXHIBIT A
Legal Description

The part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows: Begin at the Southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section and run thence Westwardly along the South line thereof for a distance of 413.25 feet to point of beginning of tract here described, from point of beginning thus obtained continue Westwardly along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 265.20 feet; thence turn an angle to the right of 88 degrees 05 $\frac{1}{2}$ minutes and run Northwardly for a distance of 328.31 feet; thence turn an angle to the right of 91 degrees 46 minutes and run Eastwardly for a distance of 265.20 feet; thence turn an angle to the right of 88 degrees 14 minutes and run Southwardly for a distance of 328.97 feet to the point of beginning.

20130827000938950 3/3
Bk: LR201363 Pg:28738
Jefferson County, Alabama
08/27/2013 12:13:27 PM D
Fee - \$22.00
Deed Tax -\$94.00

Total of Fees and Taxes-\$116.00
CIBESS

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Brook Russell Lot ___ Block ___ Survey ___
Celine Russell Lot ___ Block ___ Survey ___
____ Lot ___ Block ___ Survey ___

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

[Signature] being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]
Signature of Certifier

Subscribed and sworn before me this the 24th day of January, 2019.

[Signature]
Notary Public

My commission expires



EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): BROOK & CELINE RUSSELL

Address: 3516 SQUIRE LANE

City: BIRMINGHAM State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	PACE RUSSELL	4	KS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.				<input type="checkbox"/>	<input type="checkbox"/>
3.				<input type="checkbox"/>	<input type="checkbox"/>
4.				<input type="checkbox"/>	<input type="checkbox"/>
5.				<input type="checkbox"/>	<input type="checkbox"/>
6.				<input type="checkbox"/>	<input type="checkbox"/>

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". FALL 2019

ORDINANCE NUMBER 2886

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 (low density residential district) to Vestavia Hills R-1 (low density residential district):

3516 Squire Lane
Brook and Celine Russell, Owner(s)

The part of the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows: Begin at the Southeast corner of said 1/4 – 1/4 section and run thence Westwardly along the South line thereof for a distance of 413.25 feet to point of beginning of tract here described, from point of beginning thus obtained continue Westwardly along the South line of said 1/4 – 1/4 section for a distance of 265.20 feet; thence turn an angle to the right if 88 degrees 05 ½ minutes and run Northwardly for a distance of 328.31 feet; thence turn 'an angle to the right of 91 degrees 46 minutes and run Eastwardly for a distance of 265.20 feet; thence turn an angle to the right of 88 degrees 14 minutes and run Southwardly for a distance of 328.97 feet to the point of beginning.

APPROVED and ADOPTED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

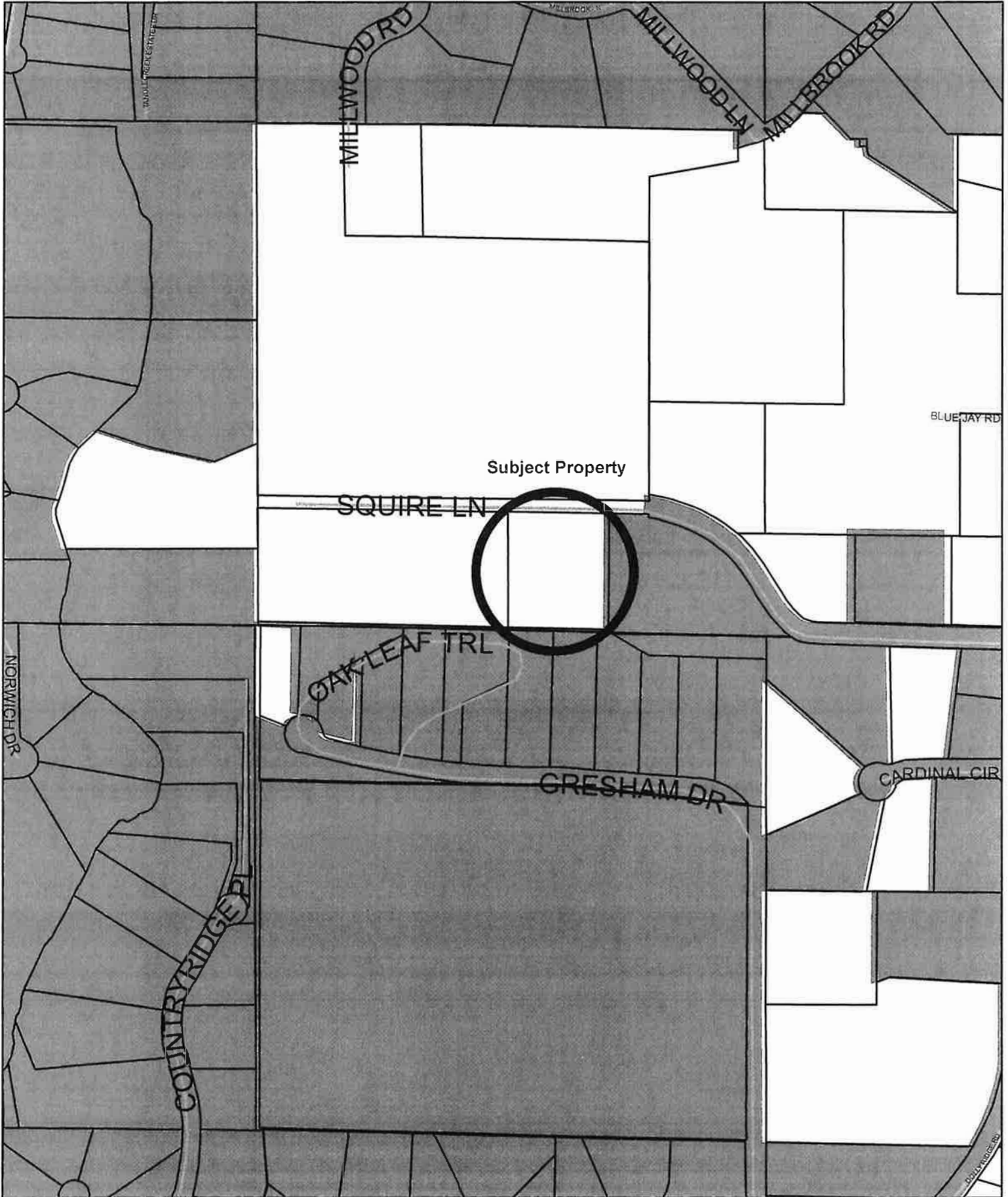
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2886 is a true and correct copy of such 25th day of November, 2019, as same appears in the official records of said City.


Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

3516 Squire Lane



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
April 24, 2019



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

Date: **OCTOBER 10, 2019**

- **CASE:** P-1019-52
- **REQUESTED ACTION:** Rezoning JC E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 3516 Squire Ln.
- **APPLICANT/OWNER:** Brook Russell
- **GENERAL DISCUSSION:** This is a rezoning of annexed property on 3516 Squire Ln. from JC E-2 to VH R-21. Property was annexed overnight by Ordinance 2859 on 8/12/19.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with low density residential but does not exist in the Comprehensive Plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

MOTION Ms. Cobb made a motion to recommend Rezoning from JC E-2 to Vestavia Hills R-1 for the property located At 3516 Squire Ln. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Romeo – yes

Mr. Gilchrist – yes
Ms. Cobb – yes
Mrs. Barnes – yes
Motion carried.

Mr. Sykes– yes
Mr. Larson – yes

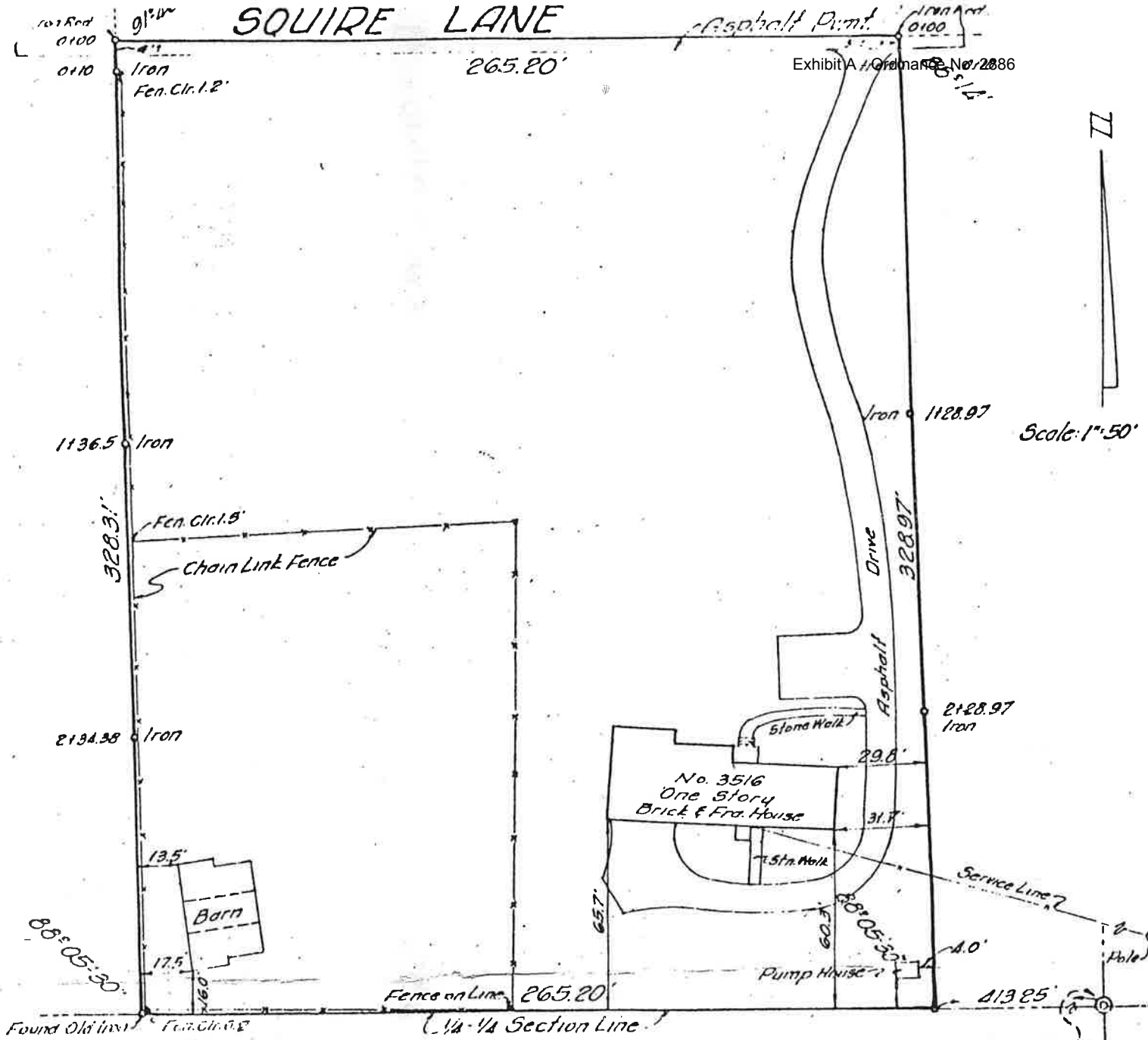


Exhibit A Ordinance No. 2886

Scale: 1"=50'

STATE OF ALABAMA
JEFFERSON COUNTY

S.E. Corner of SW 1/4 - NW 1/4
Section 28, T.18S, R.2W.

I, August A. Winters, a Land Surveyor of Birmingham, Alabama, hereby certify that the above is a true and correct plat or map of Lot..... Block....., as shown by the map of same

recorded in Map Book..... Page....., in the office of the Judge of Probate of Jefferson County, Alabama, that the building now on said lot is within the bounds of said lot, that there are no visible encroachments, except those shown, from adjoining properties and that there are no rights-of-way, easements, of joint driveways over or across said land visible on the surface except as shown; that there are no visible electric or telephone wires (excluding wires which serve the premises only) or structures or a supports therefor including poles, anchors and guy wires, on or over said premises except as shown.

The correct street address is No. 3516 Squire Lane Birmingham, Alabama.

According to my survey this 9th day of February, 1972,

SHEPARD & WINTERS, ENGINEERS
721-722 MASSEY BUILDING
BIRMINGHAM, ALABAMA

August A. Winters
August A. Winters — Reg. No. 2386

ORDINANCE NUMBER 2887

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 12th day of August, 2019, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

929 Mountain Branch Circle
Lot 40, Mountain Branch Subdivision
Honeycutt Real Estate Holdings LLC, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

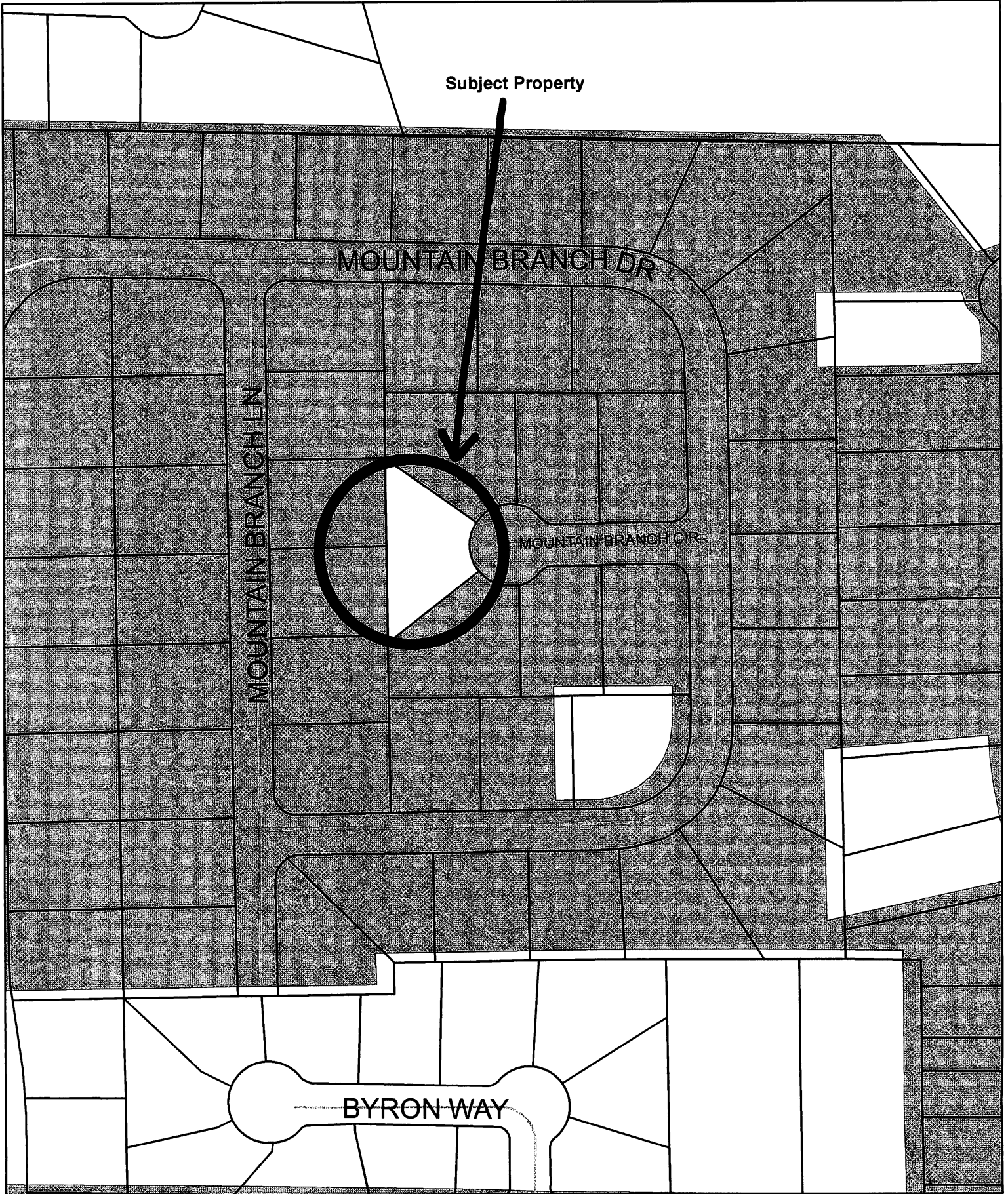
I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2887 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.


Rebecca Leavings
City Clerk

929 Mountain Branch Circle

929 Mountain Branch Circle



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
April 24, 2019



PARCEL #: 39 00 02 2 001 028.036
OWNER: OGLESBY WILLIAM E & SUSAN P
ADDRESS: 929 MOUNTAIN BRANCH CIR VESTAVIA AL 35226-1805
LOCATION: 929 MOUNTAIN BRANCH CIR BIRMINGHAM AL 35226

[111-B0] Baths: 2.0 H/C Sqft: 2,351
 18-057.0 Bed Rooms: 3 Land Sch: G2
 Land: 84,000 Imp: 237,200 Total: 321,200
 Acres: 0.000 Sales Info: 05/16/2018
\$222,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2018

SUMMARY

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE: X
 EXEMPT CODE: 5-5 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$84,000
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 BLDG 001 111 \$237,200
 TOTAL MARKET VALUE [APPR. VALUE: \$321,200]: \$321,200
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$32,120	\$208.78	\$32,120	\$208.78	\$0.00
COUNTY	3	2	\$32,120	\$433.62	\$32,120	\$433.62	\$0.00
SCHOOL	3	2	\$32,120	\$263.38	\$32,120	\$263.38	\$0.00
DIST SCHOOL	3	2	\$32,120	\$0.00	\$32,120	\$0.00	\$0.00
CITY	3	2	\$32,120	\$0.00	\$32,120	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$32,120	\$163.81	\$32,120	\$163.81	\$0.00
SPC SCHOOL2	3	2	\$32,120	\$539.62	\$32,120	\$539.62	\$0.00

ASSD. VALUE: \$32,120.00 **\$1,609.21** **GRAND TOTAL: \$0.00**
FULLY PAID

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
<u>2018050919</u>	5/16/2018		2018		\$0.00
<u>1594-386</u>	04/28/1978		2017		\$0.00
		11/21/2016	2016	CORELOGIC	\$1,374.84
		12/1/2015	2015	CORELOGIC INC	\$1,308.71
		12/2/2014	2014	CORELOGIC INC	\$1,300.69
		11/8/2013	2013	BAC TAX SERVICES CORPORATION	\$1,098.29
		11/16/2012	2012	BAC TAX SERVICES CORPORATION	\$1,291.18

Annexation Committee Petition Review

Property: 929 Mountain Branch Circle

Owners: Honeycutt Real Estate Holdings

Date: 06-20-2019

1. The property in question is contiguous to the city limits.
 Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
 Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
 Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
 Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$321,200. Meets city criteria: Yes No
 Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
 Yes No
 Number of total homes 7 Number in city 6
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
 Agreed to by petitioner: Yes No Comment _____

Property: 929 Mountain Branch Circle


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$_____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes _____ No Comments: _____

11. Information on children: Number in family _____; Plan to enroll in VH schools Yes _____ No Comments: _____

Other Comments: _____



George Pierce
Chairman 6-21-19

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 929 Mountain Branch Circle

Engineering; Public Services

Date: 5/24/19 Initials: CBrady

929 Mountain Branch Circle -- no concerns noted; asphalt and valley gutter in cul-de-sac is in good condition; neighborhood is already within City maintenance area

Police Department:

Date: 5/28/19 Initials: AW

Comments: No issues

Fire Department:

Date: 5/30/19 Initials: CV

Comments: No issues

Board of Education:

Date: 5/17/19 Initials: SB via email

Rebecca, Comments: _____

Thank you for the info. This seems to be smaller annexations which should not affect school enrollment beyond what is expected. As a system we would like to keep an eye on the subdivision of properties into multiple properties, thus allowing more dwellings to be built than what is originally intended.

Thank you, _____
Steve

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: APRIL 22, 2019

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

E Mail: ghoneycutt@drummondco.com
205-520 3511

EXHIBIT "A"

929 MOUNTAIN BRANCH CIRCLE
 VESTAVIA, ALABAMA 35226

LOT: LOT 40 - MOUNTAIN BRANCH SUBDIVISION 1ST ADDITION

BLOCK: _____

SURVEY: MAP BOOK 112 PAGE 24
COUNTY PROBATE OFFICE - JEFFERSON

RECORDED IN MAP BOOK 112, PAGE PAGE 24 IN THE
 PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: R-1

COMPATIBLE CITY ZONING: RESIDENTIAL

LOT AREA - 15450 SF

LEGAL DESCRIPTION (METES AND BOUNDS):

NW 1/4 OF NW 1/4 AND NE 1/4 OF NW 1/4
 OF SECTION 2, TOWNSHIP 19 SOUTH
 RANGE 1 West JEFFERSON COUNTY ALABAMA

LOT 40 MOUNTAIN BRANCH - 1ST EDITION
 AS DESCRIBED BY MAP BOOK 112
 PAGE 24 OF JEFFERSON COUNTY PROBATE OFFICE
 AS SURVEYED BY JOHN C. GUSTIN III
 APRIL 25, 1978 (BETHEL, WHITSON CO. INC.)
 IN ACCORDANCE WITH THE ATTACHED SURVEY
 MAPS.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
* <u>Eugene J. Honeycutt</u>	Lot <u>40</u> Block _____ Survey <u>MOUNTAIN BRANCH - 1ST EDITION</u> <u>MAP BOOK 112 PAGE 24</u> <u>JEFFERSON COUNTY PROBATE OFFICE</u>
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

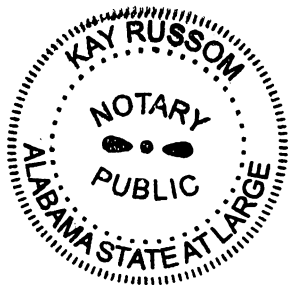
* AS SOLE MEMBER OF HONEYCUTT REAL ESTATE HOLDINGS LLC
OWNER @ - VESTAVIA - 3842 WHITE OAK DRIVE
STATE OF ALABAMA BIRMINGHAM AL 35243

JEFFERSON COUNTY

EUGENE J. Honeycutt being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Eugene J. Honeycutt
Signature of Certifier

Subscribed and sworn before me this 23rd day of April, 2019.



Kay Russom
Notary Public
My Commission Expires
November 8, 2020

My commission expires: _____

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City) ✓

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): HONEYCUTT REAL ESTATE HOLDINGS LLC
Address: 371 HIGHLAND VIEW DRIVE
City: BIRMINGHAM State: AL Zip: 35242

Information on Children:

NONE

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 2888

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-1 (medium density residential district) to Vestavia Hills R-2 (medium density residential district):

929 Mountain Branch Circle
Lot 40, Mountain Branch Subdivision
Honeycutt Real Estate Holdings, Owner(s)

APPROVED and ADOPTED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

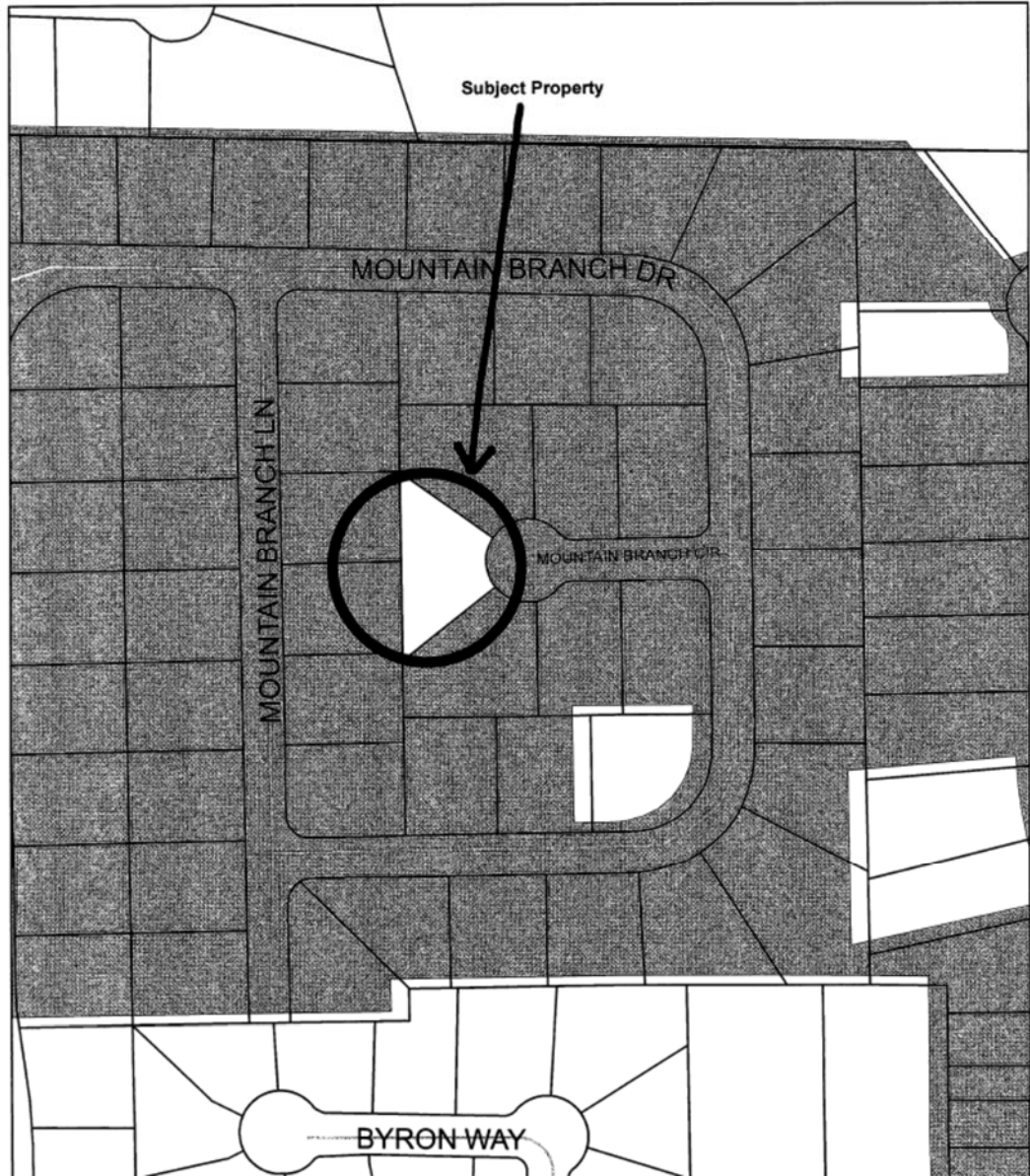
I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2888 is a true and correct copy of such 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

929 Mountain Branch Circle

929 Mountain Branch Circle



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

Date: **OCTOBER 10, 2019**

- **CASE: P-1019-50**
- **REQUESTED ACTION:** Rezoning JC R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 929 Mountain Branch Cir.
- **APPLICANT/OWNER:** Honeycutt Real Estate Holdings, LLC
- **GENERAL DISCUSSION:** This is a rezoning of annexed property on 929 Mountain Branch Cir. from JC R-1 to VH R-2. Property was annexed overnight by Ordinance 2860 on 8/12/19.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for low density residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

MOTION Mr. Gilchrist made a motion to recommend Rezoning from JC R-1 to Vestavia Hills R-2 for the property located At 929 Mountain Branch Cir. Second was by Ms. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Romeo – yes

Mr. Gilchrist – yes
Ms. Cobb – yes
Mrs. Barnes – yes
Motion carried.

Mr. Sykes– yes
Mr. Larson – yes

ORDINANCE NUMBER 2889

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 12th day of August, 2019, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2790 Acton Place
Hugh Humphrey

More particularly described as follows:

Commence at the SW corner of the SW ¼ of the NW ¼ of Section 34, Township 18 South, Range 2 West, thence run S 90 degrees 00'00" E along the south line thereof for a distance of 481.18 feet; thence run N 30 degrees 55'00" E for a distance of 81.93'; thence run N 79 degrees 25'00" E for a distance of 128.06' to the point of beginning; thence run N 79 degrees 25'00" E for a distance of 161.08'; thence run N 10 degrees 35'00" W for a distance of 86.00'; thence run N 71 degrees 30'45" W for a distance of 150.14' to a point on the southeasterly right-of-way of Acton Road. Sid point being located on a curve to the right having a central angle of 05 degrees 10'22" and a radius of 1216.77' and a chord bearing of S 22 degrees 34'03" W; thence run along the arc of said curve for a distance of 109.85'; thence run S 34 degrees 50'46" for a distance of 73.50' to the point of beginning.

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

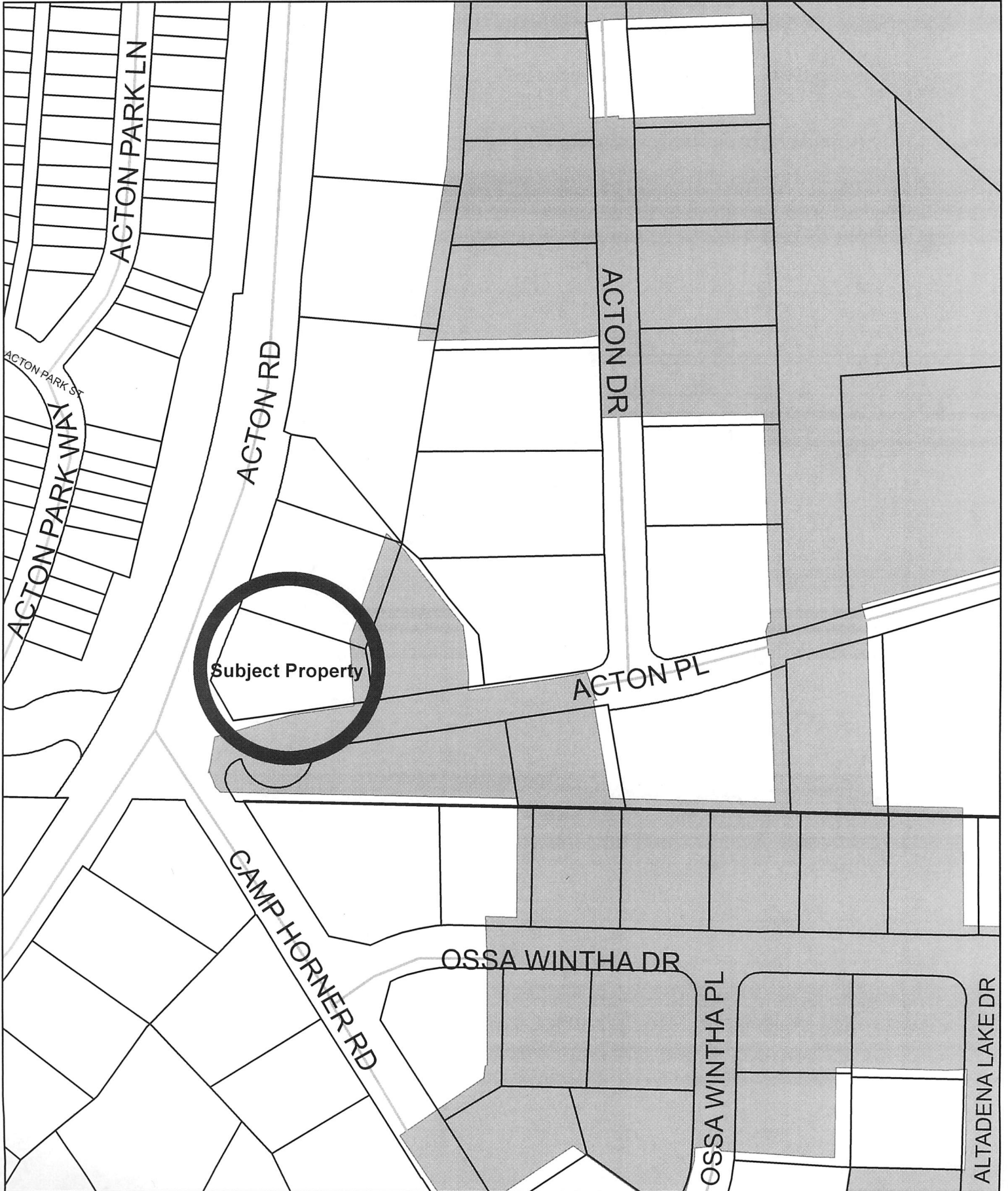
I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2889 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.


Rebecca Leavings
City Clerk

2790 Acton Place

2790 Acton Place



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
April 24, 2019



2790 Acton Place

PARCEL #: 28 00 34 2 000 020.001
OWNER: HUMPHREY HUGH R
ADDRESS: 2790 ACTON PL VESTAVIA AL 35243-2534
LOCATION: 2790 ACTON PL BHAM AL 35243

[111-B0] Baths: 3.0 H/C Sqft: 3,327
 18-040.0 Bed Rooms: 4 Land Sch: G2
 Land: 102,900 Imp: 284,300 Total: 387,200
 Acres: 0.000 Sales Info: 06/25/2014 \$0

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2018

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE: X
 EXEMPT CODE: 5-5 DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$102,900
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 BLDG 001 111 \$284,300

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$384,500.00 BOE VALUE: 0

TOTAL MARKET VALUE [APPR. VALUE: \$387,200]: \$387,200
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$38,720	\$251.68	\$38,720	\$251.68	\$0.00
COUNTY	3	1	\$38,720	\$522.72	\$38,720	\$522.72	\$0.00
SCHOOL	3	1	\$38,720	\$317.50	\$38,720	\$317.50	\$0.00
DIST SCHOOL	3	1	\$38,720	\$0.00	\$38,720	\$0.00	\$0.00
CITY	3	1	\$38,720	\$0.00	\$38,720	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$38,720	\$197.47	\$38,720	\$197.47	\$0.00
SPC SCHOOL2	3	1	\$38,720	\$650.50	\$38,720	\$650.50	\$0.00

ASSD. VALUE: \$38,720.00 **\$1,939.87** **GRAND TOTAL: \$0.00**
FULLY PAID

DEEDS

INSTRUMENT NUMBER

[201415-2830](#)
[9601-9499](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
6/25/2014		2018		\$0.00
01/25/1996		2017		\$0.00
		2016		\$0.00
		2015		\$0.00
		2014		\$0.00
		2013		\$0.00
		2012		\$0.00
	20081231	2008	***	\$1,482.87

Annexation Committee Petition Review

Property: 2790 Acton Place

Owners: Hugh Humphreys

Date: 06-20-2019

1. The property in question is contiguous to the city limits.
 Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
 Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
 Yes No Comments CUL-de-SAC is in
poor condition. Needs tree removal.
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
 Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$387,200. Meets city criteria: Yes No
 Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
 Yes No
 Number of total homes 11 Number in city 6
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
 Agreed to by petitioner: Yes No Comment _____

Property: 2790 Acton Place


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$_____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes No _____ Comments: City engineer
cul-de-sac in poor condition. Request
Tree Removal from TD Street Retain

11. Information on children: Number in family N/A; Plan to enroll in VH schools Yes _____ No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman 6-21-19

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2790 Acton Place

2790 Acton Place -- no significant concerns noted; property fronts a cul-de-sac that is in poor to fair condition; it appears roots from one or more trees along this property frontage has damaged asphalt, we would ask for property owner to potentially coordinate this tree removal prior to asphalt repair; area roadways vary in widths and are more narrow than typical City subdivision standards; the City currently performs some maintenance responsibility in this area in coordination with Jefferson County.

Police Department: Date: 5/28/19 Initials: CAN

Comments: No issues

Fire Department: Date: 5/30/19 Initials: CV

Comments: No issues

Board of Education: Date: 5/17/19 Initials: SB via email

Rebecca, Comments: _____

Thank you for the info. This seems to be smaller annexations which should not affect school enrollment beyond what is expected. As a system we would like to keep an eye on the subdivision of properties into multiple properties, thus allowing more dwellings to be built than what is originally intended.

Thank you,
Steve _____

STATE OF ALABAMA

Jefferson COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: Feb 19, 2019

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Tim Gully - timothygully@gmail.com
(205) 937-8772

EXHIBIT "A"

LOT: _____

BLOCK: _____

SURVEY: _____

RECORDED IN MAP BOOK 201415, PAGE 2830 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

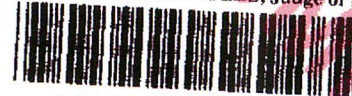
Com AT SW COR OF LOT 16 ALTADENA VALLEY 2ND SECT
137/43 TH SWLY 138 FT TO POB TH NLY 56 FT TH NW
155 FT TH SW 95 FT TH SE 58 FT TH NE 170 FT TO POB
SECT 34 TWSP 18S RANGE 2W

EXHIBIT "A"

A thirty-two percent (32%) undivided interest in the following described real property:

Commence at the SW corner of the SW 1/4 of the NW 1/4 of Section 34, Township 18 South, Range 2 West, thence run S 90 deg. 00'00" E along the south line thereof for a distance of 481.18'; thence run N 30 deg. 55'00" E for a distance of 81.93'; thence run N 79 deg. 25'00" E for a distance of 128.06' to the point of beginning; thence run N 79 deg. 25'00" E for a distance of 161.08'; thence run N 10 deg. 35'00" W for a distance of 86.00'; thence run N 71 deg. 30'45" W for a distance of 150.14' to a point on the southeasterly right of way of Acton Road. Said point being located on a curve to the right having a central angle of 05 deg. 10'22" and a radius of 1216.77' and a chord bearing of S 22 deg. 34'03" W; thence run along the arc of said curve for a distance of 109.85'; thence run S 34 deg. 50'46" E for a distance of 73.50' to the point of beginning.

State of Alabama - Jefferson County
 I certify this instrument filed on:
 1996 JAN 29 P.M. 14:40
 Recorded and \$ 8.00 Mitg. Tax
 and \$ 7.00 Deed Tax and Fee Amt.
 \$ Total \$ 15.00
 GEORGE R. REYNOLDS, Judge of Probate



9601/9500

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Hugh R. Humphrey</u>	Lot _____	Block _____	Survey _____
_____	Lot _____	Block _____	Survey _____
_____	Lot _____	Block _____	Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Hugh R. Humphrey being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Hugh R. Humphrey
Signature of Certifier

Subscribed and sworn before me this the 18 day of February, 2019.

Lynn Travis Garnett
Notary Public

My commission expires

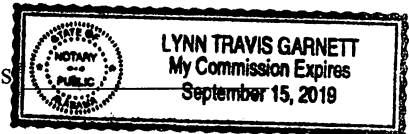


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____

Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): _____

Address: _____

City: _____ State: _____ Zip: _____

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 2890

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-1 (medium density residential district) to Vestavia Hills R-2 (medium density residential district):

2790 Acton Place
Hugh Humphrey

More particularly described as follows:

Commence at the SW corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, thence run S 90 degrees 00'00" E along the south line thereof for a distance of 481.18 feet; thence run N 30 degrees 55'00" E for a distance of 81.93'; thence run N 79 degrees 25'00" E for a distance of 128.06' to the point of beginning; thence run N 79 degrees 25'00" E for a distance of 161.08'; thence run N 10 degrees 35'00" W for a distance of 86.00'; thence run N 71 degrees 30'45" W for a distance of 150.14' to a point on the southeasterly right-of-way of Acton Road. Sid point being located on a curve to the right having a central angle of 05 degrees 10'22" and a radius of 1216.77' and a chord bearing of S 22 degrees 34'03" W; thence run along the arc of said curve for a distance of 109.85'; thence run S 34 degrees 50'46" for a distance of 73.50' to the point of beginning.

APPROVED and ADOPTED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

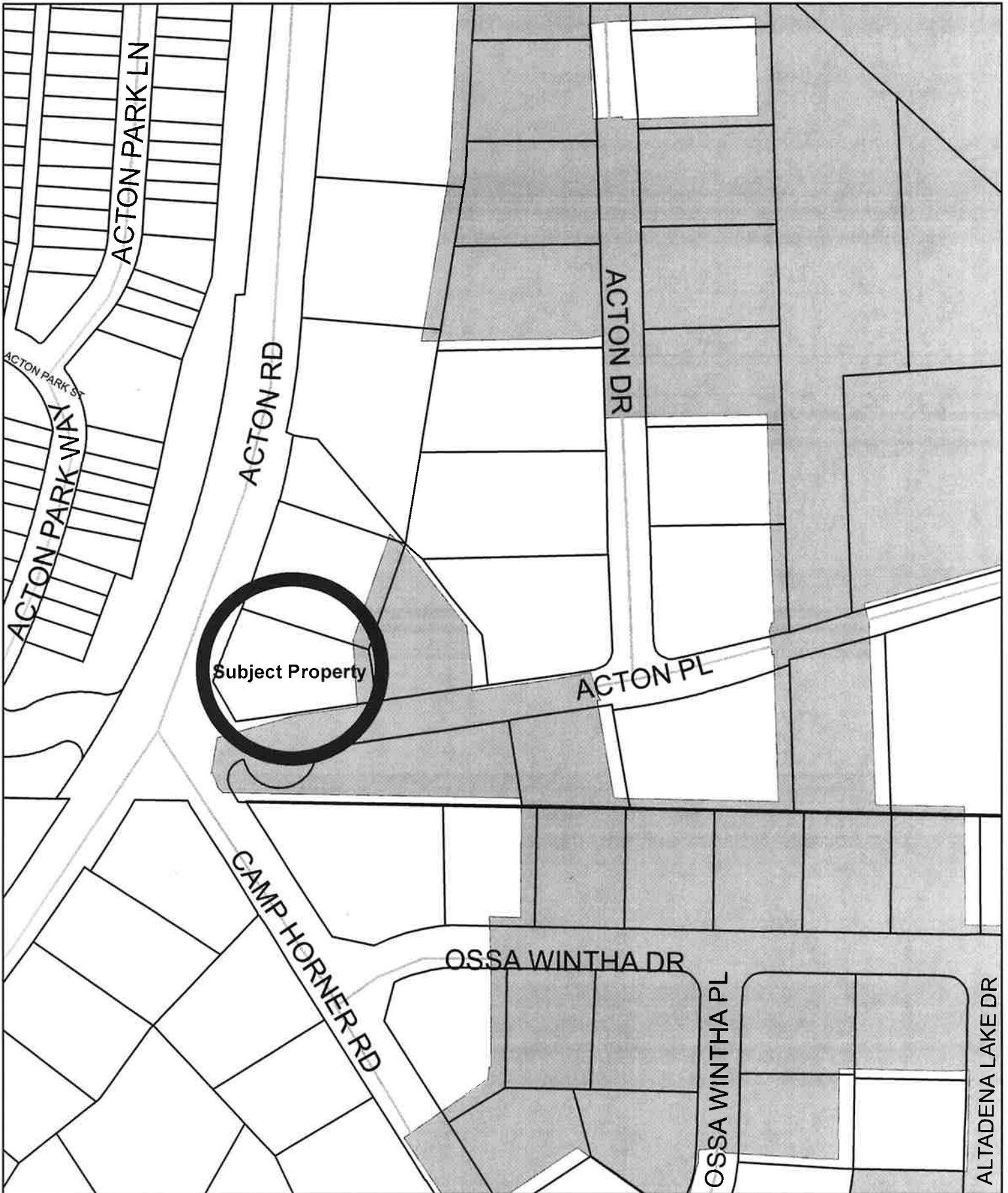
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2890 is a true and correct copy of such 25th day of November, 2019, as same appears in the official records of said City.


Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

2790 Acton Place



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
April 24, 2019



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

Date: **OCTOBER 10, 2019**

- **CASE: P-1019-47**
- **REQUESTED ACTION:** Rezoning JC R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 2790 Acton Pl.
- **APPLICANT/OWNER:** Hugh R. Humphrey
- **GENERAL DISCUSSION:** This is a rezoning of annexed property on Acton Place from JC R-1 to VH R-2. Property was annexed overnight by Ordinance 2863 on 8/12/19.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for low density residential.
- **STAFF REVIEW AND RECOMMENDATION:**

1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation

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

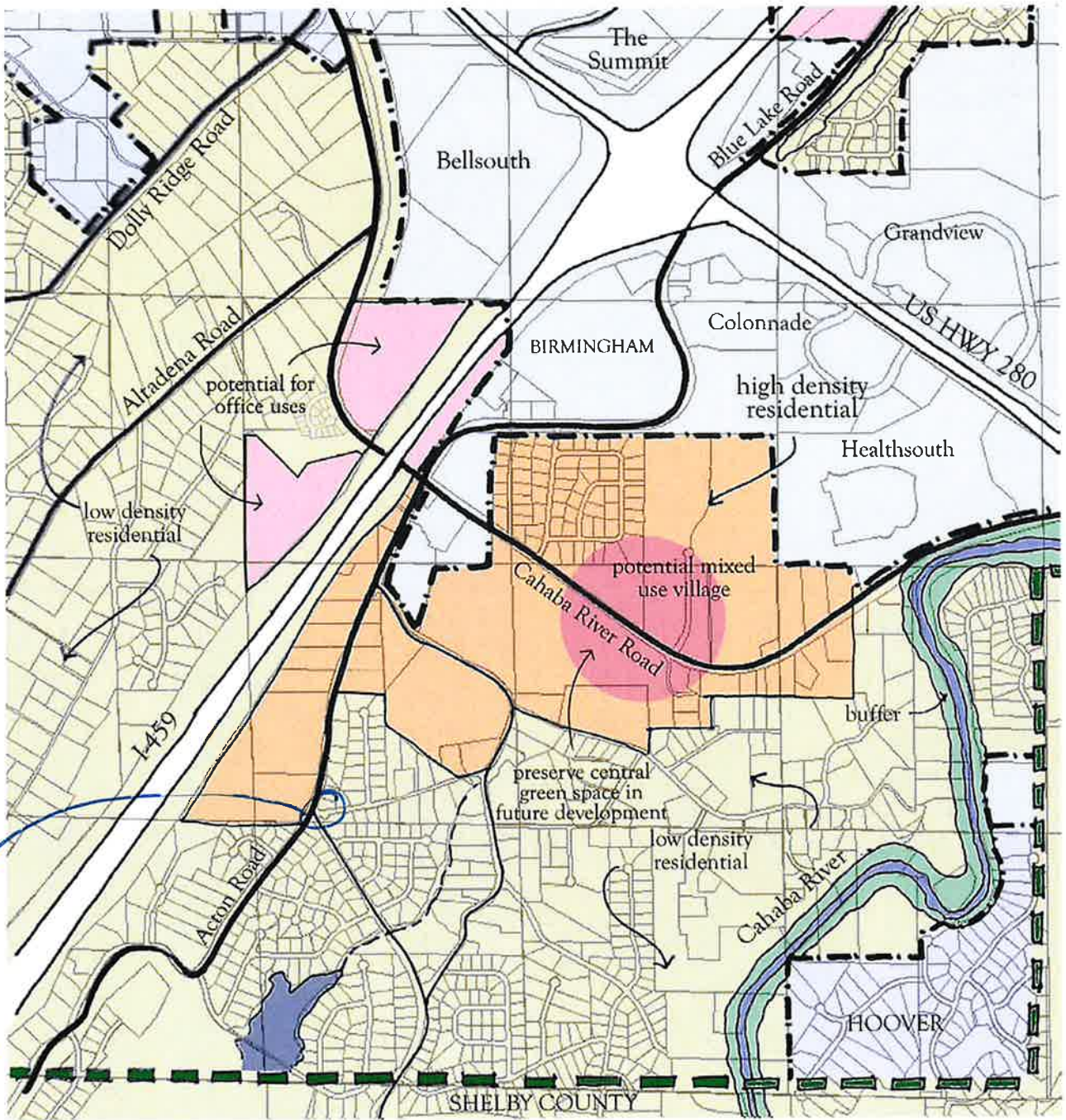
MOTION Ms. Cobb made a motion to recommend Rezoning from JC R-1 to Vestavia Hills R-2 for the property located At 2790 Acton Pl. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes

Mr. Romeo – yes
Mr. Sykes – yes

Ms. Cobb – yes
Mrs. Barnes – yes
Motion carried.

Mr. Larson – yes



Subject Parcel

Figure 22: Cahaba River Road / Acton Road East
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 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.



ORDINANCE NUMBER 2891

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 12th day of August, 2019, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2606 Acton Road
Lot 5, Altadena Valley Country Club
Mark and Jennifer Weldon, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2891 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

PARCEL #: 28 00 33 4 001 008.000
OWNER: WELDON MARK W & JENNIFER S TRUSTEE - WELDON LIVING..
ADDRESS: 2606 ACTON ROAD BIRMINGHAM AL 35243
LOCATION: 2606 ACTON RD BIRMINGHAM AL 35243

[111-B-] Baths: 3.0 H/C Sqft: 2,706
 18-036.0 Bed Rooms: 4 Land Sch: A116
 Land: 50,200 Imp: 230,100 Total: 280,300
 Acres: 0.000 Sales Info: \$0

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2018

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE: X
 EXEMPT CODE: 5-5 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$50,160
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 UTILITY STEELOR 26SAPFA \$900
 BLDG 001 111 \$229,200

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$248,700.00 BOE VALUE: 0

TOTAL MARKET VALUE [APPR. VALUE: \$280,300]: \$280,260
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

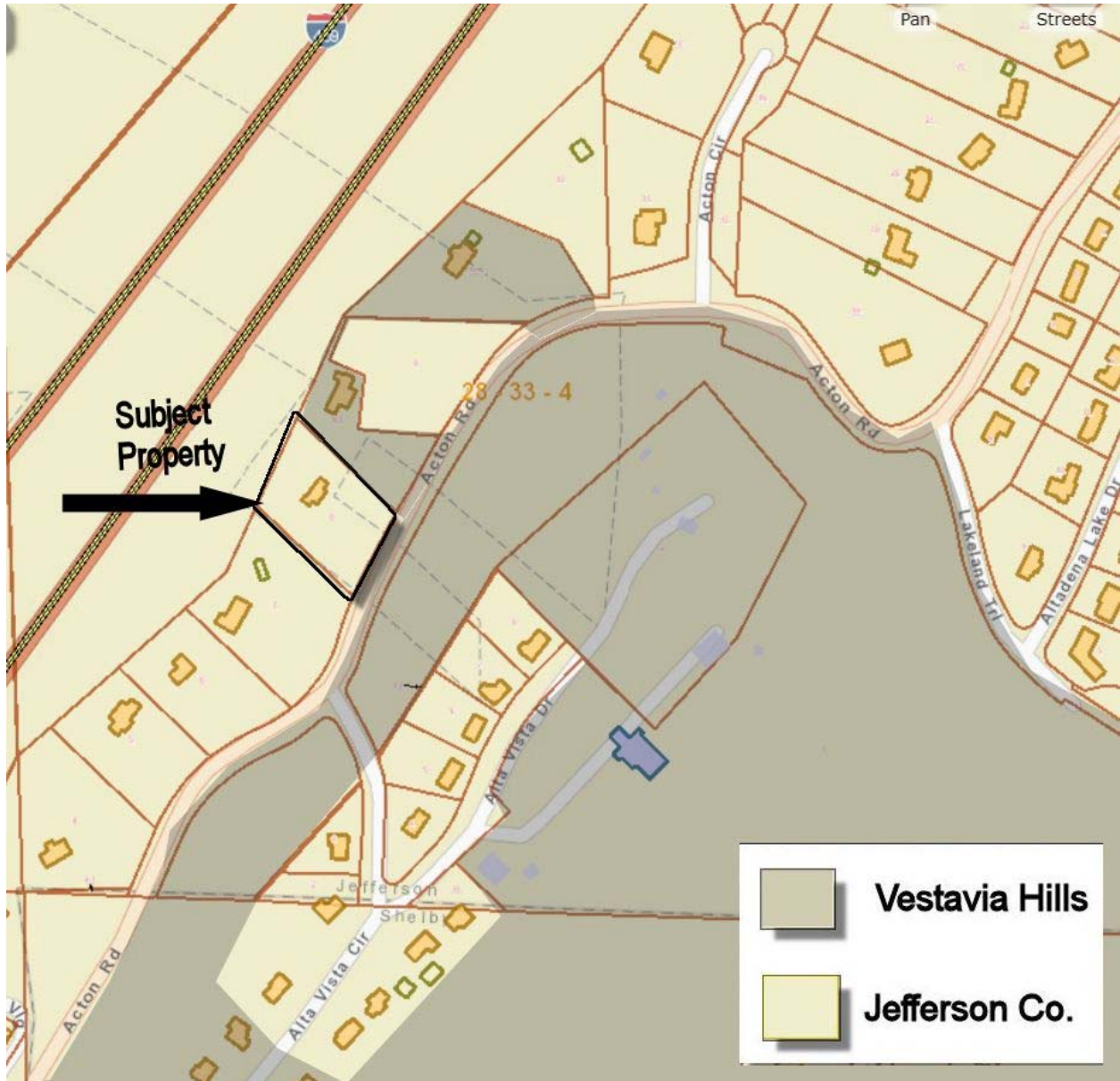
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$28,040	\$182.26	\$28,040	\$182.26	\$0.00
COUNTY	3	2	\$28,040	\$378.54	\$28,040	\$378.54	\$0.00
SCHOOL	3	2	\$28,040	\$229.93	\$28,040	\$229.93	\$0.00
DIST SCHOOL	3	2	\$28,040	\$0.00	\$28,040	\$0.00	\$0.00
CITY	3	2	\$28,040	\$0.00	\$28,040	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$28,040	\$143.00	\$28,040	\$143.00	\$0.00
SPC SCHOOL2	3	2	\$28,040	\$471.07	\$28,040	\$471.07	\$0.00

ASSD. VALUE: \$28,040.00 **\$1,404.80** **GRAND TOTAL: \$0.00**
FULLY PAID

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
2016105347	9/12/2016		2018		\$0.00
			2017		\$0.00
		12/19/2016	2016	JENNIFER S WELDON	\$2,491.97
		1/8/2016	2015	-	\$2,491.97
		12/5/2014	2014	MARK W. OR JENNIFER S. WELDON	\$2,325.61
		10/22/2013	2013	-	\$2,460.88
		12/28/2012	2012	DCS PROPERTIES LLC	\$2,460.88



Annexation Committee Petition Review

Property: 2606 Acton Road

Owners: Mark and Jennifer Weldon

Date: 06-20-2019

1. The property in question is contiguous to the city limits.
 Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
 Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
 Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
 Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$28,260. Meets city criteria: Yes No
 Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
 Yes No
 Number of total homes 8 Number in city 2
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
 Agreed to by petitioner: Yes No Comment _____

Property: 2606 Acton Road

8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$_____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes No _____ Comments: FRD - possibly exceeds 150' from road. Turn access discussed and requested for fire vehicles

11. Information on children: Number in family _____; Plan to enroll in VH schools Yes _____ No Comments: _____

Other Comments: Drainage pipe under driveway needs maintenance
Property is tax exempt, owner plans to sell the home.

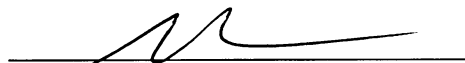

George Pierce
Chairman 6-21-19

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2606 Acton Road

Engineering:

Date: 12/20/18 Initials: C. Brady

2606 Acton Road -- no significant concerns noted; Acton Road is a Jefferson County maintained roadway; driveway to home is 9' wide and exceeds distance from roadway that may limit emergency vehicle access to home; drainage pipe under driveway may need maintenance and follow up inspection, it was filled with leaves at time of initial inspection.

Board of Education:

Date: 12/20/18 Initials: S Bendall per email

Comments: N/P

Police Department:

Date: 12/28/18 Initials: CJN

Comments: No concern

Fire Department:

Date: 12/28/2018 Initials: (SR)

Comments: Possibly exceeds 150' per city ordinance.
No other concerns.

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 10-18-2018

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EMAIL weldonjen1@gmail.com

PHONE (205) 913-3384 (cell)
(205) 490-6412 (home)

EXHIBIT "A"

LOT: 5

BLOCK: —

SURVEY: _____

RECORDED IN MAP BOOK 64, PAGE 25 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: A1

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

Altadama valley Country Club Fairway
sector

subdivision

parcel # 2800334001008.000

ROW in 459

207.2X 290S 1RR

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Jennifer S. Helder</u>	Lot <u>5</u> Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

JEFFERSON COUNTY

_____ being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Jennifer S. Helder
Signature of Certifier

Subscribed and sworn before me this the 26th day of October, 2018.

Kay Russon
Notary Public



My commission expires: **My Commission Expires November 8, 2020**

My Commission Expires November 8, 2020

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____

Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Jennifer S. Weldon

Address: 2606 Acton Road

City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

Rebecca Leavings

From: Jennifer. S. Weldon <weldonjen1@gmail.com>
Sent: Friday, October 26, 2018 11:49 AM
To: Mark Weldon; Rebecca Leavings
Subject: Application request for 2606 Acton Road into Vestavia.

To: Rebecca Leavings, Committee and Council

I would like to submit my thoughts on annexing for you to consider as you evaluate my request for annexing my property into Vestavia Hills. My Dad had this house built in the '60's. I moved back here after my parents passed away in 2012 and 2014. I have always felt more a part of the Vestavia community having attended events at the community center throughout the years and at the library and parks more recently with my grandchildren. The post office and most all my mail is addressed as Vestavia. Unfortunately for me, the house is 2 story and the stairs make it not a great retirement home for my husband and myself. My son already owns his home in Vestavia and my daughter owns property in Hoover so neither are interested in the property. The house would be attractive to a family with children so our hope is to make it most attractive to a new family with young children who can enjoy the schools, recreational and community centers which are easily accessible to our location.

2606 Acton Road is a desirable property. It has a spacious lot with a tall oak canopy. Woods between homes give a sense of privacy yet it's just a short walk to our next door neighbor. Ours is a roomy well built home that's been updated inside and out. We are hopeful that a young family will love it as much as we have and enjoy all it has to offer.

Thank you for your consideration.

Jennifer Schmittou Weldon

To: Rebecca Leavings, Committee and Council

I would like to submit my thoughts on annexing for you to consider as you evaluate my request for annexing my property into Vestavia Hills. My Dad had this house built in the '60's. I moved back here after my parents passed away in 2012 and 2014. I have always felt more a part of the Vestavia community having attended events at the community center throughout the years and at the library and parks more recently with my grandchildren. The post office and most all my mail is addressed as Vestavia. Unfortunately for me, the house is 2 story and the stairs make it not a great retirement home for my husband and myself. My son already owns his home in Vestavia and my daughter owns property in Hoover so neither are interested in the property. The house would be attractive to a family with children so our hope is to make it most attractive to a new family with young children who can enjoy the schools, recreational and community centers which are easily accessible to our location.

2606 Acton Road is a desirable property. It has a spacious lot with a tall oak canopy. Woods between homes give a sense of privacy yet it's just a short walk to our next door neighbor. Ours is a roomy well built home that's been updated inside and out. We are hopeful that a young family will love it as much as we have and enjoy all it has to offer.

Thank you for your consideration.

Jennifer Schmittou Weldon



ORDINANCE NUMBER 2892

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY AGRI TO VESTAVIA HILLS A

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County Agri (agriculture district) to Vestavia Hills A (agriculture district):

2606 Acton Road
Lot 5, Altadena Valley Country Club
Mark and Jennifer Weldon, Owners

APPROVED and ADOPTED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

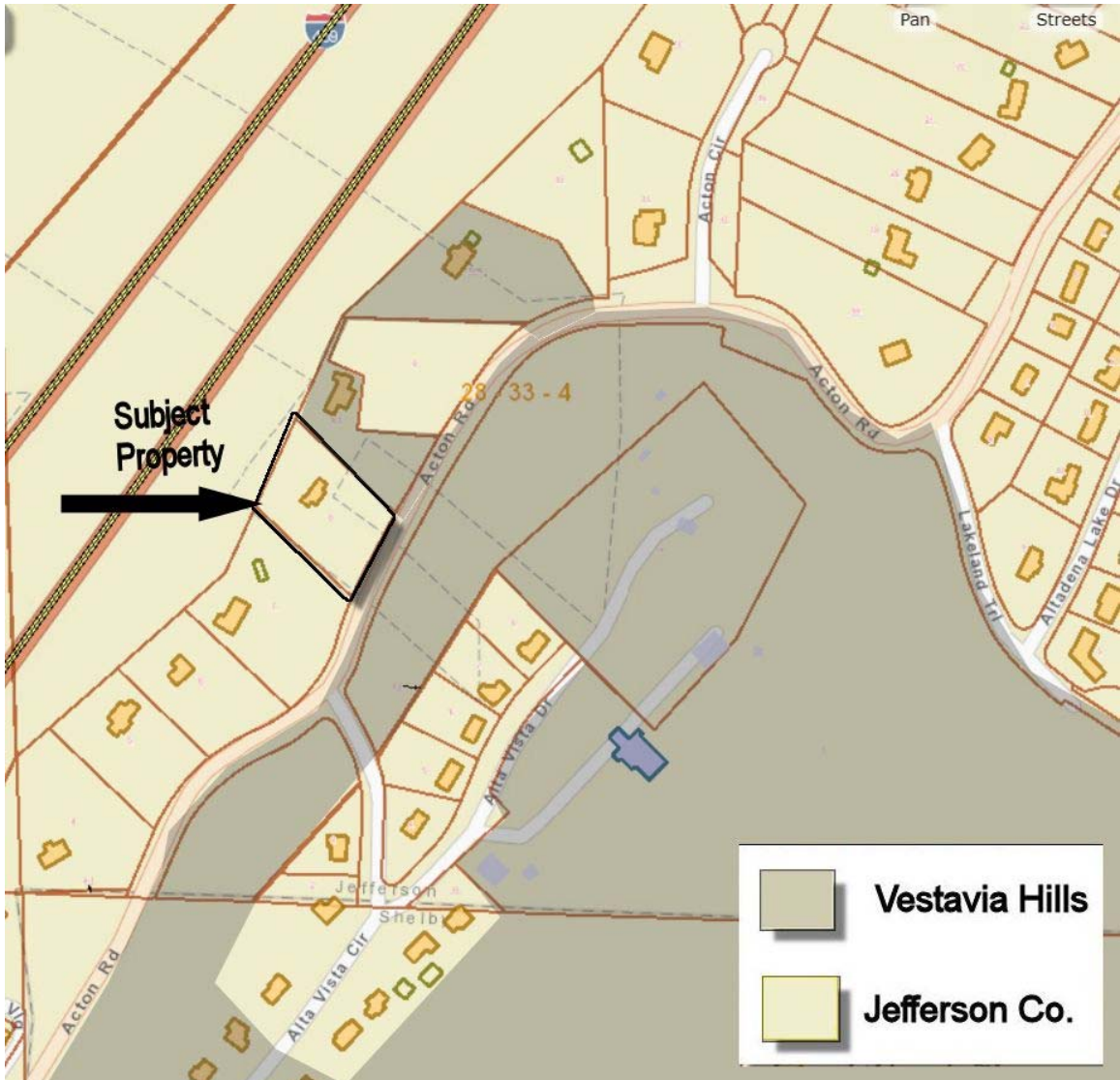
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2892 is a true and correct copy of such 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk



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

Date: **OCTOBER 10, 2019**

- **CASE: P-1019-49**
- **REQUESTED ACTION:** Rezoning JC A-1 to Vestavia Hills Agriculture
- **ADDRESS/LOCATION:** 2606 Acton Rd.
- **APPLICANT/OWNER:** Jennifer S. Weldon
- **GENERAL DISCUSSION:** This is a rezoning of annexed property on Acton Rd. from JC A-1 to VH Agriculture. Property was annexed overnight by Ordinance 2862 on 8/12/19.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for low density residential.
- **STAFF REVIEW AND RECOMMENDATION:**

1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation

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

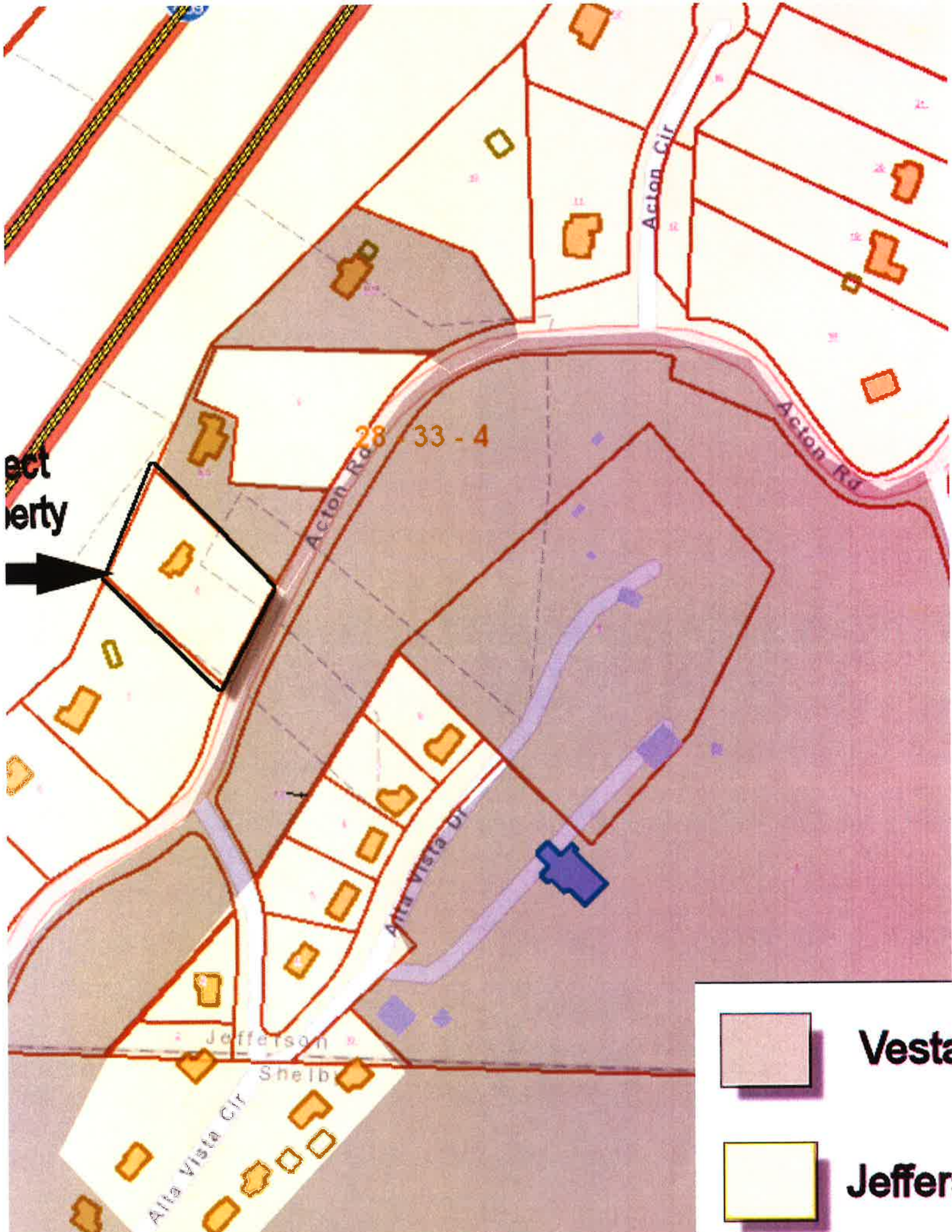
MOTION Mr. Sykes made a motion to recommend Rezoning from JC A-1 to Vestavia Hills Agriculture for the property located At 2606 Acton Rd. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

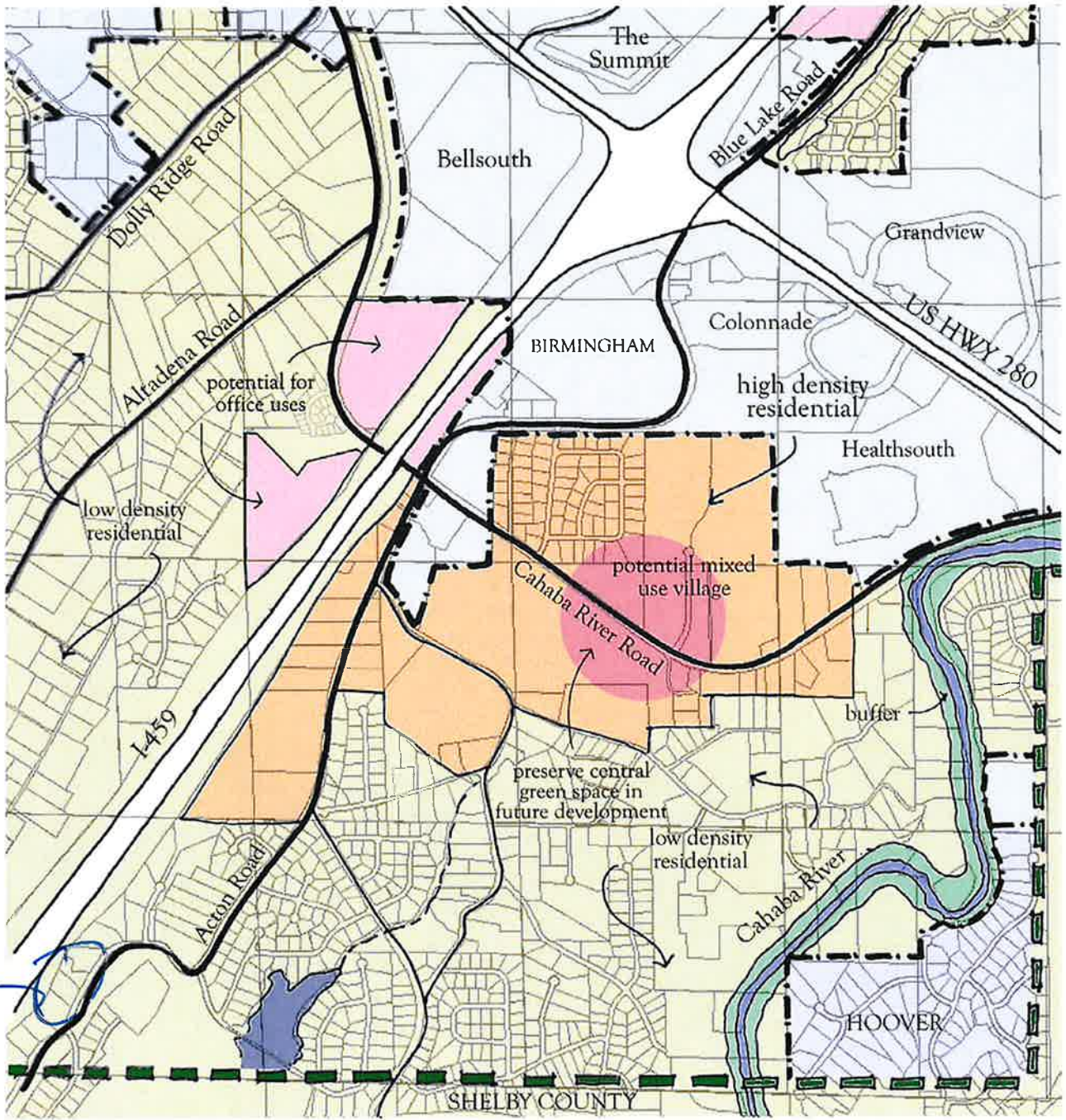
Mr. Goodwin – yes

Mr. Romeo – yes

Mr. Gilchrist – yes
Ms. Cobb – yes
Mrs. Barnes – yes
Motion carried.

Mr. Sykes– yes
Mr. Larson – yes

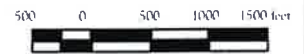




Subject Parcel

Figure 22: Cahaba River Road / Acton Road East
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.



ORDINANCE NUMBER 2893

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 12th day of August, 2019, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2429 Kenvil Circle
Lot 36, Resurvey of Lots 18, 19, 20, 33, 34, 46, 47 and 48, Buckhead, 2nd Sector
William Ennis, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2893 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.


Rebecca Leavings
City Clerk

2429 Kenvil Circle

2429 Kenvil Circle



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
May 16, 2019



PARCEL #: 40 00 05 2 001 012.000
OWNER: ENNIS WILLIAM MCGRATH
ADDRESS: 2429 KENVIL CIR VESTAVIA AL 35243-2803
LOCATION: 2429 KENVIL CIR BHAM AL 35243

[111-D+] Baths: 2.0 H/C Sqft: 1,352
 18-015.0 Bed Rooms: 3 Land Sch: L1
 Land: 123,400 Imp: 106,600 Total: 230,000
 Acres: 0.000 Sales Info: 06/01/2010
\$232,500

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2018

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1
 CLASS USE: FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$221,600.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$123,380
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 BLDG 001 111 \$106,600
 TOTAL MARKET VALUE [APPR. VALUE: \$230,000]: \$229,980
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$23,000	\$149.50	\$4,000	\$26.00 \$123.50
COUNTY	3	2	\$23,000	\$310.50	\$2,000	\$27.00 \$283.50
SCHOOL	3	2	\$23,000	\$188.60	\$0	\$0.00 \$188.60
DIST SCHOOL	3	2	\$23,000	\$0.00	\$0	\$0.00 \$0.00
CITY	3	2	\$23,000	\$0.00	\$0	\$0.00 \$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00 \$0.00
SPC SCHOOL1	3	2	\$23,000	\$117.30	\$0	\$0.00 \$117.30
SPC SCHOOL2	3	2	\$23,000	\$386.40	\$0	\$0.00 \$386.40

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$23,000.00

\$1,152.30

GRAND TOTAL: \$1,104.30

FULLY PAID

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
2018129832	12/18/2018	12/31/2018	2018	WILLIAM ENNIS	\$1,104.30
201005-24788	06/21/2010	11/29/2017	2017		\$1,062.22
3969-267	12/27/1990	12/28/2016	2016	-	\$1,019.13
		12/22/2015	2015	ENNIS WILLIAM	\$1,019.13
		12/19/2014	2014	WILLIAM MCGRATH ENNIS	\$1,055.20
		1/11/2014	2013	WILLIAM MCGRATH ENNIS	\$1,011.11
		12/31/2012	2012	ENNIS WILLIAM MCGRATH	\$1,010.62
		20111231	2011	***	\$1,019.13
		20101231	2010	***	\$1,019.13
		20091231	2009	***	\$1,019.13

Annexation Committee Petition Review

Property: 2429 Kenvil Circle

Owners: William Ennis

Date: 06-20-2019

1. The property in question is contiguous to the city limits.
 Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
 Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
 Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
 Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$229,780. Meets city criteria: Yes No
 Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
 Yes No
 Number of total homes 13 Number in city 8
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
 Agreed to by petitioner: Yes No Comment _____

Property: 2429 Kenvil Circle


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$_____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 3; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____


George Pierce
Chairman 6-21-19

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2429 Kenvil Circle

Engineering; Public Services

Date: 5/24/19 Initials: CB

2429 Kenvil Circle -- no significant concerns noted; the roadway is more narrow than typical City subdivision standards (16' wide), but majority of subdivision is already within the City and City does perform maintenance along this street; existing 12" concrete pipe within the roadway at this property also does not meet minimum City standards, but appears to be in good condition and perform adequately.

Police Department:

Date: 5/28/19 Initials: AW

Comments: No issues

Fire Department:

Date: 5/30/19 Initials: CV

Comments: No issues

Board of Education:

Date: 5/17/19 Initials: SB via email

Rebecca, Comments: _____

Thank you for the info. This seems to be smaller annexations which should not affect school enrollment beyond what is expected. As a system we would like to keep an eye on the subdivision of properties into multiple properties, thus allowing more dwellings to be built than what is originally intended.

Thank you,
Steve

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: March 13, 2019

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Contacts

Frank Ennis (205) 907-9953 ennis006@yahoo.com
Lacey Phillips (205) 903-8516 lacey@restructureco.com

EXHIBIT "A"

LOT: 36

BLOCK: _____

SURVEY: Resurvey of Lots 18, 19, 20, 33, 34, 46, 47, and 48 Buckhead, Second Sector

RECORDED IN MAP BOOK 33, PAGE 22 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: E-2

COMPATIBLE CITY ZONING: E-2

LEGAL DESCRIPTION (METES AND BOUNDS):


Lot 36 according to resurvey of Lots 18, 19, 20, 33, 34, 36, 37, 46, 47 and 48 Buckhead,
Second Sector as recorded in Map Book 33, Page 22 in the Probate Office of Jefferson County, Alabama.

Parcel ID Number: 01-40-00-05-2-001-012.000

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

	Lot <u>36</u> Block _____ Survey <u>Resurvey of Lots 18, 19, 20, 33, 34, 46, 47, and 48 Buckhead, Second Sector</u>
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Grath Ennis, Trustee being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.



Signature of Certifier

Subscribed and sworn before me this the 6th day of March, 2019.



Notary Public

My commission expires: _____

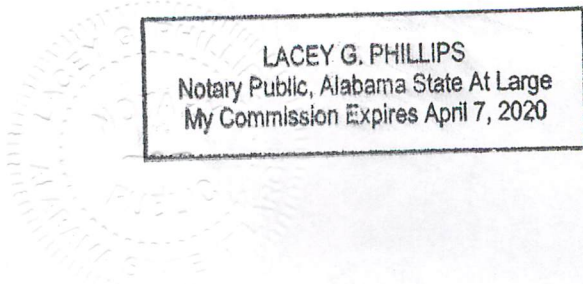


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
 Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____
 Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Grath Ennis, as Trustee for the Ennis Living Trust, dated 12/18/2018

Address: 2429 Kenvil Circle

City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
 Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Bristol Marie Murray	8	2nd	✓	
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". Day 1 of the 2019-2020 school year

ORDINANCE NUMBER 2894

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 (low density residential district) to Vestavia Hills R-1 (low density residential district):

2429 Kenvil Circle
Lot 36, Resurvey of Lots 18, 19, 20, 33, 34, 46, 47 and 48, Buckhead, 2nd Sector
William Ennis, Owner

APPROVED and ADOPTED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2894 is a true and correct copy of such 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

2429 Kenvil Circle

2429 Kenvil Circle



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

Date: **OCTOBER 10, 2019**

- **CASE: P-1019-51**
- **REQUESTED ACTION:** Rezoning JC E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2429 Kenvil Cir.
- **APPLICANT/OWNER:** William Ennis
- **GENERAL DISCUSSION:** This is a rezoning of annexed property on 2429 Kenvil Cir. from JC E-2 to VH R-21. Property was annexed overnight by Ordinance 2864 on 8/12/19.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for low density residential.
- **STAFF REVIEW AND RECOMMENDATION:**

1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation

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

MOTION Mr. Gilchrist made a motion to recommend Rezoning from JC E-2 to Vestavia Hills R-1 for the property located At 2429 Kenvil Cir. Second was by Ms. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes

Mr. Romeo – yes
Mr. Sykes – yes


Ms. Cobb – yes
Mrs. Barnes – yes
Motion carried.

Mr. Larson – yes

2429 Kenvil Circle



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
May 16, 2019



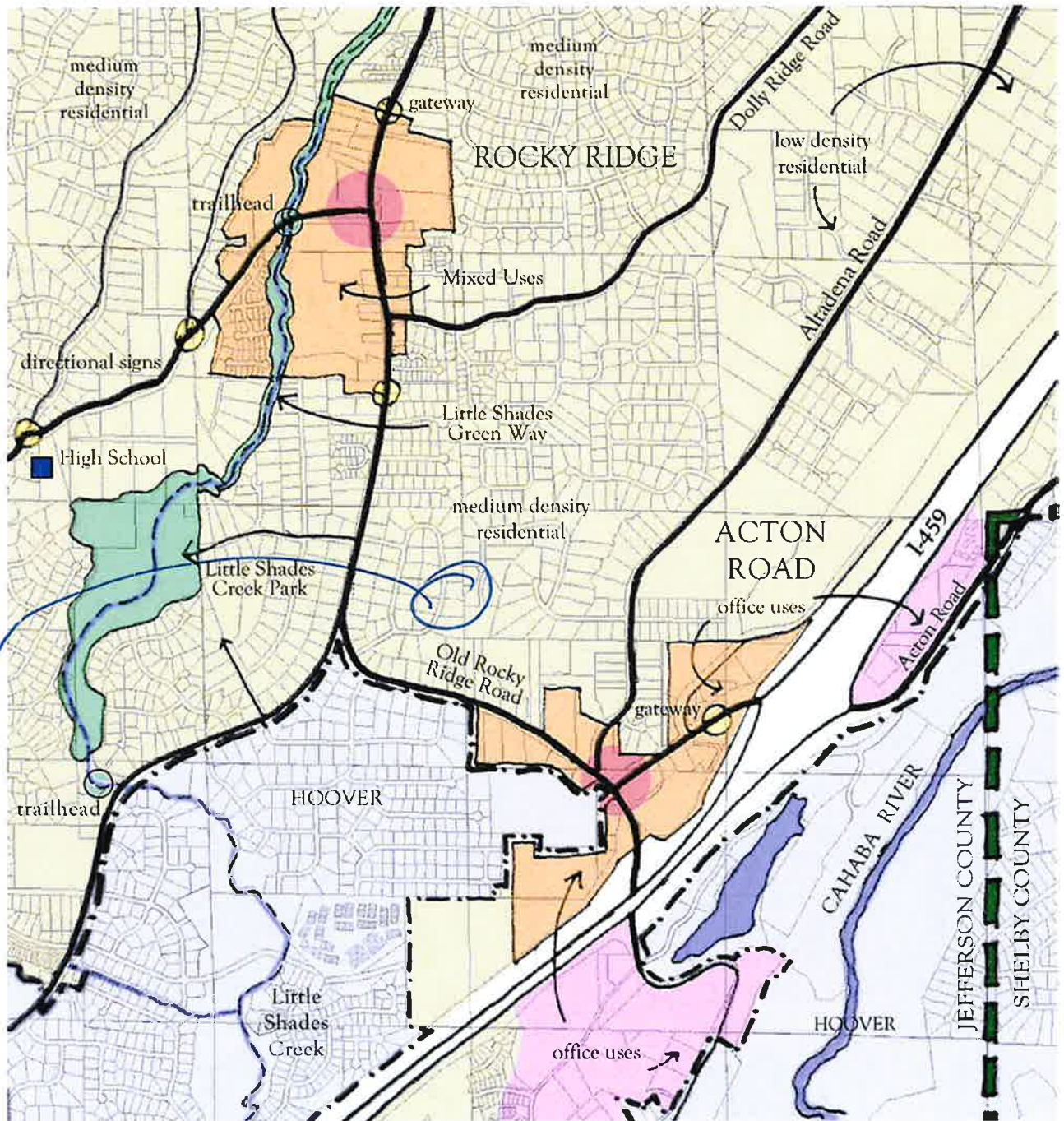
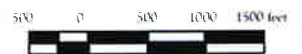


Figure 21: Rocky Ridge Road / Acton Road West
Land Use Analysis

- 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 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.



ORDINANCE NUMBER 2895

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF VESTAVIA
HILLS, ALABAMA.**

WHEREAS, on the 12th day of August, 2019, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2645 Alta Glen Drive
Paul and Gloria Russell

More particularly described as follows:

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33, Township 18 South, Range 2 West, Jefferson County, Alabama, being more particular described as follows:

From the NE corner of said SW $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 33, run in a Westerly direction along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 351.77 feet, more or less, to a point on the SE right-of-way line of Alta Glen Drive; thence turn an angle to the left of 63 degrees 23 minutes and run in a Southwesterly direction along the SE right-of-way line of Alta Glen Drive for a distance of 75.0 feet to an existing iron pin; thence continue in a Southwesterly direction along the last mentioned course and along the SE right-of-way of Alta Glen Drive for a distance of 215.5 feet to an existing iron pin; thence continue in a Southwesterly direction along the SE right-of-way line of Alta Glen Drive for a distance of 217.15 feet to an existing #5 iron rebar being the point of beginning; thence continue in a Southwesterly direction along the SE right-of-way line of Alta Glen Drive for a distance of 445.51 feet to an existing iron rebar set by Weygand; thence

turn an angle to the left of 85 degrees 29 minutes 05 seconds and run Southeasterly direction for a distance of 350.00 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 94 degrees 23 minutes 01 seconds and run in an Northeasterly direction for a distance of 472.88 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 90 degrees 06 minutes 11 seconds and run in a Northwesterly direction for a distance of 350.0 feet, more or less, to the point of beginning.

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2895 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.


Rebecca Leavings
City Clerk

2645 Alta Glen Drive

2645 Alta Glen Drive



Legend

 Vestavia_Hills_City_Limits

City of Vestavia Hills
Department of GIS
April 24, 2019



PARCEL #: 28 00 33 1 001 005.001
OWNER: MILES VICK ADAIR(1/2INT) & MILES AUSTIN BRANTLEY..
ADDRESS: 2680 ALTA GLEN DR VESTAVIA AL 35243
LOCATION: 2645 ALTA GLEN DR BHAM AL 35243

[111-B0] Baths: **3.0** H/C Sqft: **2,789**
18-013.0 Bed Rooms: **4** Land Sch: **A414**
 Land: **282,800** Imp: **186,800** Total: **469,600**
 Acres: **0.000** Sales Info: **04/16/2018**
\$450,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2018

[SUMMARY](#) [LAND](#) [BUILDINGS](#) [SALES](#) [PHOTOGRAPHS](#) [MAPS](#)

SUMMARY

ASSESSMENT

PROPERTY CLASS: 2 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1
 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$478,100.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$0
 LAND VALUE 20% \$282,780
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
 UTILITY WOOD OR 26WCCA V \$800
 BLDG 001 111 \$186,000
CLASS 3
 TOTAL MARKET VALUE [APPR. VALUE: \$469,600]: \$469,580
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$93,920	\$610.48	\$0	\$0.00	\$610.48
COUNTY	2	1	\$93,920	\$1,267.92	\$0	\$0.00	\$1,267.92
SCHOOL	2	1	\$93,920	\$770.14	\$0	\$0.00	\$770.14
DIST SCHOOL	2	1	\$93,920	\$0.00	\$0	\$0.00	\$0.00
CITY	2	1	\$93,920	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	1	\$93,920	\$478.99	\$0	\$0.00	\$478.99
SPC SCHOOL2	2	1	\$93,920	\$1,577.86	\$0	\$0.00	\$1,577.86

**** DELINQUENT ****

TOTAL FEE & INTEREST: (Detail) \$52.99

ASSD. VALUE: \$93,920.00

\$4,705.39

GRAND TOTAL: \$4,758.38

FULLY PAID

DEEDS

INSTRUMENT NUMBER

[2018039580](#)
[201512300113773](#)
[200512-5381](#)

DATE

4/16/2018
 11/16/2015
 07/29/2005

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
2/1/2019	2018	RUSSELL PAUL E	\$4,758.38
12/15/2017	2017	AUDREY V MILES TTEE VICK ADAIR MILES TTEE	\$4,790.56
11/18/2016	2016	MILES VICK ADAIR	\$4,536.05
11/18/2015	2015	-	\$1,947.21
10/21/2014	2014	-	\$1,907.10
11/19/2013	2013	-	\$1,907.10

Annexation Committee Petition Review

Property: 2645 Alta Glen Drive

Owners: Paul and Gloria Russell

Date: 06-20-2019

1. The property in question is contiguous to the city limits.
 Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
 Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
 Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
 Yes No Comments Road narrow &
in poor to fair condition
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of _____. Meets city criteria: Yes No
 Comment: \$469,580.00
6. This street has fewer than 100% of the individual properties within the limits of the city
 Yes No
 Number of total homes 17/10 Number in city _____
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
 Agreed to by petitioner: Yes No Comment _____

Property: 2645 Alta Glen Drive

8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes No Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No Comment _____

10. Are there any concerns from city departments?
Yes No Comments: _____

Road is narrow. Road improvements should be made during construction

11. Information on children: Number in family _____; Plan to enroll in VH schools Yes No Comments: _____

Other Comments: _____

Developer plans to subdivide lot into 3 est lots



George Pierce
Chairman

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2645 Alta Glen Drive

Engineering; Public Services

Date: 5/24 Initials: CBradley

2645 Alta Glen Drive -- no significant concerns noted; this roadway and other area roadways are narrow and in poor to fair condition; as part of development of this property, we would ask developer to consider some road widening or shoulder improvements to improve pre-existing conditions; currently, this section of roadway is maintained by Jefferson County.

Police Department:

Date: 5/28/15 Initials: dm

Comments: No issues

Fire Department:

Date: 5/30/19 Initials: cv

Comments: No issues

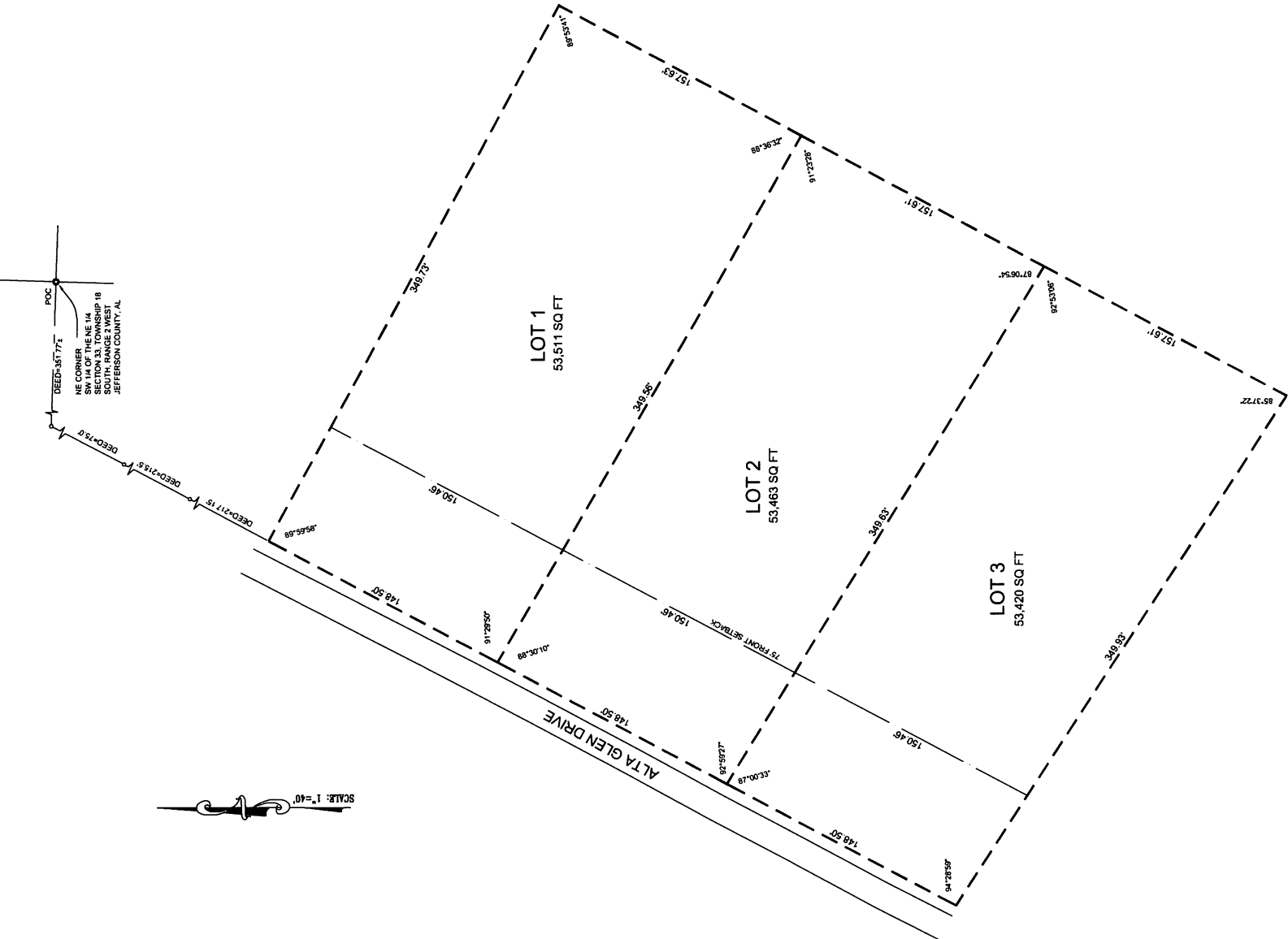
Board of Education:

Date: 5/17/19 Initials: SB via email

Rebecca, _____
Comments: _____

Thank you for the info. This seems to be smaller annexations which should not affect school enrollment beyond what is expected. As a system we would like to keep an eye on the subdivision of properties into multiple properties, thus allowing more dwellings to be built than what is originally intended.

Thank you, _____
Steve



PROPOSED LOT LAYOUT
 (THIS IS NOT A SURVEY)
 PART OF THE SW 1/4 OF THE NE 1/4 OF
 SECTION 33, TOWNSHIP 18 SOUTH, RANGE 2 WEST,
 JEFFERSON COUNTY, ALABAMA

PREPARED BY: SURVEYING SOLUTIONS, INC. PREPARED FOR: PETE RUSSELL
 2322 CAMABA VALLEY DRIVE SUITE M 5971 CHALKVILLE MOUNTAIN LANE SUITE D
 BIRMINGHAM, AL 35242 BIRMINGHAM, AL 35235
 (205) 991-8865 (205) 222-2873

SCALE: 1" = 40' JOB NO. 212659 DATE: 12-5-2018

WACD\SURDIVISION\JEFFERSON COUNTY\RUSSELL PROPERTY\RUSSELL LOT LAYOUT

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: January 16, 2019

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Contact: Allison West
(205) 240-0464
mallisonwest@gmail.com

Pete Russell
222-2873
peterussell@Albstate.com

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Paul E Russell

-metes & bounds attached see "Exhibit A".

_____ Lot _____ Block _____ Survey _____

_____ Lot _____ Block _____ Survey _____

_____ Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson

COUNTY

Paul E. Russell

_____ being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Paul E Russell

Signature of Certifier

Subscribed and sworn before me this the 21st day of January, 2019.

Cathy D. McLean

Notary Public

My commission expires: 7-30-21

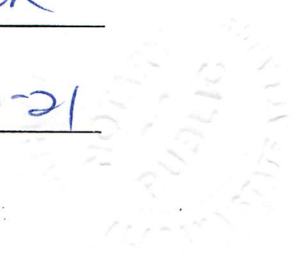


EXHIBIT "A"

LOT: _____

BLOCK: _____

SURVEY: _____

RECORDED IN MAP BOOK _____, PAGE _____ IN THE
PROBATE OFFICE OF _____ COUNTY, ALABAMA.

COUNTY ZONING: JC E-1

COMPATIBLE CITY ZONING: VH E-2

LEGAL DESCRIPTION (METES AND BOUNDS):

Com At Int of S Line of Ne 1/4 and Se R/W Alta Glen Dr
The Ne Alg Said Rd 500ft S to Pob Cont Ne Alg Rd 450ft
S Se 350ft S Sw 450ft S Nw 350ft S To Pob

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION
 1204 Montgomery Highway
 Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition January Action Taken: Grant _____
 Deny _____
 Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Paul E Russell
 Address: 2645 Alta Glen Drive
 City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
 Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	<u>none</u>				<u>X</u>
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 2896

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY E-1 TO VESTAVIA HILLS E-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-1 (residential estate district) to Vestavia Hills E-2 (residential estate district):

2645 Alta Glen Drive
Paul and Gloria Russell

More particularly described as follows:

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 33, Township 18 South, Range 2 West, Jefferson County, Alabama, being more particular described as follows:

From the NE corner of said SW $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 33, run in a Westerly direction along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 351.77 feet, more or less, to a point on the SE right-of-way line of Alta Glen Drive; thence turn an angle to the left of 63 degrees 23 minutes and run in a Southwesterly direction along the SE right-of-way line of Alta Glen Drive for a distance of 75.0 feet to an existing iron pin; thence continue in a Southwesterly direction along the last mentioned course and along the SE right-of-way of Alta Glen Drive for a distance of 215.5 feet to an existing iron pin; thence continue in a Southwesterly direction along the SE right-of-way line of Alta Glen Drive for a distance of 217.15 feet to an existing #5 iron rebar being the point of beginning; thence continue in a Southwesterly direction along the SE right-of-way line of Alta Glen Drive for a distance of 445.51 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 85 degrees 29 minutes 05 seconds and run Southeasterly direction for a distance of 350.00 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 94 degrees 23 minutes 01 seconds and run in an Northeasterly direction for a distance of 472.88 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 90 degrees 06 minutes 11 seconds and run in a Northwesterly direction for a distance of 350.0 feet, more or less, to the point of beginning.

APPROVED and ADOPTED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2896 is a true and correct copy of such 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

2645 Alta Glen Drive

2645 Alta Glen Drive



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

Date: **OCTOBER 10, 2019**

- **CASE: P-1019-46**
- **REQUESTED ACTION:** Rezoning JC E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2645 Alta Glen Dr.
- **APPLICANT/OWNER:** Paul E. Russell
- **GENERAL DISCUSSION:** This is a rezoning of annexed property on Alta Glenn Drive from JC E-1 to VH-E-2. Property was annexed overnight by Ordinance 2861 on 8/12/19. Applicant plans to subdivide parent parcel into three lots. All meet the minimum requirements of an E-2 zone.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for low density residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

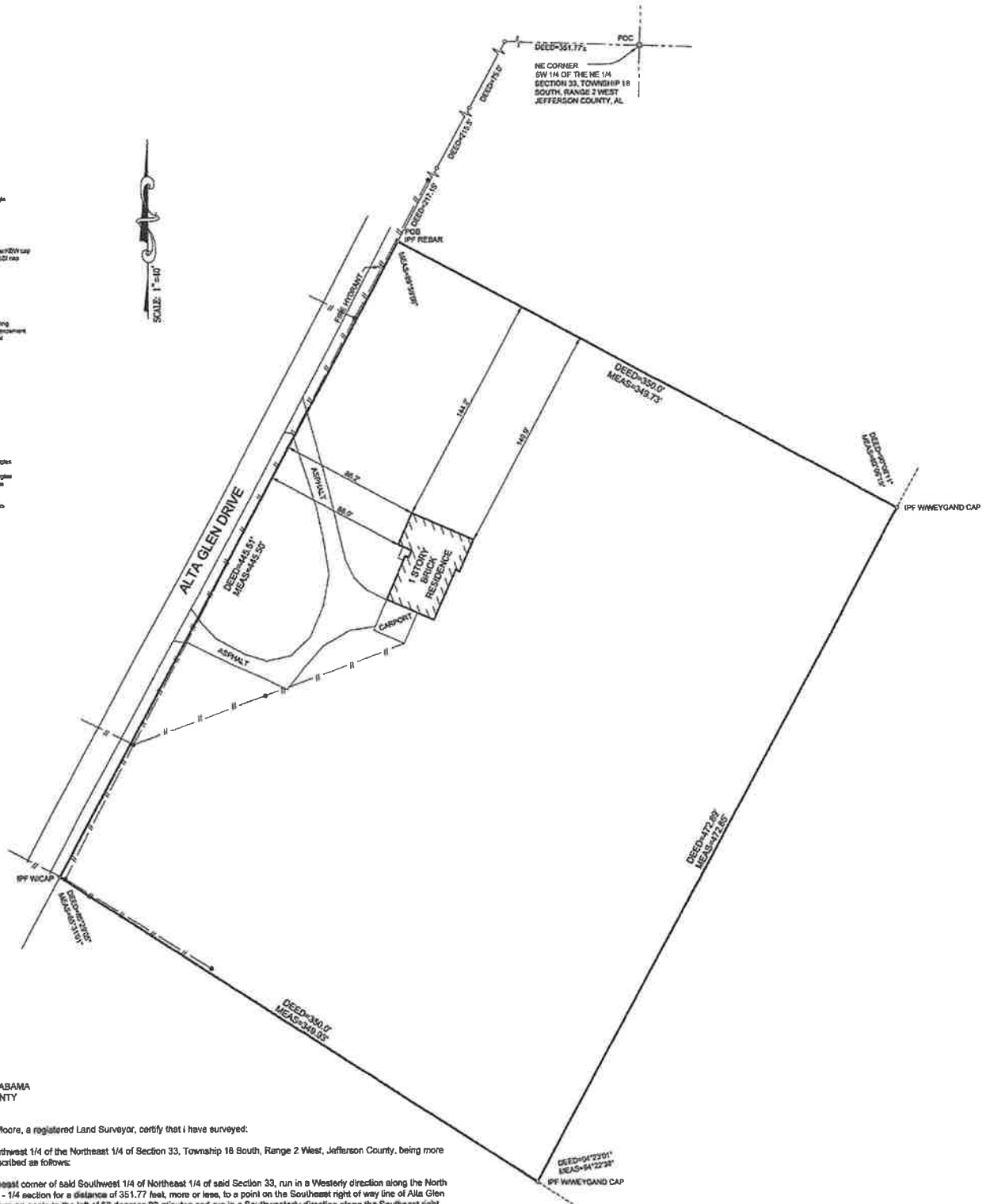
MOTION Mr. Larson made a motion to recommend Rezoning from JC E-1 to Vestavia Hills E-2 for the property located At 2645 Alta Glen Dr. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Ms. Cobb – yes
Mrs. Barnes – yes
Motion carried.

Mr. Romeo – yes
Mr. Sykes – yes
Mr. Larson – yes

LEGEND:

- ASPH = asphalt
- BID = bearing
- BLDG = building
- CAIC = calculated
- CAP = capped iron
- CL = centerline
- CL = closed
- CCIRC = concrete
- C = covered
- D = ditch
- E = east
- ESMT = easement
- FC = fence
- FD = found
- HW = handicap
- ISF = iron pin found
- IRP = iron pin found w/20' cap
- IS = iron pin w/10' cap
- L = length
- MEAS = measured
- MM = minimum
- MS = maximum
- N = north
- OH = overhead
- P = porch
- PC = point of curve
- POB = point of beginning
- POC = point of commencement
- PT = point of tangency
- PVMT = pavement
- R = radius
- REC = recorded
- RES = residence
- ROW = right of way
- S = south
- SMH = sanitary
- STM = storm
- SWR = sewer
- SYN = synthetic
- UTL = utility
- U = unknown
- W = west
- Y = yard line
- Z = degrees
- minutes, in
- seconds, in
- bearing or angle
- distance, in
- feet, in distance
- AC = acres
- ± = more or less, or plus or minus



STATE OF ALABAMA
SHELBY COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed:

Part of the Southwest 1/4 of the Northeast 1/4 of Section 33, Township 18 South, Range 2 West, Jefferson County, being more particularly described as follows:

From the Northeast corner of said Southwest 1/4 of Northeast 1/4 of said Section 33, run in a Westerly direction along the North line of said 1/4 - 1/4 section for a distance of 351.77 feet, more or less, to a point on the Southeast right of way line of Alta Glen Drive; thence turn an angle to the left of 83 degrees 23 minutes and run in a Southwesterly direction along the Southeast right of way line of Alta Glen Drive for a distance of 75.0 feet to an existing iron pin; thence continue in a Southwesterly direction along the last mentioned course and along the Southeast right of way line of Alta Glen Drive for a distance of 215.3 feet to an existing iron pin; thence continue in a Southwesterly direction along the Southeast right of way line of Alta Glen Drive for a distance of 217.15 feet to an existing iron rebar being the point of beginning; thence continue in a Southwesterly direction along the Southeast right of way line of Alta Glen Drive for a distance of 445.51 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 85 degrees 29 minutes 05 seconds and run in a Southeasterly direction for a distance of 350.0 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 94 degrees 23 minutes 01 seconds and run in a Northeasterly direction for a distance of 472.88 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 90 degrees 08 minutes 11 seconds and run in a Northwesterly direction for a distance of 350.0 feet, more or less, to the point of beginning.

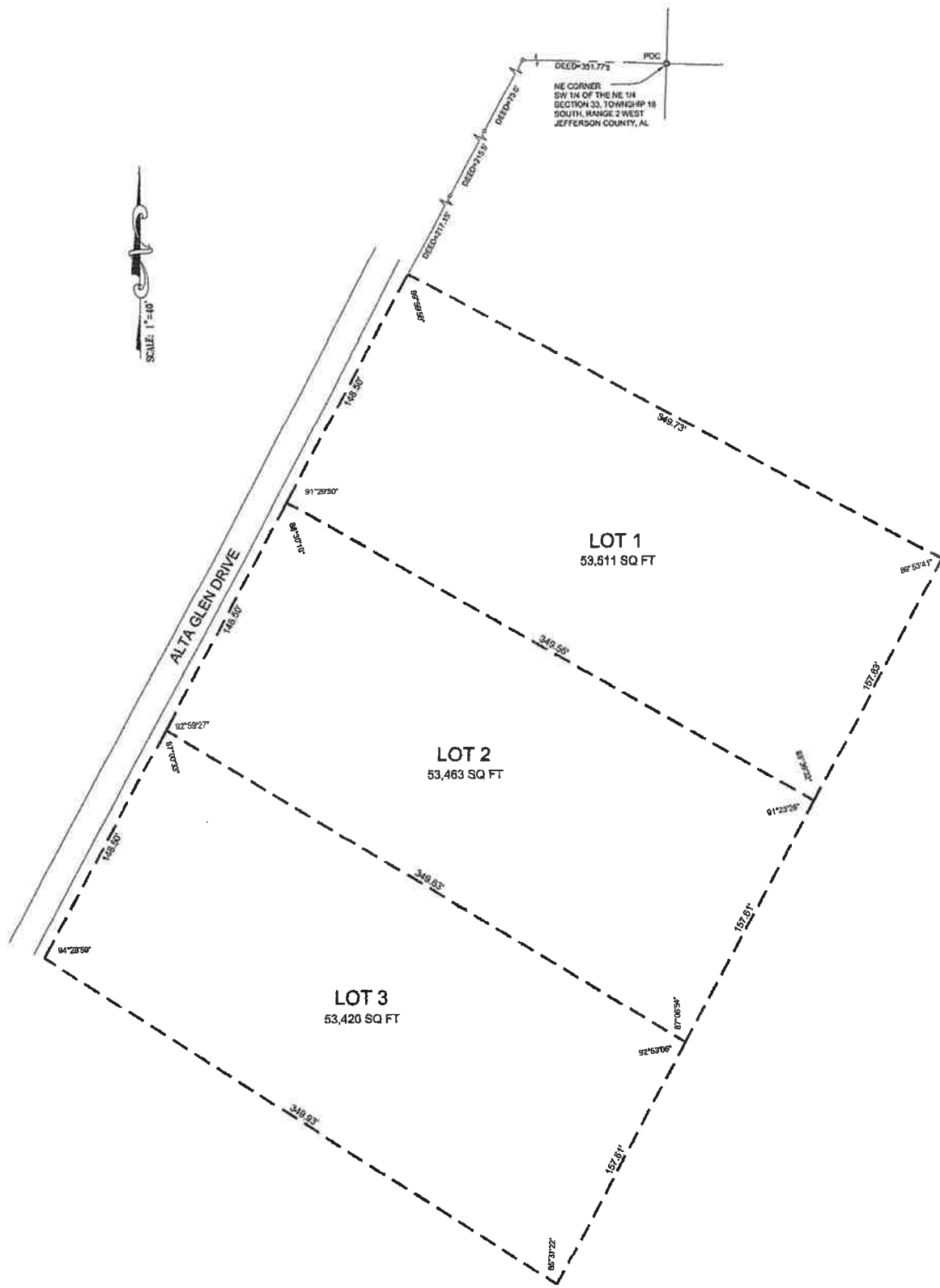
I furthermore certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief, that the correct address is as follows: 2046 Alta Glen Drive, according to my survey of December 4, 2018. Survey is not valid unless it is sealed with embossed seal or stamped in red.

SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE M
BIRMINGHAM, AL 35242
PHONE: 205-901-8985

Carl Daniel Moore
Carl Daniel Moore, Reg. L.S. #12159
12-05-18
Date of Signature



Order No. 212659
Purchaser: Russett
Type of Survey: Closing



PROPOSED LOT LAYOUT
(THIS IS NOT A SURVEY)

PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA

PREPARED BY: SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE M
BIRMINGHAM, AL 35242
(205) 991-8965

PREPARED FOR: PETE RUSSELL
5971 CHALKVILLE MOUNTAIN LANE SUITE D
BIRMINGHAM, AL 35235
(205) 222-2873

SCALE: 1" = 40' JOB NO. 212659 DATE: 12-5-2018

WCAD\SUBDIVISION\JEFFERSON COUNTY\RUSSELL PROPERTY\RUSSELL LOT LAYOUT

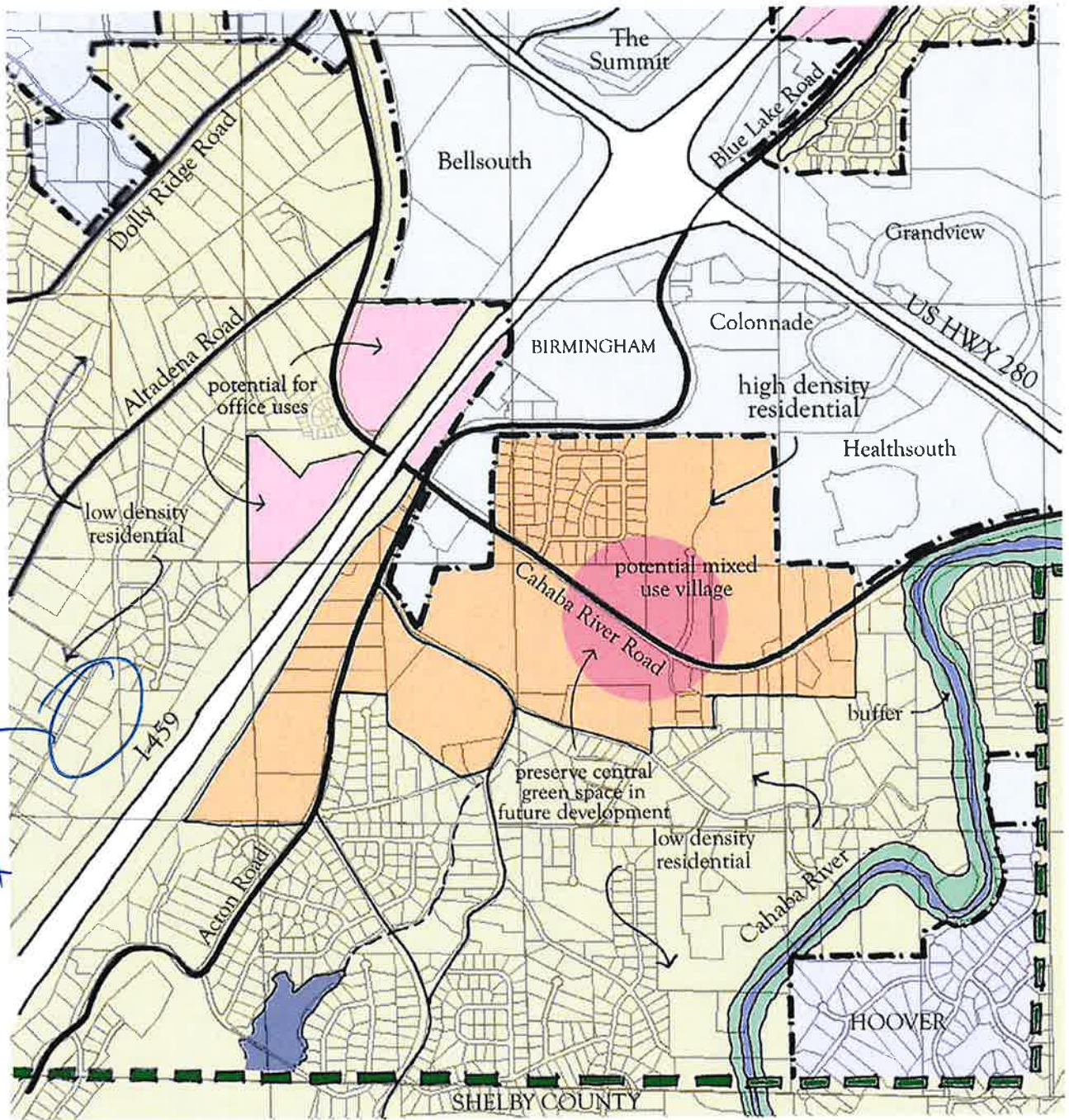


Figure 22: Cahaba River Road / Acton Road East
Land Use Analysis

- 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 higher 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.



ORDINANCE NUMBER 2897

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS B-3 TO VESTAVIA HILLS B-1.2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills B-3 (conditional business district) to Vestavia Hills B-1.2 (neighborhood mixed-use district):

4222 Dolly Ridge Road
Lot 8B, Resurvey of a Resurvey of Parts of Lots 7 & 8, New Merkle Heights
Timothy Higgins, Owner

APPROVED and ADOPTED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2897 is a true and correct copy of such 25th day of November, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk



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

Date: **OCTOBER 10, 2019**

- **CASE: P-1019-55**
- **REQUESTED ACTION:** Vestavia Hills B-3 to Vestavia Hills B-1.2
- **ADDRESS/LOCATION:** 4222 Dolly Ridge Rd.
- **APPLICANT/OWNER:** Timothy B. Higgins
- **GENERAL DISCUSSION:** This is a rezoning of a lot next to “In The Making”. Applicants are requesting B-1.2 zoning for a retail shop on the first floor with a single residential unit above. The proposed setbacks are 53’ in the front. 10’ on the right, 11’ on the left and 136’ in the rear. Parking will be shared with the neighboring building. Covenants will be recorded limiting the building of one single dwelling unit that cannot be rented.
- **CAHABA HEIGHTS VILLAGE PLAN:** The request is consistent with low density residential but does not exist in the Comprehensive Plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

MOTION Mr. Gilchrist made a motion to recommend Rezoning from Vestavia Hills B-3 to Vestavia Hills B-1.2 with the condition that covenants attached be recorded before zoning is

official for the property located At 4222 Dolly Ridge Rd. Second was by Ms. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Gilchrist – yes

Ms. Cobb – yes

Mrs. Barnes – yes

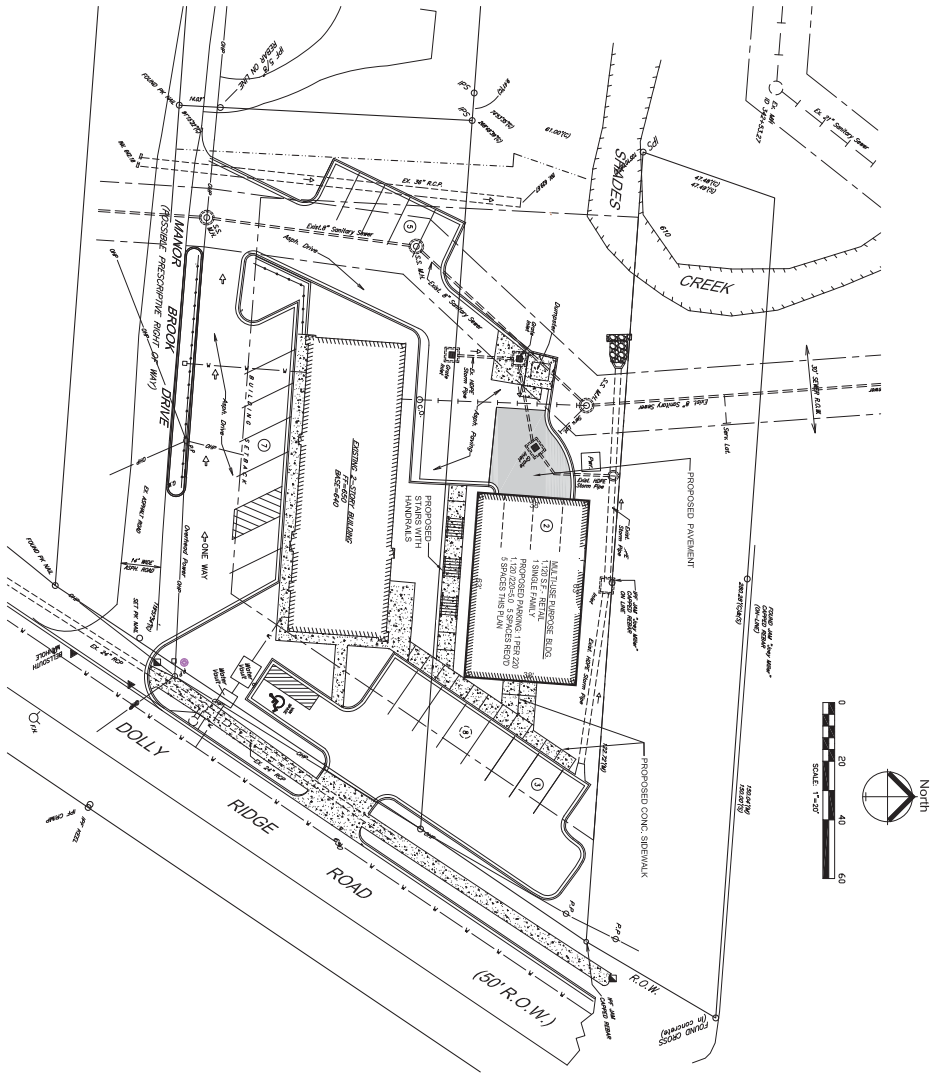
Motion carried.

Mr. Romeo – yes

Mr. Sykes– yes

Mr. Larson – yes

NOTE TO CONTRACTOR:
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT THE LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



01 OVERALL LAYOUT PLAN SCALE: 1"=20'

LEGEND	
---	Existing Contours
---	TELEPHONE LINE
---	WATER MAIN
---	SEWER
---	Gas LINE
---	STORM PIPE
---	PROPOSED
---	PROPOSED
---	PROPOSED
---	PROPOSED
---	PROPOSED
---	PROPOSED
---	PROPOSED

ITM-PHASE II

DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

JOHN M. HOLMES
 ARCHITECT

1201 RIVER ROAD
 BIRMINGHAM, AL
 35203-3000
 PHONE: 205.972.1111
 FAX: 205.972.1112

OWNER REVIEW
 PROGRESS 02.11.19

DATE	BY	APPROVED
1905	KH	KH

C1.1



DEMOLITION NOTES

- CONTRACTOR SHALL PROTECT ALL PROPERTY CORNERS AND BENCHMARKS. IF DESTROYED DURING CONSTRUCTION, CONTRACTOR SHALL REPLACE AT HIS EXPENSE.
- CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR REPAIR TO REMAINING WORK. ALL UTILITIES SHOWN ARE APPROXIMATE.
- ALL EXISTING UTILITIES SHALL BE EXPOSED AND IDENTIFIED. ALL UTILITIES SHALL BE DEMOLISHED UNDER THE DEMOLITION LIMITS UNLESS SPECIFIED OTHERWISE. EXISTING UTILITIES TO REMAIN OPERATIONAL AND SHALL BE PROTECTED DURING CONSTRUCTION.
- CONTRACTOR SHALL RELOCATE ALL EXISTING UTILITIES WITHIN ADJACENT PROPERTY.
- RIGHT-OF-WAY AND DEMOLITION LIMITS SHALL BE MAINTAINED AND OPERATIONS IN A LEGAL MANNER. DEMOLISHED CONCRETE SHALL NOT BE INCORPORATED INTO FILL.
- CONTRACTOR SHALL SAW CUT ALL EXISTING PAVING AND CONCRETE AT DEMOLITION CONSTRUCTION WORK (I.E. SIDEWALKS AND CURBS) AND GUTTERS SHALL BE REMOVED REGARDING AT CLOSEST CONSTRUCTION JOINT OR AT PROPERTY LINE, WHICHEVER IS NEAREST.
- ALL EXISTING UNDERGROUND IMPROVEMENTS (SEWER, SANITARY, ETC.) MAY NOT BE DEMOLISHED WITHOUT THE WRITTEN APPROVAL OF THE OWNER AND ENGINEER. APPROVED FOUNDATIONS SHALL REMAIN FOR EVALUATION.

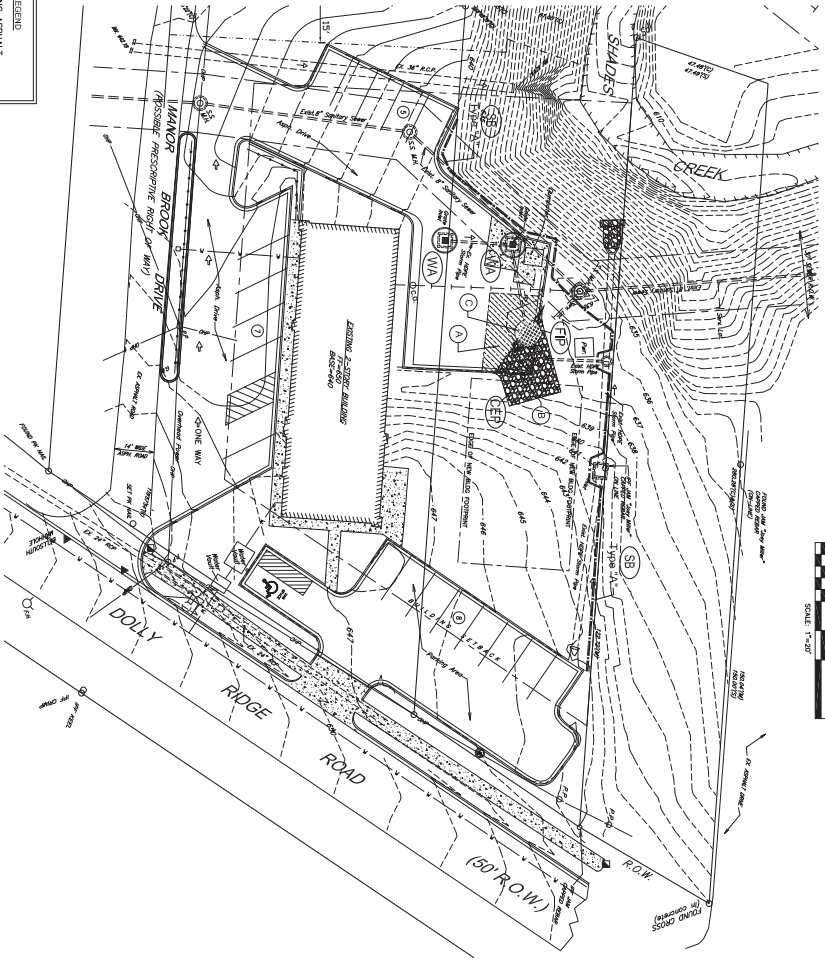
NOTICE TO CONTRACTORS:
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORD DRAWINGS AND FIELD SURVEY DATA. AS MUCH AS POSSIBLE, CONTRACTORS SHOULD VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES. INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

EROSION CONTROL NOTES:

- EROSION CONTROL MEASURES SHALL BE PROVIDED FOR THE containment of hazardous substances and any other materials which may pollute the MS4, Petroleum products, lubricants, paints and all other hazardous substances shall be stored in accordance with SPEC requirements. These materials shall be stored in accordance with applicable state and federal regulations. These containers/Disposal of these materials shall be in accordance with ADEM regulations. Contractors shall be responsible for preventing runoff from the site to enter into the storm drainage system. Hazardous material shall be properly stored and may not be exposed to rain or stockpiled. All containers are to be closed and stored or placed in a covered area. All excess material (10) days of a minimum. Openly disposed of and train and waste must be disposed of every 30 days.
- A copy of the accepted erosion and sedimentation control plan shall be on file at the job site. This plan shall be approved by the Jefferson County Department of Public Works. The plan shall also be kept on-site and must be available for inspection by the Director or his/her designee. (except dyes or other substances designated to on MS4 for the purpose of environmental studies and which do not have a harmful effect on the bodies of water within the MS4) or other materials in concentrations sufficient to be hazardous or otherwise detrimental to humans.
- When the land disturbing activity is finished and stable vegetation or other permanent controls have been established on all remaining exposed soil, the owner of the land where the land disturbing activity occurred shall request a final inspection. The Department shall then inspect the site within (3) working days after receipt of the notice.

STANDARD NOTES:

- All Construction to be in accordance with Jefferson County Specifications.
- Contractor shall be responsible for the maintenance of the safety and health of the workforce and administration controls during construction for protection of adjacent properties, roadways and waterways.
- Contractor and/or developer are responsible for providing a building site free of drainage waterways.
- Contractor and/or developer shall be responsible for maintaining a proper traffic control plan for public safety adjacent to construction site. The traffic control plan must be in accordance with the latest MUTCD edition.
- All utilities within roadway shall be back filled with stone in accordance with Article 6 of the Jefferson County Ordinance 19-1-2002.
- In regard to the utility connections, possible relocations, and other work proposed within the construction within said right-of-way contact Terry Rich, Chief Utility Inspector of the Jefferson County Road and Transportation Department, at 325-5128 for more information concerning the location of existing utilities, the location of proposed utilities, and the location of proposed easements to the notification requirement for beginning work within the right-of-way as outlined in the pre-construction conference and/or the approval notes shown on the plan set for these projects.
- All drainage structures within an existing or proposed Jefferson County right-of-way shall be constructed in accordance with the Jefferson County Specifications. This comment does not apply to rights-of-way within a proposed subdivision.



DEMOLITION/DEMOLITION LEGEND

(A)	SAW CUT AND REMOVE EXISTING ASPHALT
(B)	SAW CUT AND REMOVE A PORTION OF EXISTING CONCRETE CURB & GUTTER
(C)	SAW CUT AND REMOVE EXISTING MET TOP HEAVY DUTY GRADE INLET TOP

LEGEND

811	811 SERVICE
CEP	CONSTRUCTION ERTING
SB	SEWER BARRIER (TYPE A)
VIA	WHITE

01 DEMOLITION & EROSION CONTROL PLAN SCALE: 1"=30'

LEGEND (CONTINUED)

---	Existing Centerline
---	TERRAZZO LINE
---	SANITARY SEWER
---	GAS LINE
---	POWER LINE
---	POLE STRUCTURE
---	WATER MAIN
---	WATER METER
---	WATER VALVE
---	CAST IRON MANHOLE
---	CAST IRON INLET

OWNER REVIEW: PROGRESS 01-04-19

DATE: 1905

PROJECT NO: C2.0

DATE: **

1231 RIVER ROAD
 BIRMINGHAM, AL
 JOHN M. HOLMES
 ARCHITECT

EROSION CONTROL PLAN

ITM-PHASE II
 DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

ITM-PHASE II

DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

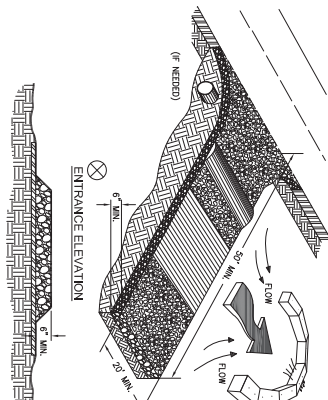
JOHN M. HOLMES
ARCHITECT

1230 RIVER ROAD
BIRMINGHAM, ALABAMA 35244-2904
205.978.1111
WWW.JMHOLMESARCHITECT.COM

OWNER REVIEW
PROCESS 07.24.19

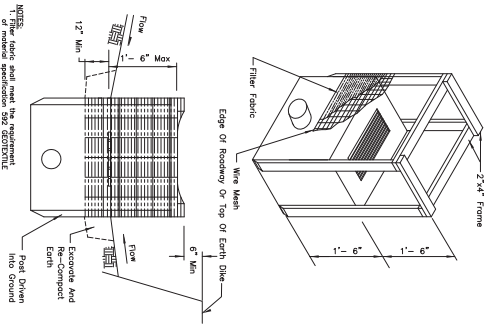
1905

C2.1



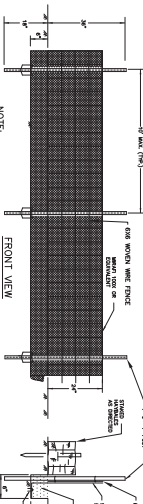
(SB) DETAIL - SEDIMENT BARRIER (TYPE 'A')

- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE PROTECTION.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONES).
 4. 2" MAXIMUM SPACING BETWEEN STONES.
 5. PAVEMENT SHALL BE EQUAL FILL WIDTH AT ALL POINTS OF INTERSECTION.
 6. VEHICULAR FORCE, BUT NO LESS THAN 200 LBS.
 7. TOWARD PAVED AREA IS GREATER THAN 2% WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA APPROVED BY THE CITY OF VESTAVIA.
 9. APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVER ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A FOUNDATION) IS REQUIRED.
 10. WASHERS AND/OR THE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHERS SHALL BE INSTALLED AT THE ENTRANCE TO THE FOUNDATION.
 11. TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 12. WASHERS SHALL BE INSTALLED AT THE ENTRANCE TO THE FOUNDATION.
 13. WASHERS SHALL BE INSTALLED AT THE ENTRANCE TO THE FOUNDATION.
 14. WASHERS SHALL BE INSTALLED AT THE ENTRANCE TO THE FOUNDATION.
 15. WASHERS SHALL BE INSTALLED AT THE ENTRANCE TO THE FOUNDATION.



(FP) FABRIC DROP INLET

- NOTES:
1. FABRIC SHALL MEET THE REQUIREMENTS OF FEDERAL SPECIFICATION 502 (SODIUM POLYACRYLATE) OF AT LEAST 50% CONCENTRATION AND 50% STRENGTH AT 28 DAYS OF CURE.
 2. THE FABRIC SHALL HAVE A MINIMUM STRENGTH OF 100 LBS.



(CEP) DETAIL - CRUSHED STONE CONSTRUCTION EXIT

- NOTE:
1. ALL EROSION CONTROL SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE BEST MANAGEMENT PRACTICES FOR THE STATE OF ALABAMA.
 2. THE SILT FENCE SHALL BE REINFORCED WITH STAKED HAYBALES AT POINTS OF HEAVY SILT BUILDUP, HIGH WATER VELOCITIES, AND AT OTHER LOCATIONS AS DIRECTED.

C2.1

NOTICE TO CONTRACTOR:
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS AND/OR EXISTING RECORD DRAWINGS ARE APPROXIMATE AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD OR INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REVEAL EXACT FIELD LOCATION OF UTILITIES, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY INFORMATION TO CONSULT WITH THE PROPOSED UTILITIES SHOWN ON THESE PLANS.

- General Notes**
- Contractor and/or Developer shall notify the Jefferson County Department of Roads and Transportation (235-2323) at least 72 hours prior to any work being performed within the jurisdiction of the Department, 1994 to be inspected and approved by the County Road and Transportation Department.
 - Excavation and required county right-of-way and easement are shown on the construction plans. The contractor shall be responsible for obtaining all necessary permits for excavation. All utility lines shall be located in the right-of-way or easements without proper approval from Jefferson County. Other than shown on approved plans, grading operations involving cutting or filling shall not be allowed within Jefferson County right-of-way and easements.
 - Utility lines shown on the drawings in an approved location. The Contractor shall verify and mark all underground utilities prior to construction and use care in his operations to avoid them. The Contractor shall be responsible for all construction layout. Benchmark will be provided by the contractor.
 - The Contractor shall be responsible for all construction layout. Benchmark will be provided by the contractor.
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 - The Contractor shall be responsible for all construction layout. Benchmark will be provided by the contractor.

- EROSION CONTROL NOTES:**
- All construction to be in accordance with Jefferson County Specifications.
 - Contractor and/or developer shall be responsible for construction and maintenance of erosion and sedimentation control during construction for protection of adjacent properties, roadways and waterways.
 - Contractor and/or developer are responsible for providing a building site free of drainage for public safety adjacent to construction site. The traffic control plan must be in accordance with Jefferson County Specifications.
 - All utilities within roadway shall be back filled with stone in accordance with Article 6 of the Jefferson County right-of-way, please have the Contractor that will perform the proposed construction approved by the Jefferson County Road and Transportation Department, at 235-5128 for more information concerning the pre-construction conference and/or the approval notes shown on the plan set for these structures.
 - All drainage structures within an existing or proposed Jefferson County right-of-way shall be installed in accordance with Jefferson County Specifications. This comment does not apply to structures shown on the proposed subdivision.

- EROSION CONTROL NOTES:**
- Measures shall be provided for the confinement of hazardous substances and any other materials which may pollute the MS4, Petroleum products, lubricants, paints and substances shall be stored away from oil storm drains, ditches and gutters in water-tight containers. Disposal of these materials shall be in accordance with ADEM regulations. Contractors shall be responsible for preventing trash from the site to enter into the storm drain system. Contractor shall be responsible for preventing trash from the site to enter into the storm drain system.
 - All petroleum hazardous material shall be properly stored and may not be exposed to sun or stored. All containers are to be closed and stored in a covered area. All excess (10) days, at a minimum.
 - A copy of the accepted erosion and sedimentation control plan shall be on file at the job site. The plan shall be kept on-site and must be available for inspection by the Director or his/her designee. The plan shall be submitted to the Director or his/her designee for approval. The plan shall be submitted to the Director or his/her designee for approval. The plan shall be submitted to the Director or his/her designee for approval.
 - When the land disturbing activity is finished and stable vegetation or other permanent controls have been established on all remaining exposed soil, the owner of the land where the work was performed shall request a final inspection. The Department shall then inspect the site within 15 (fifteen) working days after receipt of the notice.

THE SCOPES OF SERVICE FROM THE SET SHALL BE PERFORMED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, THE COMMENCEMENT OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, THE COMMENCEMENT OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, THE COMMENCEMENT OF CONSTRUCTION.



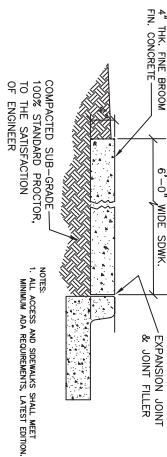
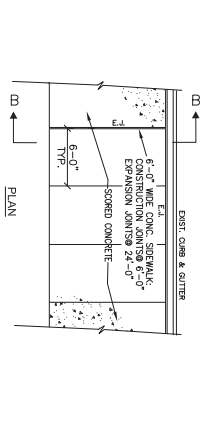
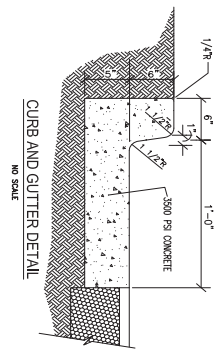
ITM-PHASE II
DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

JOHN M. HOLMES
 ARCHITECT

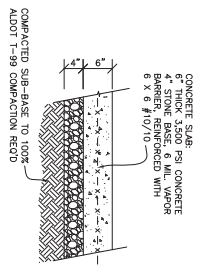
1230 RIVER ROAD
 BIRMINGHAM, AL
 35203-3600
 205-978-1234

OWNER REVIEW
 PROGRESS 04-10
 1905

C3.0



SECTION B-B
TYPICAL 6'-0" WIDE CONCRETE SIDEWALK DETAILS
N.T.S.



TYPICAL CONCRETE DRIVE DETAIL
NO SCALE

ITM-PHASE II
DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

JOHN M. HOLMES
ARCHITECT

1201 RIVER ROAD
BIRMINGHAM, AL
205-988-1100
www.jmharchitect.com

DATE	1905
PROJECT NO.	C3.1
OWNER	OWNERS PARTNERSHIP
DESIGNER	JMH
ARCHITECT	JMH
ENGINEER	JMH
CONTRACTOR	JMH



- GENERAL NOTES**
1. UTILITIES ARE SHOWN ON THE DRAWINGS IN STREET RIGHT OF WAY IN APPROXIMATE LOCATION. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF UTILITIES PRIOR TO CONSTRUCTION AND USE CARE IN FIELD OPERATIONS TO AVOID DAMAGING UTILITIES. CONTRACTOR SHALL CONTACT ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION LAYOUT.
 3. THE CONTRACTOR SHALL COMPLY WITH ALL PERMITS AND ORDINANCES OF THE MUNICIPAL GOVERNMENT OF VESTAVIA, ALABAMA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ORDINANCES FROM THE MUNICIPAL GOVERNMENT OF VESTAVIA, ALABAMA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ORDINANCES FROM THE MUNICIPAL GOVERNMENT OF VESTAVIA, ALABAMA.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ORDINANCES FROM THE MUNICIPAL GOVERNMENT OF VESTAVIA, ALABAMA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ORDINANCES FROM THE MUNICIPAL GOVERNMENT OF VESTAVIA, ALABAMA.
 5. ALL UTILITIES SHOWN WERE FROM THE EXISTING RECORD DRAWINGS.

WATER DEMAND NOTES:

STATIC PRESSURE - 100 PSI
 FLOW RATE - 1499 GPM
 HOSE ALLOWANCE - 250 GPM
 AVAILABLE PRESSURE - 384 PSI
 SPECIFIC GRAVITY - 8.33 PSI
 WATER FLOWING - 385 GPM

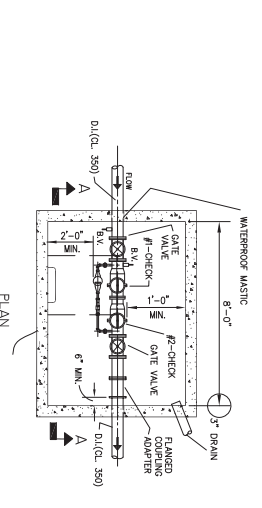
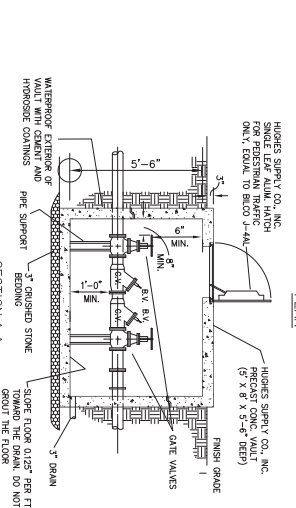
FIRE DEMAND:
 - 1500 GPM @ 20 PSI (AS PER CITY OF VESTAVIA FIRE DEPARTMENT)

*** LINE POWER REQUIREMENT ON ALL 4" AND LARGER SERVICE CONNECTIONS:**

Effective January 1, 2010 the Water Works Board of the City of Birmingham will require that the power service on all new four-inch (4") and larger service connections. The power service must be installed prior to the Water requirements to meter installation.

- 120 Vol / Single Phase
- 15 amp Full Demand (GF)
- 60 amp at 50'

All electrical work must adhere to (NEC) National Electric Code Standards. For additional information please call Al Cumpson at (205) 244-4325.

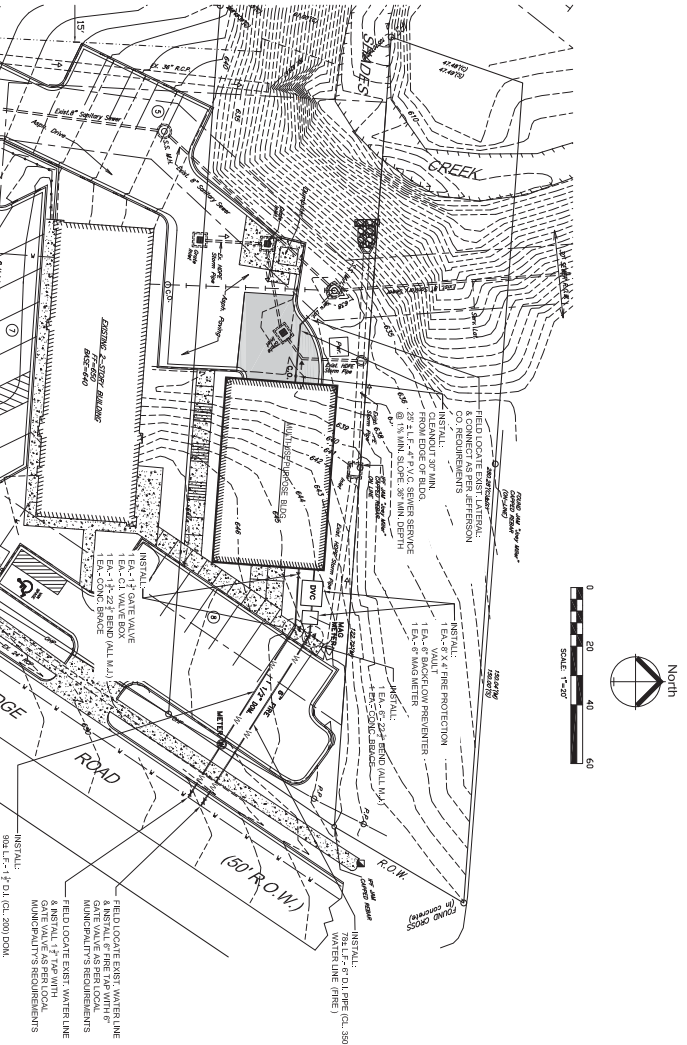


NOTE TO CONTRACTOR:

THE CONTRACTOR'S PROFESSIONAL CHANGES FROM THE LOCATION PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ORDINANCES FROM THE MUNICIPAL GOVERNMENT OF VESTAVIA, ALABAMA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND ORDINANCES FROM THE MUNICIPAL GOVERNMENT OF VESTAVIA, ALABAMA.

LEGEND:

- Existing Conditions
- Telephone Line
- Water Main
- Sanitary Sewer
- Storm Sewer
- Gas Line
- Electric Line
- Fire Hydrant
- Water Valve
- Water Meter
- Water Valve

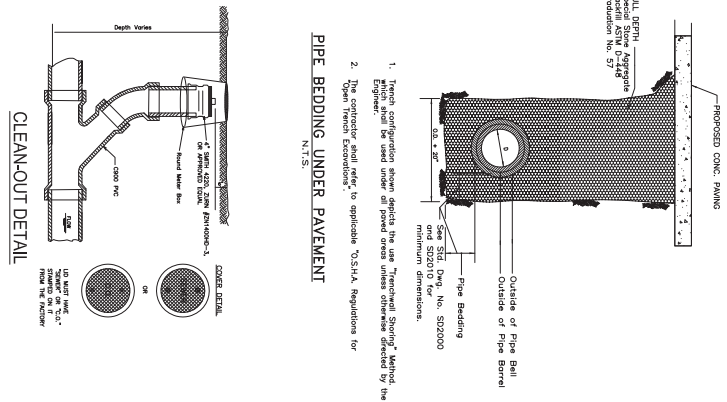


OWNER REVIEW	DATE
PROGRESS 00-04-10	
DESIGNED	DATE
KH	KH
CHECKED	DATE
KH	KH
PROJECT NO.	1905
DRAWING NO.	C4.0

1230 RIVER ROAD
 BIRMINGHAM, AL
 JOHN M. HOLMES
 ARCHITECT

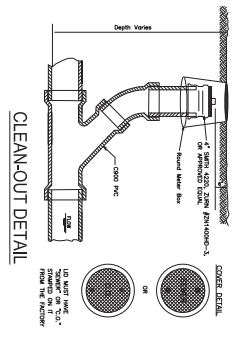
ITM-PHASE II
DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

TYPICAL SANITARY SEWER DETAILS



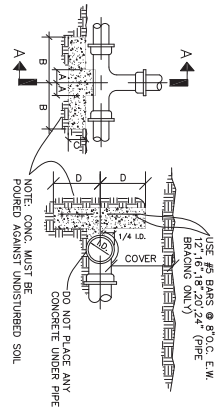
1. Fresh portland cement mortar, the use of "Trenchball Shown" Method which shall be used under all paved areas unless otherwise directed by the Engineer.
2. The concrete and refer to applicable "O.S.H.A. Regulations for Open Trench Excavations."

PIPE BEDDING UNDER PAVEMENT
N.T.S.



CLEAN-OUT DETAIL

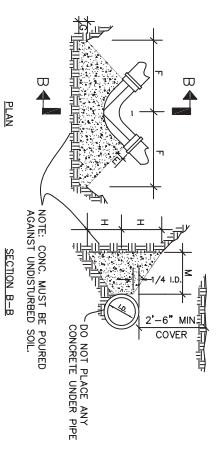
TYPICAL WATER DETAILS



TYPICAL TEE CONNECTION

CONCRETE BRACING FOR TEES

PIPE DIA.	A	B	C	D	MIN. COVER
2" x 3" 4"	5"	5"	6"	6"	2'-6"
6"	8"	8"	6"	9"	2'-6"
8"	10"	10"	8"	12"	3'-0"
10"	12"	12"	10"	14"	3'-0"
12"	14"	14"	12"	16"	3'-0"
14"	16"	16"	14"	18"	3'-0"
16"	18"	18"	16"	20"	3'-0"
18"	20"	20"	18"	22"	3'-0"
20"	22"	22"	20"	24"	3'-0"
22"	24"	24"	22"	26"	3'-0"



TYPICAL CONCRETE BRACING AT PIPE BEND

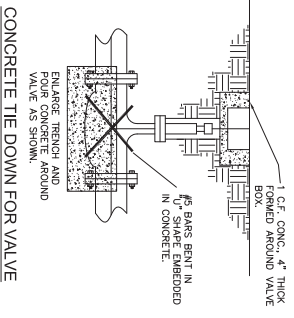
CONCRETE BRACING FOR 90° BEND

PIPE DIA.	E	F	G	H	M	MIN. COVER
2" x 3" 4"	4.5"	6"	20"	6"	22"	2'-6"
6"	4.5"	12"	19"	9"	21"	2'-6"
8"	4.5"	18"	18"	12"	21"	3'-0"
10"	4.5"	24"	18"	15"	21"	3'-0"
12"	4.5"	30"	18"	18"	21"	3'-0"
14"	4.5"	36"	18"	21"	21"	3'-0"
16"	4.5"	42"	18"	24"	21"	3'-0"
18"	4.5"	48"	18"	27"	21"	3'-0"
20"	4.5"	54"	18"	30"	21"	3'-0"
22"	4.5"	60"	18"	33"	21"	3'-0"

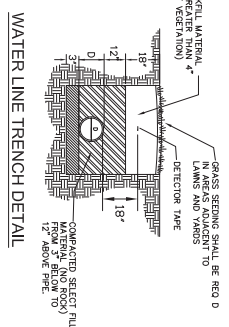
CONCRETE BRACING FOR 22 1/2° AND 11 1/4° BENDS

PIPE DIA.	E	F	G	H	M	MIN. COVER
2" x 3" 4"	4.5"	3.5"	12"	6"	14"	2'-6"
6"	4.5"	6.5"	9"	6"	14"	2'-6"
8"	4.5"	10"	3"	12"	14"	3'-0"
10"	4.5"	13.5"	3"	15"	16"	3'-0"
12"	6"	16.5"	3"	18"	20"	3'-0"
14"	6"	19.5"	3"	21"	20"	3'-0"
16"	6"	22.5"	3"	24"	22"	3'-0"
18"	6"	25.5"	3"	27"	22"	3'-0"
20"	6"	28.5"	3"	30"	28"	3'-0"
22"	7"	31.5"	3"	34"	34"	3'-0"

PIPE DIA.	F	G	H	M	MIN. COVER	F	M	MIN. COVER
2" x 3" 4"	2"	13"	4"	2"	2'-6"	2"	3"	2'-6"
6"	4"	10.5"	12"	6"	2'-6"	4"	12"	4"
8"	5"	12"	8"	3'-0"	4"	12"	5"	3'-0"
10"	6"	12"	10"	3'-0"	5"	12"	6"	3'-0"
12"	8"	12"	12"	3'-0"	6"	12"	8"	3'-0"
14"	10.5"	12"	14"	3'-0"	7"	12"	10"	3'-0"
16"	12"	12"	16"	3'-0"	8"	12"	12"	3'-0"
18"	14"	12"	18"	3'-0"	9"	12"	14"	3'-0"
20"	16"	12"	20"	3'-0"	10"	12"	16"	3'-0"
22"	18"	12"	22"	3'-0"	11"	12"	18"	3'-0"



CONCRETE TIE DOWN FOR VALVE



WATER LINE TRENCH DETAIL

JOHN M. HOLMES ARCHITECT

1320 WYVER ROAD
BIRMINGHAM, AL
205-988-8888
johnmholmes@jmh.com

Project No. 1905
Sewer & Water Details

DATE: 04.11.19

SCALE: AS SHOWN

PROJECT NO. 1905

DATE: 04.11.19

ITM-PHASE II
DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

GENERAL TRAFFIC CONTROL PLAN NOTES

○ DENOTES NOTES THAT APPLY TO THIS PROJECT

- 700 THE TRAFFIC CONTROL PLAN IS DEVELOPED IN CONFORMANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES PART 6, 2009 EDITION. THE TRAFFIC CONTROL DEVICES INDICATED REPRESENT CONDITIONS KNOWN DURING PLAN DEVELOPMENT. IN THE EVENT ACTUAL PHYSICAL CONDITIONS WARRANT ADDITIONAL TRAFFIC CONTROL DEVICES THEY SHALL BE INSTALLED IN CONFORMANCE WITH THE MUTCD. PART 6 AS DIRECTED BY THE ENGINEER. COST SHALL BE PAID FOR UNDER THE APPROPRIATE PAY ITEM.
- 701 ALL BLACK OR ORANGE CONSTRUCTION SIGNS SHALL BE FABRICATED USING TYPES IV OR VII FLUORESCENT ORANGE REFLECTIVE SHEETING MATERIAL FOR THE SIGN BACKGROUND.
- 702 DURING NON-WORKING HOURS NO EQUIPMENT OR MATERIAL SHALL BE PARKED OR STORED CLOSER THAN 30 FEET TO THE EDGE OF ANY ROADWAY CARRYING TRAFFIC. WHEN THIS IS NOT PRACTICAL, IT SHALL BE PLACED IN AN AREA DESIGNATED BY THE ENGINEER AND DELIMITED BY REFLECTORIZED DRUMS. THIS INCLUDES STORAGE OF TRAFFIC CONTROL DEVICES SUCH AS FLAGGERS, SIGN SUPPORTS, SIGN POSTS, AND SIGN PANELS. SIGN STORAGE SHALL BE IN USE DURING NON-WORKING HOURS TO BE DENIED BY THE CONTRACTOR WITHOUT COST TO THE ADOPT. (SEE SKETCH ON SHEET 16.)
- 703 WHERE THE LOCATION OF A REQUIRED SIGN FALLS IN A DRAINAGE, SEWERAL, BRIDGE, ETC. OR OTHER UNDESIRABLE LOCATION, THE TRAVELING PUBLIC, THE LOCATION SHALL BE ADJUSTED AS DIRECTED BY THE ENGINEER.
- 704 THE CONTRACTOR IS TO REMOVE, RELOCATE OR COVER DURING CONSTRUCTION AND THEN RESET OR SIGN AND DELIMITERS, AS DIRECTED BY THE ENGINEER. SIGNS REQUIRING REMOVAL SHALL BE STOCKPILED AS DIRECTED BY THE ENGINEER AND SHALL BECOME PROPERTY OF THE ADOPT. COST SHALL BE A SUBSIDIARY OBLIGATION OF ITEM 740B.
- 705 DURING ALL PHASES OF WORK, NON-APPLICABLE PAVEMENT STRIPING OR MARKINGS SHALL BE REMOVED AND APPROPRIATE PAVEMENT STRIPING OR MARKINGS SHALL BE PLACED AS EXPEDITIOUSLY AS PRACTICAL, BUT IN ALL CASES, SHALL BE IN PLACE BY NIGHTFALL ON ANY ROADWAY CARRYING TRAFFIC, EXCEPT ON SHORT TERM OPERATIONS WHERE IT IS DETERMINED BY THE ENGINEER THAT SUCH REMOVAL AND REPLACEMENT IS MORE HAZARDOUS THAN LEAVING EXISTING MARKINGS IN PLACE. COST OF ANY REMOVAL SHALL BE PAID FOR UNDER ITEM 700B OR AS A SUBSIDIARY OBLIGATION OF ITEM 701C.
- 706 OMITTED
- 707 THE CONTRACTOR SHALL PLACE ALL ADVANCE WARNING SIGNS BEFORE PROCEEDING WITH HIS WORK. SIGNS SHALL BE PLACED IN ORDER, IN THE DIRECTION OF TRAFFIC AND REMOVED IN REVERSE ORDER.
- 708 ALL VEHICLES, EQUIPMENT, PERSONNEL (EXCEPT FLAGGERS), AND THEIR ACTIVITIES, ARE RESTRICTED AT ALL TIMES TO ONE SIDE OF THE PAVEMENT UNLESS OTHERWISE AUTHORIZED BY THE ENGINEER.
- 709 THE CONTRACTOR SHALL MAINTAIN AT LEAST ONE ACCESS TO BUSINESSES AND RESIDENCES DURING ALL PHASES OF CONSTRUCTION.
- 710 CONSTRUCTION SIGNS MOUNTED ON TEMPORARY SUPPORTS SHALL BE MOUNTED AT A MINIMUM HEIGHT OF 5 FEET.
- 711 FLAGGERS SHALL BE PROPERLY ATTARED, EQUIPPED WITH STAFF MOUNTED STOP/SLOW PLANKS IN FRONT OF EACH OTHER, OR HAVE DIRECT COMMUNICATION AT ALL TIMES. FLAGGER STATION LOCATION MAY BE VARIED FROM THOSE SHOWN BASED ON ROADWAY ALIGNMENT AND CONDITIONS AT THE TIME OF THE LANE CLOSURE.
- 712 FLAGGERS ARE TO BE USED WHEN DIRECTED BY THE ENGINEER. SIGNS SHALL BE PLACED AT THE APPROPRIATE TIME, AND SHALL BE COVERED OR REMOVED WHEN FLAGGERS ARE NOT ON DUTY AND DURING NON-WORKING HOURS.
- 713 FOR MOBILE OPERATIONS, THE TRAFFIC CONES MAY BE DELETED IF THE FLAGGERS ARE IN SIGHT OF EACH OTHER, OR IF A PILOT CONE IS USED ON A TWO LANE ROADWAY.
- 714 OMITTED
- 715 ALL CONTRACTOR'S EMPLOYEES' PERSONAL VEHICLES, AND CONTRACTOR'S EQUIPMENT NOT IN OPERATION, SHALL BE PARKED A MINIMUM OF THIRTY (30) FEET FROM THE TRAVELED WAY DURING WORKING HOURS, AS NOT TO CREATE A HAZARD.
- 716 THE TRAFFIC CONTROL PLAN IS NOT ALL INCLUSIVE. THE TOP PROVIDES SEVERAL DETAILED DRAWINGS INDICATING THE TRAFFIC CONTROL NECESSARY FOR THE DIFFERENT CONSTRUCTION ACTIVITIES ANTICIPATED FOR THIS PROJECT. THE CONTRACTOR SHALL SELECT THE DETAILED DRAWING THAT BEST FITS THE ACTIVITY TO BE PERFORMED.
- 717 OMITTED
- 718 REQUIRED TEMPORARY ROUTE MARKER ASSEMBLIES THAT ARE TO BE LOCATED IN THE VICINITY OF EXISTING ROUTE MARKERS SHOULD BE PLACED ALONG SIDE OF THOSE AHEAD IN PLACE. SOME EXISTING ROUTE MARKERS MAY HAVE TO BE COVERED OR REMOVED, AS DIRECTED BY THE ENGINEER. COST SHALL BE A SUBSIDIARY OBLIGATION OF ITEM 740B.
- 719 OMITTED
- 720 ALL TRAFFIC CONTROL DEVICES THAT ARE NOT APPLICABLE AT ANY SPECIFIC TIME SHALL BE COVERED OR REMOVED AS DIRECTED BY THE ENGINEER.
- 721 OMITTED
- 722 OMITTED
- 723 THE CONTRACTOR SHALL MAKE PROVISIONS FOR THE SAFETY OF PEDESTRIAN TRAFFIC CROSSING THE WORK ZONE DURING CONSTRUCTION.
- 724 OMITTED
- 725 ALL SIGNS SHALL BE POST-MOUNTED IF THE WORK PERIOD EXCEEDS FOUR DAYS, EXCEPT FOR THOSE SIGNS WHICH ARE MOUNTED ON BARRICADES. FOR REPEATED DAY OPERATIONS, SIGNS MAY BE MOUNTED ON TEMPORARY SUPPORTS AND REMOVED AT THE COMPLETION OF THE DAY'S OPERATION.
- 726 OMITTED
- 727 DURING THE WORKING OR RESURFACING OF ANY ROADWAY CARRYING TRAFFIC, THE CONTRACTOR SHALL ADVISE THE MOTORISTS OF ANY EDGE OF PAVEMENT DROP-OFFS 3 INCHES OR GREATER BY PLACING SHOULDER DROP-OFF SIGNS EVERY 1/2 MILE BEGINNING PRIOR TO THE BEGINNING OF RESURFACING. REQUIRED SHOULDER WORK TO ELIMINATE THE DROP-OFFS SHALL BE PURSUED IN AN EXPEDITIOUS MANNER FOLLOWING THE WORKING AND/OR RESURFACING.
- 728 A DIFFERENCE IN ELEVATION OF APPROXIMATELY 2 INCHES OR LESS AT THE CENTERLINE MAY BE ALLOWED DURING NON-WORKING HOURS WITHOUT ADDITIONAL TRAFFIC CONTROL. SPECIAL CONDITIONS MAY EXIST WHERE PROTECTION SHOULD BE PROVIDED WHERE THE DIFFERENCE IS 2 INCHES OR LESS. SIGNS ON TEMPORARY SUPPORTS ARE TO BE REMOVED OR COVERED WHEN NO WORK IS BEING PERFORMED OR AT THE COMPLETION OF THE DAY'S OPERATION.
- 729 OMITTED
- 730 OMITTED
- 731 CHANNELIZING DRUMS SHOULD BE PLACED ON 10 FOOT INTERVALS IN PAULI.
- 732 CHANNELIZING DRUMS PLACED TO PROTECT COMPLETED WORK NOT OPEN TO TRAFFIC, SHOULD BE SPACED AT 50 FOOT INTERVALS.
- 733 CHANNELIZING DRUMS PLACED IN THE EXCAVATED AREA AHEAD OF PAVING OPERATIONS, SHOULD BE SPACED AT 50 FOOT INTERVALS.
- 734 CHANNELIZING DRUMS PLACED ON PAVEMENT DURING WORKING HOURS SHALL BE SHIFTED TO THE EDGE OF SHOULDER DURING NON-WORKING HOURS AND DURING PEAK PERIODS.
- 735 CHANNELIZING DRUMS SHOULD BE PLACED ON 25 FOOT INTERVALS THROUGHOUT ALL TAPPERS.
- 736 CHANNELIZING DEVICES SHALL EXTEND TO A POINT WHERE THEY ARE VISIBLE TO APPROACHING TRAFFIC.
- 737 OMITTED
- 738 THE DIMENSIONS SHOWN IN THE TRAFFIC CONTROL SUMMARY BOX ARE CONSIDERED TO BE THE MINIMUM REQUIREMENT FOR HANDLING TRAFFIC AT ANY GIVEN TIME DURING CONSTRUCTION. LIGHTWEIGHT TYPE B WARNING LIGHTS (WEIGHING 3.3 POUNDS OR LESS) WITH DETACHABLE HEAVY DUTY TYPE B WARNING LIGHTS (WEIGHING 13.3 POUNDS OR LESS) ON THE PLANS, TYPE B WARNING LIGHTS SHALL BE USED ON DRUMS IN SPECIAL SITUATIONS AS SHOWN ON THE PLANS. TYPE B WARNING LIGHTS SHALL BE USED ON DRUMS IN SPECIAL SITUATIONS AS SHOWN ON THE PLANS. TYPE B WARNING LIGHTS (WEIGHING 13.3 POUNDS OR LESS) ANY HEAVYWEIGHT WARNING LIGHTS ON BARRICADES MUST BE CERTIFIED BY THE VENDOR AS TO CRASHWORTHINESS OF THE BARRICADE AND WARNING LIGHT COMBINATION.
- 739 FOR DIVIDED ROADWAYS, THE REQUIRED ADVANCE WARNING SIGNS SHALL BE POSTED ON BOTH THE RIGHT AND LEFT SIDE OF THE ROADWAY.
- 740 THE CONTRACTOR SHALL CLOSE THE LANE ADJACENT TO THE WORK AREA ANYTIME WORK OUTSIDE THE EXISTING TRAVEL LANES ENCOMPASSES WITHIN 2 FEET OF THE EXISTING EDGE OF PAVEMENT.
- 741 OMITTED
- 742 THE TRANSITION TAPER LENGTH (L) IS SHOWN IN TABLE 6C-4, AND THE BUFFER LENGTH IS SHOWN IN TABLE 6C-2 OF THE MUTCD, PART 6, 2009 EDITION.
- 743 OMITTED
- 744 UNOPEN LANE SIGNS SHALL BE COVERED OR REMOVED WHEN NO UNOPEN PAVEMENT CONDITIONS EXIST.
- 745 MOVING OPERATIONS SHALL BE CONFINED TO ONE LANE IN THE DIRECTION OF TRAFFIC.
- 746 OMITTED
- 747
- 748 R16-3 AND R16-3a SIGNS SHALL BE REQUIRED FOR EVERY PROJECT ON STATE ROUTES AND INTERSTATE HIGHWAYS. THEY SHALL BE POSTED AT THE BEGINNING AND END OF THE PROJECT. ADDITIONAL SIGN SHALLS SHALL BE POSTED AT MAXIMUM THREE MILE INTERVALS THROUGHOUT THE PROJECT LIMITS. ADDITIONAL R16-3 SIGNS SHALL BE REQUIRED WITH A W3-5b SIGN AND R2-1 SIGN WHENEVER A REDUCTION IN SPEED IS REQUIRED.
- 749 WHEN A CONSTRUCTION WORK ZONE SPEED LIMIT REDUCTION IS REQUIRED, THE CONTRACTOR SHALL COVER OR REMOVE THE R2-1 (REGULATORY SPEED SIGNS) AND THE W3-5b (REDUCED SPEED AHEAD) SIGNS AT THE END OF THE WORK DAY UNLESS OTHERWISE DIRECTED BY THE ENGINEER. DURING REPLACEMENT OF GABRIEL AND/OR GABRIEL END ANCHORS, A REFLECTORIZED DRUM WITH A LIGHTWEIGHT TYPE B WARNING LIGHT (WEIGHING 3.3 POUNDS OR LESS) SHALL BE PLACED BEFORE THE END OF ANY EXPOSED GABRIEL. AT NIGHT WHERE THE GABRIEL END ANCHOR CANNOT BE REPLACED IN ONE DAY'S TIME.
- 750 CONSTRUCTION SIGNS MOUNTED ON A SINGLE OR DUAL SQUARE TUBULAR OR U-TUBULAR POST SHALL BE INSTALLED AS SHOWN ON SPECIAL DRAWINGS NOS. DW-0002B THROUGH DW-0002J. SINGLE OR DUAL 4 X 4 WOOD POSTS ARE OBSOLETE DRAWINGS.
- 751 THE CONTRACTOR AND THE CONSTRUCTION ENGINEER SHALL DISCUSS AND PLAN FOR THE HANDLING OF TRAFFIC FOR ALL HOLIDAYS BEFORE ANY WORK BEGINS. THE CONTRACTOR SHALL NOTIFY THE DIVISION ENGINEER, THE FOLLOWING SHALL HOLD:
 - THE CONTRACTOR SHALL NOT HAVE A LANE CLOSURE DURING THE FOLLOWING PERIODS UNLESS OTHERWISE DIRECTED BY THE ENGINEER OR ADOPT:
 - FOR CHRISTMAS AND NEW YEARS DAY:
 - FROM 11:59 PM DECEMBER 23 THROUGH 11:59 PM JANUARY 2
 - FOR NATIONAL MEMORIAL DAY AND LABOR DAY:
 - FROM 12:00 NOON THE FRIDAY BEFORE THE HOLIDAY THROUGH 11:59 PM THE DAY OF THE HOLIDAY.
 - FOR INDEPENDENCE DAY (THE 4TH OF JULY):
 - FROM 12:00 NOON THE DAY BEFORE THE HOLIDAY THROUGH 11:59 PM THE DAY OF THE HOLIDAY.
 - FOR THANKSGIVING DAY:
 - FROM 12:00 NOON THE WEDNESDAY BEFORE THANKSGIVING DAY THROUGH 11:59 PM THE SUNDAY FOLLOWING THANKSGIVING DAY.
 - ANY OTHER STATE HOLIDAYS WILL BE HANDLED AS APPROVED BY THE PROJECT ENGINEER.
- 752 THE CONTRACTOR SHALL COORDINATE WITH THE ENGINEER AND LOCAL GOVERNMENT ON TRAFFIC AND/OR WORK RESTRICTIONS FOR LOCAL HOLIDAYS OR EVENTS NOT LISTED ON ADOPT'S LIST OF OFFICIAL STATE HOLIDAYS.

DATE	BY	REVISION
1905	KH	KH
1905	KH	KH

OWNER REVIEW PROGRESS: PD-4419

Traffic Control Notes

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JOHN M. HOLLMES
ARCHITECT

ITM-PHASE II
DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

CS-1

DATE

GENERAL TRAFFIC CONTROL PLAN NOTES

○ DENOTES NOTES THAT APPLY TO THIS PROJECT

- 700 THE TRAFFIC CONTROL PLAN IS DEVELOPED IN CONFORMANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES PART 6, 2009 EDITION. THE TRAFFIC CONTROL DEVICES INDICATED REPRESENT CONDITIONS KNOWN DURING PLAN DEVELOPMENT. IN THE EVENT ACTUAL PHYSICAL CONDITIONS WARRANT ADDITIONAL TRAFFIC CONTROL DEVICES THEY SHALL BE INSTALLED IN CONFORMANCE WITH THE MUTCD. PART 6 AS DIRECTED BY THE ENGINEER. COST SHALL BE PAID FOR UNDER THE APPROPRIATE PAY ITEM.
- 701 ALL BLACK ON ORANGE CONSTRUCTION SIGNS SHALL BE FABRICATED USING TYPES IV OR VII FLUORESCENT ORANGE REFLECTIVE SHEETING MATERIAL FOR THE SIGN BACKGROUND.
- 702 DURING NON-WORKING HOURS NO EQUIPMENT OR MATERIAL SHALL BE PARKED OR STORED CLOSER THAN 30 FEET TO THE EDGE OF ANY ROADWAY CARRYING TRAFFIC. WHEN THIS IS NOT PRACTICAL, IT SHALL BE PLACED IN AN AREA DESIGNATED BY THE ENGINEER AND DELIMITED BY REFLECTORIZED DRUMS. THIS INCLUDES STORAGE OF TRAFFIC CONTROL DEVICES SUCH AS FLAGGERS, CONE TRAILERS, AND TRAILERS. CONSTRUCTION EQUIPMENT SHALL NOT BE IN USE DURING NON-WORKING HOURS TO BE DENIED BY THE CONTRACTOR WITHOUT COST TO THE ADOPT. (SEE SKETCH ON SHEET 16.)
- 703 WHERE THE LOCATION OF A REQUIRED SIGN FALLS IN A DRAINAGE, SIDEWALK, BRIDGE, ETC. OR WHERE THE RESULT OF A SIGN IS UNDESIRABLE TO THE TRAVELING PUBLIC, THE LOCATION SHALL BE ADJUSTED AS DIRECTED BY THE ENGINEER.
- 704 THE CONTRACTOR IS TO REMOVE, RELOCATE OR COVER DURING CONSTRUCTION AND THEN RESET OR SIGN AND DELIMITERS, AS DIRECTED BY THE ENGINEER. SIGNS REQUIRING REMOVAL SHALL BE STOCKPILED AS DIRECTED BY THE ENGINEER AND SHALL BECOME PROPERTY OF THE ADOPT. COST SHALL BE A SUBSIDIARY OBLIGATION OF ITEM 740B.
- 705 DURING ALL PHASES OF WORK, NON-APPLICABLE EXISTING STRIPING OR MARKINGS SHALL BE REMOVED AND APPROPRIATE PAVEMENT STRIPING OR MARKINGS SHALL BE PLACED AS EXPEDITIOUSLY AS PRACTICAL, BUT IN ALL CASES, SHALL BE IN PLACE BY NIGHTFALL ON ANY ROADWAY CARRYING TRAFFIC, EXCEPT ON SHORT TERM OPERATIONS WHERE IT IS DETERMINED BY THE ENGINEER THAT SUCH REMOVAL AND REPLACEMENT IS MORE HAZARDOUS THAN LEAVING EXISTING MARKINGS IN PLACE. COST OF ANY REMOVAL SHALL BE PAID FOR UNDER ITEM 7010 OR AS A SUBSIDIARY OBLIGATION OF ITEM 701C.
- 706 OMITTED
- 707 THE CONTRACTOR SHALL PLACE ALL ADVANCE WARNING SIGNS BEFORE PROCEEDING WITH HIS WORK. SIGNS SHALL BE PLACED IN ORDER, IN THE DIRECTION OF TRAFFIC AND REMOVED IN REVERSE ORDER.
- 708 ALL VEHICLES, EQUIPMENT, PERSONNEL (EXCEPT FLAGGERS), AND THEIR ACTIVITIES, ARE RESTRICTED AT ALL TIMES TO ONE SIDE OF THE PAVEMENT UNLESS OTHERWISE AUTHORIZED BY THE ENGINEER.
- 709 THE CONTRACTOR SHALL MAINTAIN AT LEAST ONE ACCESS TO BUSINESSES AND RESIDENCES DURING ALL PHASES OF CONSTRUCTION.
- 710 CONSTRUCTION SIGNS MOUNTED ON TEMPORARY SUPPORTS SHALL BE MOUNTED AT A MINIMUM HEIGHT OF 5 FEET.
- 711 FLAGGERS SHALL BE PROPERLY ATTARED, EQUIPPED WITH STAFF MOUNTED STOP/STOP PROBLEMS IN FRONT OF EACH OTHER, OR HAVE DIRECT COMMUNICATION AT ALL TIMES. FLAGGER STATION LOCATION MAY BE VARIED FROM THOSE SHOWN BASED ON ROADWAY ALIGNMENT AND CONDITIONS AT THE TIME OF THE LANE CLOSURE.
- 712 FLAGGERS ARE TO BE USED WHEN DIRECTED BY THE ENGINEER. SIGNS SHALL BE PLACED AT THE APPROPRIATE TIME, AND SHALL BE COVERED OR REMOVED WHEN FLAGGERS ARE NOT ON DUTY AND DURING NON-WORKING HOURS.
- 713 FOR MOBILE OPERATIONS, THE TRAFFIC CONES MAY BE DELETED IF THE FLAGGERS ARE IN SIGHT OF EACH OTHER, OR IF A PILOT CONE IS USED ON A TWO LANE ROADWAY.
- 714 OMITTED
- 715 ALL CONTRACTOR'S EMPLOYEES' PERSONAL VEHICLES, AND CONTRACTOR'S EQUIPMENT NOT IN OPERATION, SHALL BE PARKED A MINIMUM OF THIRTY (30) FEET FROM THE TRAVELED WAY DURING WORKING HOURS, AS NOT TO CREATE A HAZARD.
- 716 THE TRAFFIC CONTROL PLAN IS NOT ALL INCLUSIVE. THE TOP PROVIDES SEVERAL DETAILED DRAWINGS INDICATING THE TRAFFIC CONTROL NECESSARY FOR THE DIFFERENT CONSTRUCTION ACTIVITIES ANTICIPATED FOR THIS PROJECT. THE CONTRACTOR SHALL SELECT THE DETAILED DRAWING THAT BEST FITS THE ACTIVITY TO BE PERFORMED.
- 717 OMITTED
- 718 REQUIRED TEMPORARY ROUTE MARKER ASSEMBLIES THAT ARE TO BE LOCATED IN THE VICINITY OF EXISTING ROUTE MARKERS SHOULD BE PLACED ALONG SIDE OF THOSE AHEAD IN PLACE. SOME EXISTING ROUTE MARKERS MAY HAVE TO BE COVERED OR REMOVED, AS DIRECTED BY THE ENGINEER. COST SHALL BE A SUBSIDIARY OBLIGATION OF ITEM 740B.
- 719 OMITTED
- 720 ALL TRAFFIC CONTROL DEVICES THAT ARE NOT APPLICABLE AT ANY SPECIFIC TIME SHALL BE COVERED OR REMOVED AS DIRECTED BY THE ENGINEER.
- 721 OMITTED
- 722 OMITTED
- 723 THE CONTRACTOR SHALL MAKE PROVISIONS FOR THE SAFETY OF PEDESTRIAN TRAFFIC CROSSING THE WORK ZONE DURING CONSTRUCTION.
- 724 OMITTED
- 725 ALL SIGNS SHALL BE POST-MOUNTED IF THE WORK PERIOD EXCEEDS FOUR DAYS, EXCEPT FOR THOSE SIGNS WHICH ARE MOUNTED ON BARRICADES. FOR REPEATED DAY OPERATIONS, SIGNS MAY BE MOUNTED ON TEMPORARY SUPPORTS AND REMOVED AT THE COMPLETION OF THE DAY'S OPERATION.
- 726 OMITTED
- 727 DURING THE WORKING OR RESURFACING OF ANY ROADWAY CARRYING TRAFFIC, THE CONTRACTOR SHALL ADVISE THE MOTORISTS OF ANY EDGE OF PAVEMENT DROP-OFFS 3 INCHES OR GREATER BY PLACING SHOULDER DROP-OFF SIGNS EVERY 1/2 MILE BEGINNING PRIOR TO THE BEGINNING OF RESURFACING. REQUIRED SHOULDER WORK TO ELIMINATE THE DROP-OFFS SHALL BE PURSUED IN AN EXPEDITIOUS MANNER FOLLOWING THE WORKING AND/OR RESURFACING.
- 728 A DIFFERENCE IN ELEVATION OF APPROXIMATELY 2 INCHES OR LESS AT THE CENTERLINE MAY BE ALLOWED DURING NON-WORKING HOURS WITHOUT ADDITIONAL TRAFFIC CONTROL. SPECIAL CONDITIONS MAY EXIST WHERE PROTECTION SHOULD BE PROVIDED WHERE THE DIFFERENCE IS 2 INCHES OR LESS PERFORMED OR AT THE COMPLETION OF THE DAY'S OPERATION.
- 729 SIGNS ON TEMPORARY SUPPORTS ARE TO BE REMOVED OR COVERED WHEN NO WORK IS BEING PERFORMED OR AT THE COMPLETION OF THE DAY'S OPERATION.
- 730 OMITTED
- 731 CHANNELIZING DRUMS SHOULD BE PLACED ON 10 FOOT INTERVALS IN PAULI.
- 732 CHANNELIZING DRUMS PLACED TO PROTECT COMPLETED WORK NOT OPEN TO TRAFFIC, SHOULD BE SPACED AT 50 FOOT INTERVALS.
- 733 CHANNELIZING DRUMS PLACED IN THE EXCAVATED AREA AHEAD OF PAVING OPERATIONS, SHOULD BE SPACED AT 90 FOOT INTERVALS.
- 734 CHANNELIZING DRUMS PLACED IN THE EXCAVATED AREA AHEAD OF PAVING OPERATIONS, SHOULD BE SPACED AT 90 FOOT INTERVALS.
- 735 CHANNELIZING DRUMS PLACED ON PAVEMENT DURING WORKING HOURS SHALL BE SHIFTED TO THE EDGE OF SHOULDER DURING NON-WORKING HOURS AND DURING PEAK PERIODS.
- 736 CHANNELIZING DRUMS SHOULD BE PLACED ON 25 FOOT INTERVALS THROUGHOUT ALL TAPPERS.
- 737 CHANNELIZING DEVICES SHALL EXTEND TO A POINT WHERE THEY ARE VISIBLE TO APPROACHING TRAFFIC.
- 738 OMITTED
- 739 THE DRAWINGS SHOWN IN THE TRAFFIC CONTROL SUMMARY BOX ARE CONSIDERED TO BE THE MINIMUM REQUIREMENT FOR HANDLING TRAFFIC AT ANY GIVEN TIME DURING CONSTRUCTION. LIGHTWEIGHT TYPE B WARNING LIGHTS (WEIGHING 3.3 POUNDS OR LESS) WITH DETACHABLE HEAVY DUTY TYPE B WARNING LIGHTS (WEIGHING 13.3 POUNDS OR LESS) ARE ALLOWED ON THE PLANS, THE B WARNING LIGHTS SHALL BE USED ON DRUMS IN SPECIAL SITUATIONS AS SHOWN ON THE PLANS, THE B WARNING LIGHTS SHALL BE USED ON DRUMS IN SPECIAL SITUATIONS AS SHOWN ON THE PLANS, THE B WARNING LIGHTS (WEIGHING 13.3 POUNDS OR LESS) ARE ALLOWED ON THE PLANS, THE B WARNING LIGHTS (WEIGHING 13.3 POUNDS OR LESS) ANY HEAVYWEIGHT WARNING LIGHTS ON BARRICADES MUST BE CERTIFIED BY THE VENDOR AS TO CRASHWORTHINESS OF THE BARRICADE AND WARNING LIGHT COMBINATION.
- 740 FOR DIVIDED ROADWAYS, THE REQUIRED ADVANCE WARNING SIGNS SHALL BE POSTED ON BOTH THE RIGHT AND LEFT SIDE OF THE ROADWAY.
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- 742 OMITTED
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- 745 MOVING OPERATIONS SHALL BE CONFINED TO ONE LANE IN THE DIRECTION OF TRAFFIC.
- 746 OMITTED
- 747 OMITTED
- 748 R16-3 AND R16-3a SIGNS SHALL BE REQUIRED FOR EVERY PROJECT ON STATE ROUTES AND INTERSTATE HIGHWAYS. THEY SHALL BE POSTED AT THE BEGINNING AND END OF THE PROJECT. ADDITIONAL SIGNS SHALL BE POSTED AT MAXIMUM THREE MILE INTERVALS THROUGHOUT THE PROJECT LIMITS. ADDITIONAL R16-3 SIGNS SHALL BE REQUIRED WITH A W3-5b SIGN AND R2-1 SIGN WHENEVER A REDUCTION IN SPEED IS REQUIRED.
- 749 WHEN A CONSTRUCTION WORK ZONE SPEED LIMIT REDUCTION IS REQUIRED, THE CONTRACTOR SHALL COVER OR REMOVE THE R2-1 (REGULATORY SPEED SIGNS) AND THE W3-5b (REDUCED SPEED AHEAD) SIGNS AT THE END OF THE WORK DAY UNLESS OTHERWISE DIRECTED BY THE ENGINEER. DURING REPLACEMENT OF GABARIAL AND/OR GABARIAL END ANCHORS, A REFLECTORIZED DRUM WITH A LIGHTWEIGHT TYPE B WARNING LIGHT (WEIGHING 3.3 POUNDS OR LESS) SHALL BE PLACED BEFORE THE END OF ANY EXPOSED GABARIAL AT NIGHT WHERE THE GABARIAL END ANCHOR CANNOT BE REPLACED IN ONE DAY'S TIME.
- 750 CONSTRUCTION SIGNS MOUNTED ON A SINGLE OR DUAL SQUARE TUBULAR OR U-SHAPED POST SHALL BE INSTALLED AS SHOWN ON SPECIAL DRAWING NOS. DS-108-01 AND HS-27-01-23. SINGLE OR DUAL 4 X 4 WOOD POSTS ARE DISALLOWED BREAKAWAY.
- 751 THE CONTRACTOR AND THE CONSTRUCTION ENGINEER SHALL DISCUSS AND PLAN FOR THE HANDLING OF TRAFFIC FOR ALL HOLIDAYS BEFORE ANY WORK BEGINS. THE CONTRACTOR SHALL ADVISE THE DIVISION ENGINEER, PERIODS UNLESS OTHERWISE DIRECTED BY THE ENGINEER OR ADOPT. THE CONTRACTOR SHALL NOT HAVE A LANE CLOSURE DURING THE FOLLOWING PERIODS UNLESS OTHERWISE DIRECTED BY THE ENGINEER OR ADOPT:
 - FOR CHRISTMAS AND NEW YEARS DAY: FROM 11:59 PM DECEMBER 23 THROUGH 11:59 PM JANUARY 2
 - FOR NATIONAL MEMORIAL DAY AND LABOR DAY: FROM 12:00 NOON THE FRIDAY BEFORE THE HOLIDAY THROUGH 11:59 PM THE DAY OF THE HOLIDAY.
 - FOR INDEPENDENCE DAY (THE 4TH OF JULY): FROM 12:00 NOON THE DAY BEFORE THE HOLIDAY THROUGH 11:59 PM THE DAY OF THE HOLIDAY.
 - FOR THANKSGIVING DAY: FROM 12:00 NOON THE WEDNESDAY BEFORE THANKSGIVING DAY THROUGH 11:59 PM THE SUNDAY FOLLOWING THANKSGIVING DAY.
- 752 ANY OTHER STATE HOLIDAYS WILL BE HANDLED AS APPROVED BY THE PROJECT ENGINEER.

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john@dolmayers.com

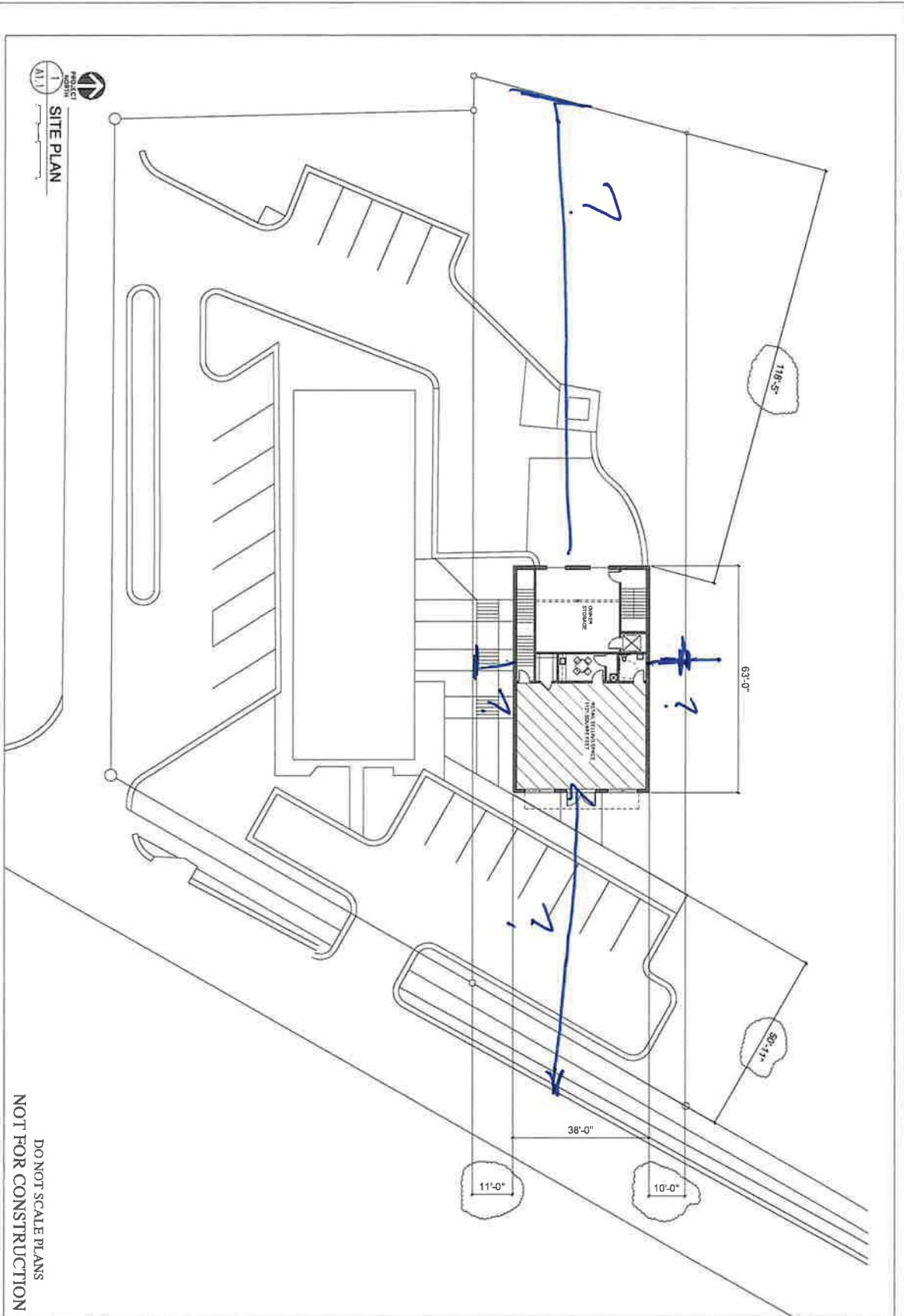
Traffic Control
Notes

OWNER REVIEW
PROGRESS: PD-4-19

DATE	BY	REVISION
1905	KH	KH


C5.1

ITM-PHASE II
DOLLY RIDGE ROAD, VESTAVIA, ALABAMA



 PROJECT
 1 SITE PLAN
 A1.1A

DO NOT SCALE PLANS
NOT FOR CONSTRUCTION

	JOHN M. TOLMES ARCHITECT	1220 RIVER ROAD BIRMINGHAM, AL 35203-3000 TEL: 205-988-1111 FAX: 205-988-1112 WWW: JMTOLMES.COM	ZONING REQUEST INC-2019	1905 01 08
	ITM-PHASE II DOLLY RIDGE ROAD, VESTAVIA, ALABAMA			



ITM-PHASE II DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

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SHEET TITLE

ZONING REQUEST
08-10-19

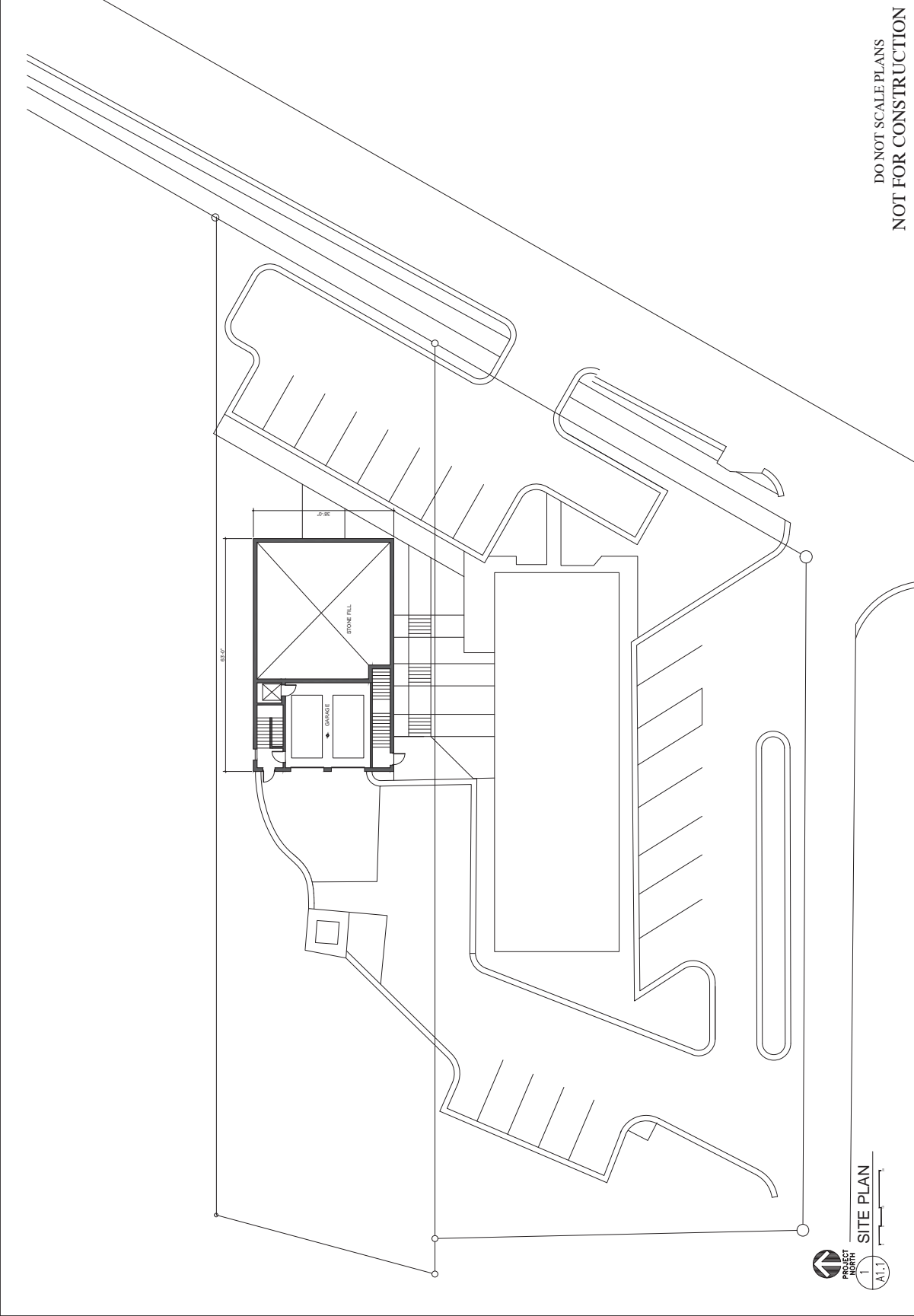
DATE

PROJECT NO.
1905


DATE

NO. OF SHEETS
01

TOTAL SHEETS
08



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 PROJECT NORTH
1 SITE PLAN
A1.1



ITM-PHASE II DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

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SHEET TITLE

ZONING REQUEST
(08-10-19)

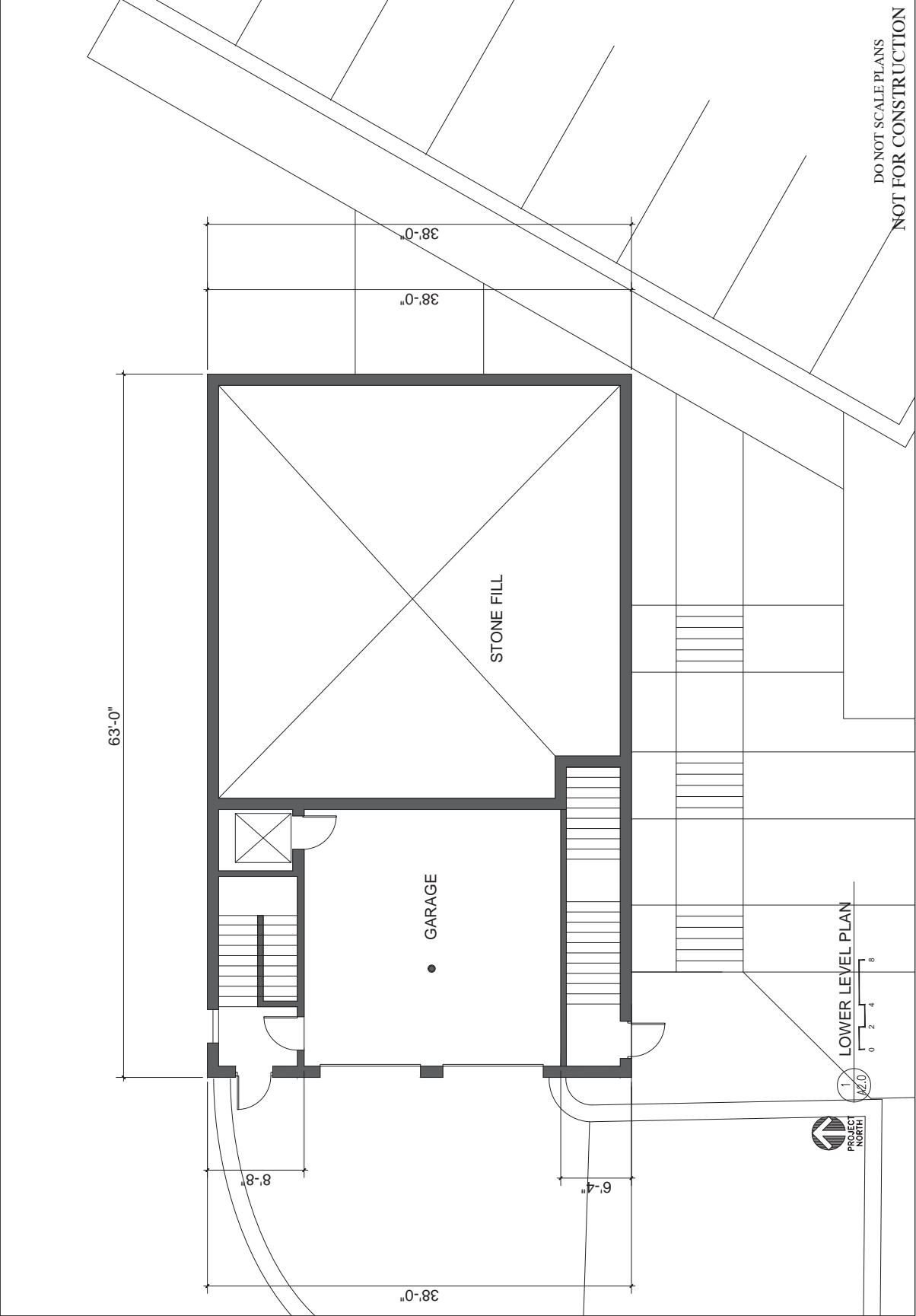
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DESIGNER
JMH JMH JMH

PROJECT NO.
1905

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02

OF 08



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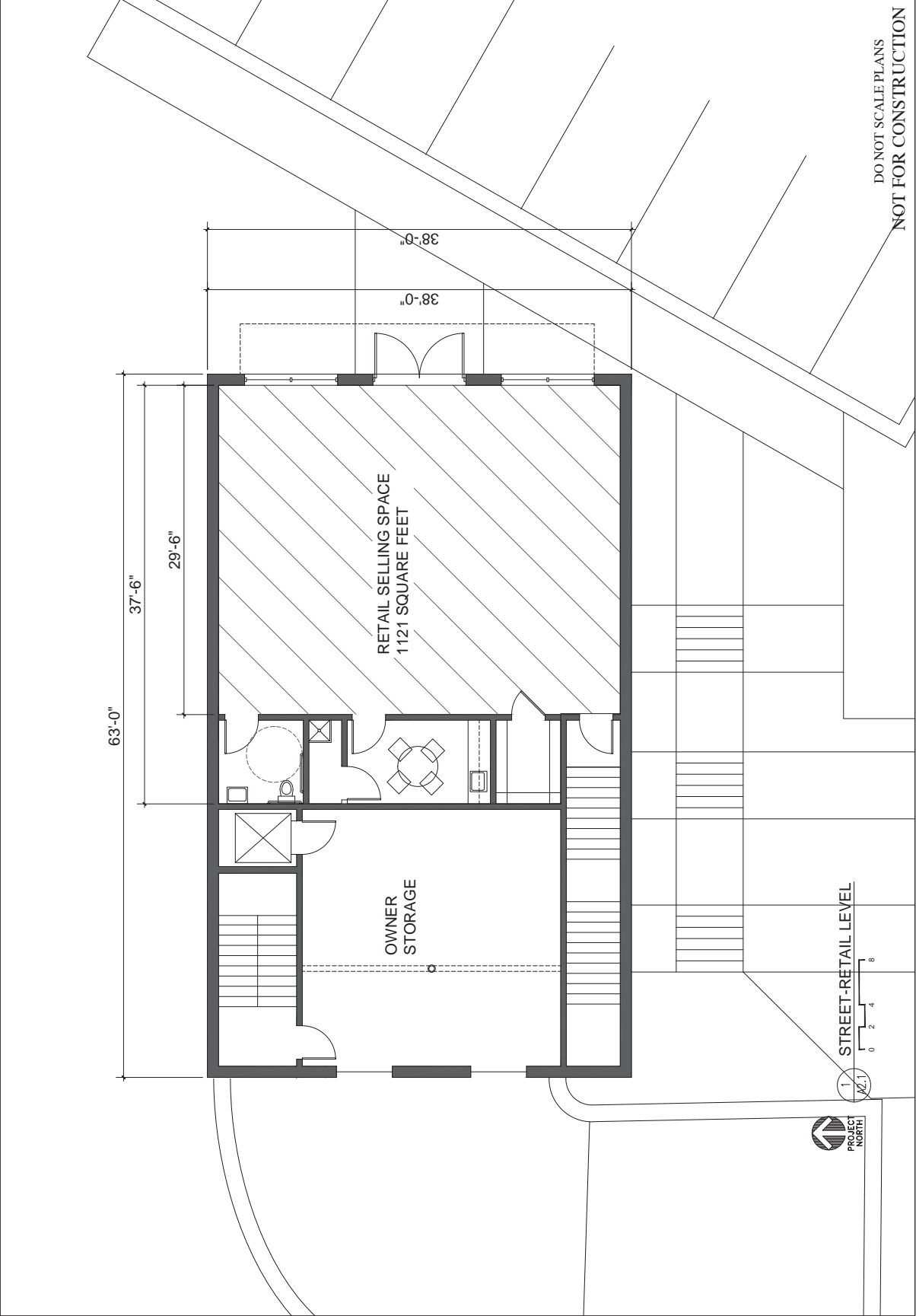


ITM-PHASE II
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DATE	ZONING REQUEST	NO.
08-10-19	08-10-19	1905
DESIGN	REVISION	DATE
JMH	JMH	JMH
PROJECT NO.	SHEET NO.	SHEET TOTAL
1905	A2.1	03



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ITM-PHASE II
DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

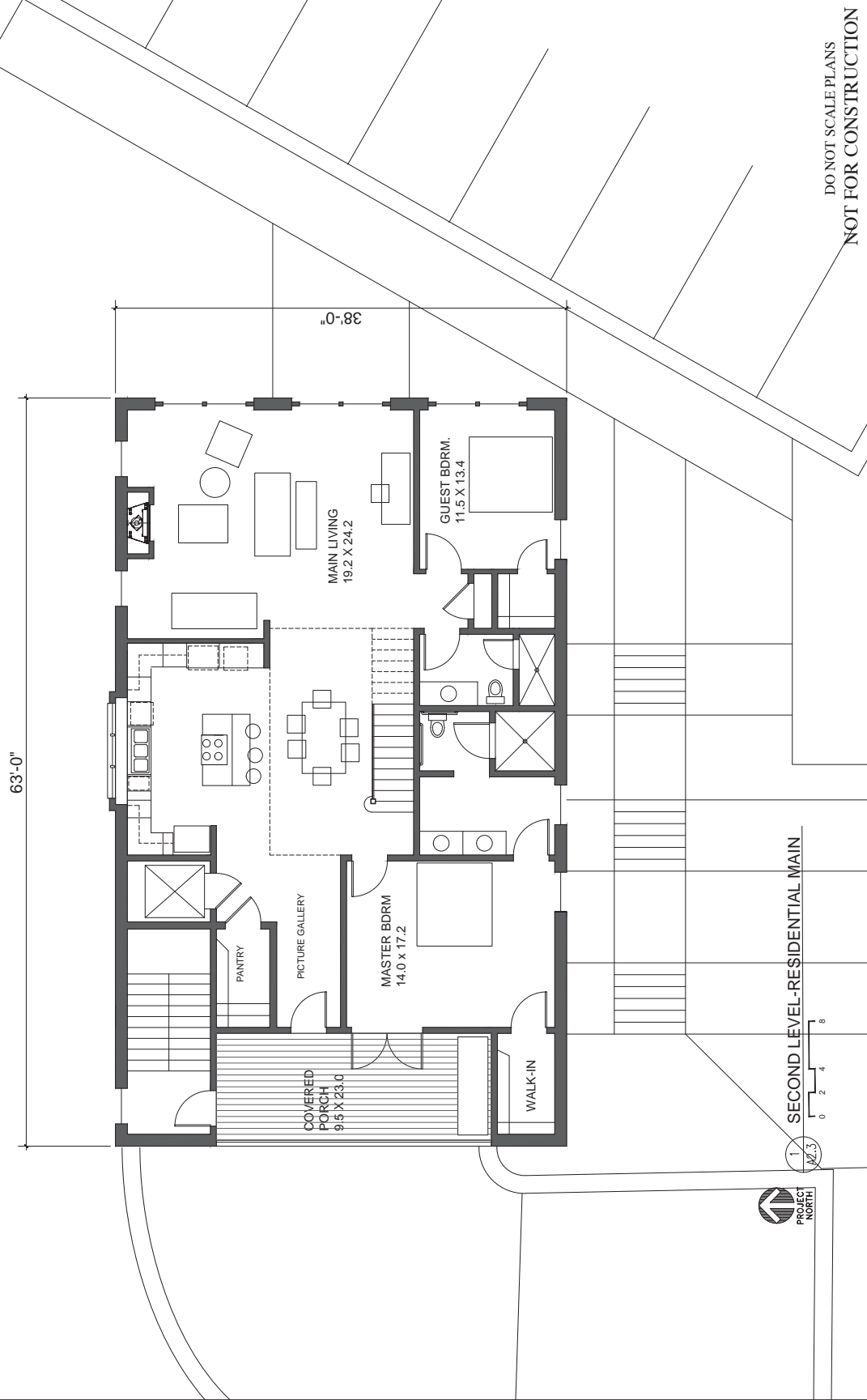
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ZONING REQUEST
08-(0-19)

DESIGN	ARCHITECT	DATE
JMH	JMH	JMH
PROJECT NO.	1905	

SHEET NO.
A2.2 OF 08



1 SECOND LEVEL-RESIDENTIAL MAIN
0 2 4 8

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ITM-PHASE II
 DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

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SHEET TITLE

ZONING REQUEST
 (8-10-19)

DESIGN	REVISION	APPROVAL
JMH	JMH	JMH

PROJECT NO.
1905

SHEET NO.
A2.3

DATE
05/08

63'-0"

38'-0"

2394 TOTAL
 MEZZ. 794 TOTAL < 798 ALLOWED

OPEN
 TO
 BELOW

MEZZANINE LEVEL
 0 2 4 8



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 NOT FOR CONSTRUCTION



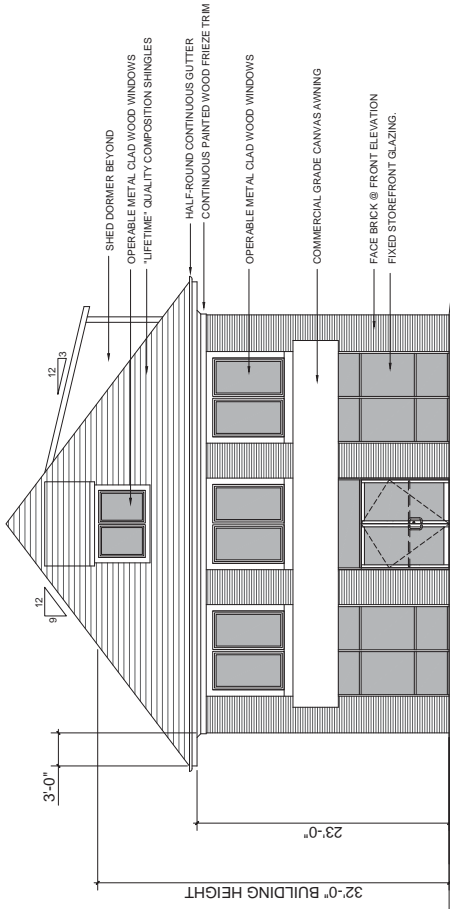
ITM-PHASE II DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

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DATE: 08-10-19
ZONING REQUEST
08-10-19
DRAWN: JMH JMH JMH
PROJECT NO: 1905

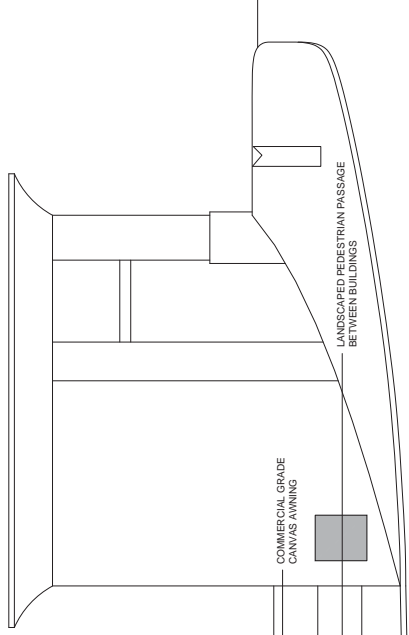
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OF 08



1 FRONT ELEVATION ALONG DOLLY RIDGE
A3.1



- SHED DORMER BEYOND
- OPERABLE METAL CLAD WOOD WINDOWS
- 'LIFETIME' QUALITY COMPOSITION SHINGLES
- METAL CLAD FRENCH DOORS
- COMPOSITE LAP SIDING
- 6' EXPOSURE
- OPERABLE METAL CLAD WOOD WINDOWS
- COMMERCIAL GRADE CANVAS AWNING
- FACE BRICK
- ROUND DOWNSPOUTS
- SOLID UPWARD ACTING SECTIONAL DOORS



2 REAR ELEVATION
A3.1



DO NOT SCALE PLANS
NOT FOR CONSTRUCTION



ITM-PHASE II DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

JOHN M. HOLMES
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BIRMINGHAM, AL
PROJECT NO. 1905

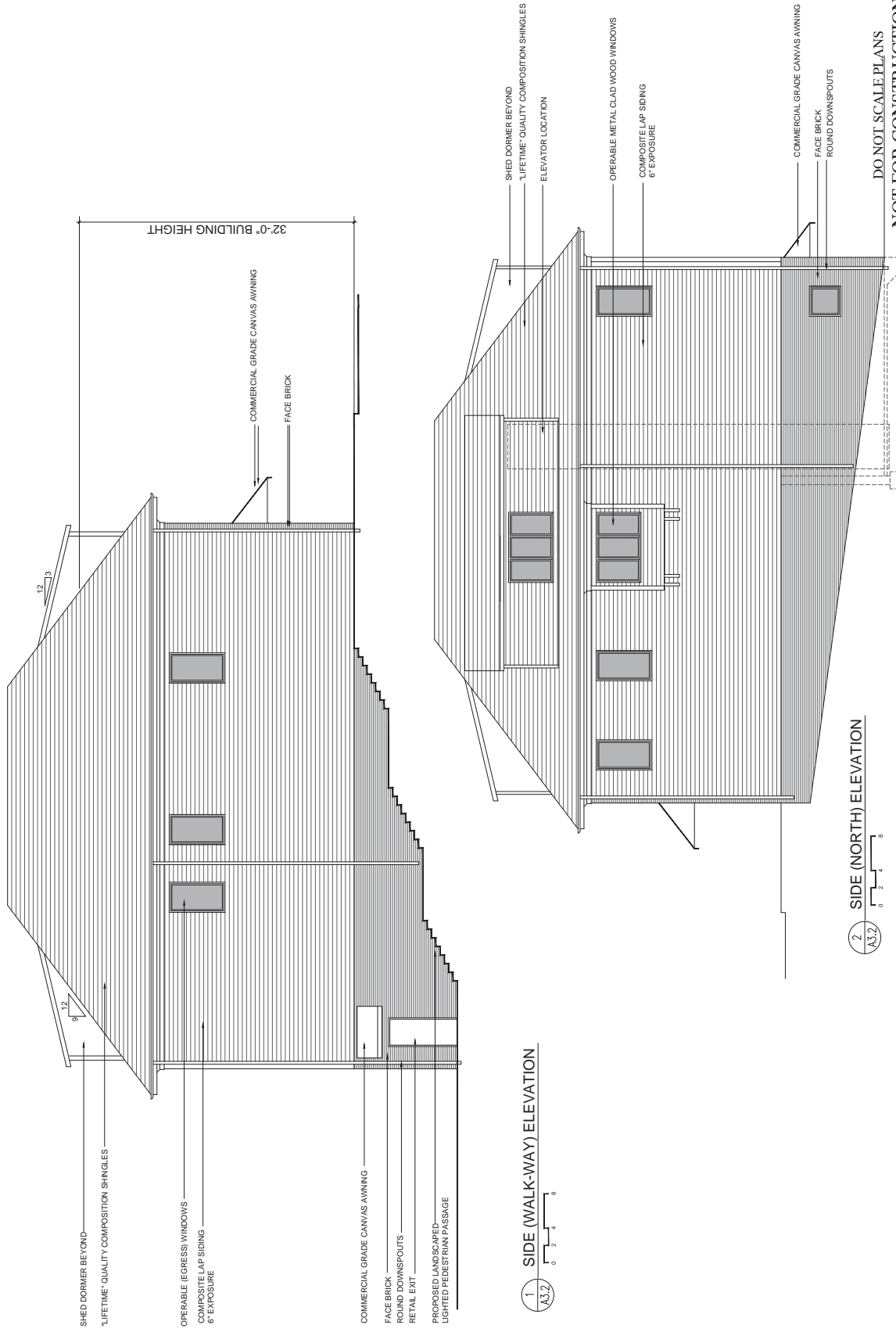
ZONING REQUEST
08-10-19

DATE: 07/08

1905

PROJECT NO.

DATE: 07/08



1 SIDE (WALK-WAY) ELEVATION

2 SIDE (NORTH) ELEVATION

DO NOT SCALE PLANS
NOT FOR CONSTRUCTION



ITM-PHASE II DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

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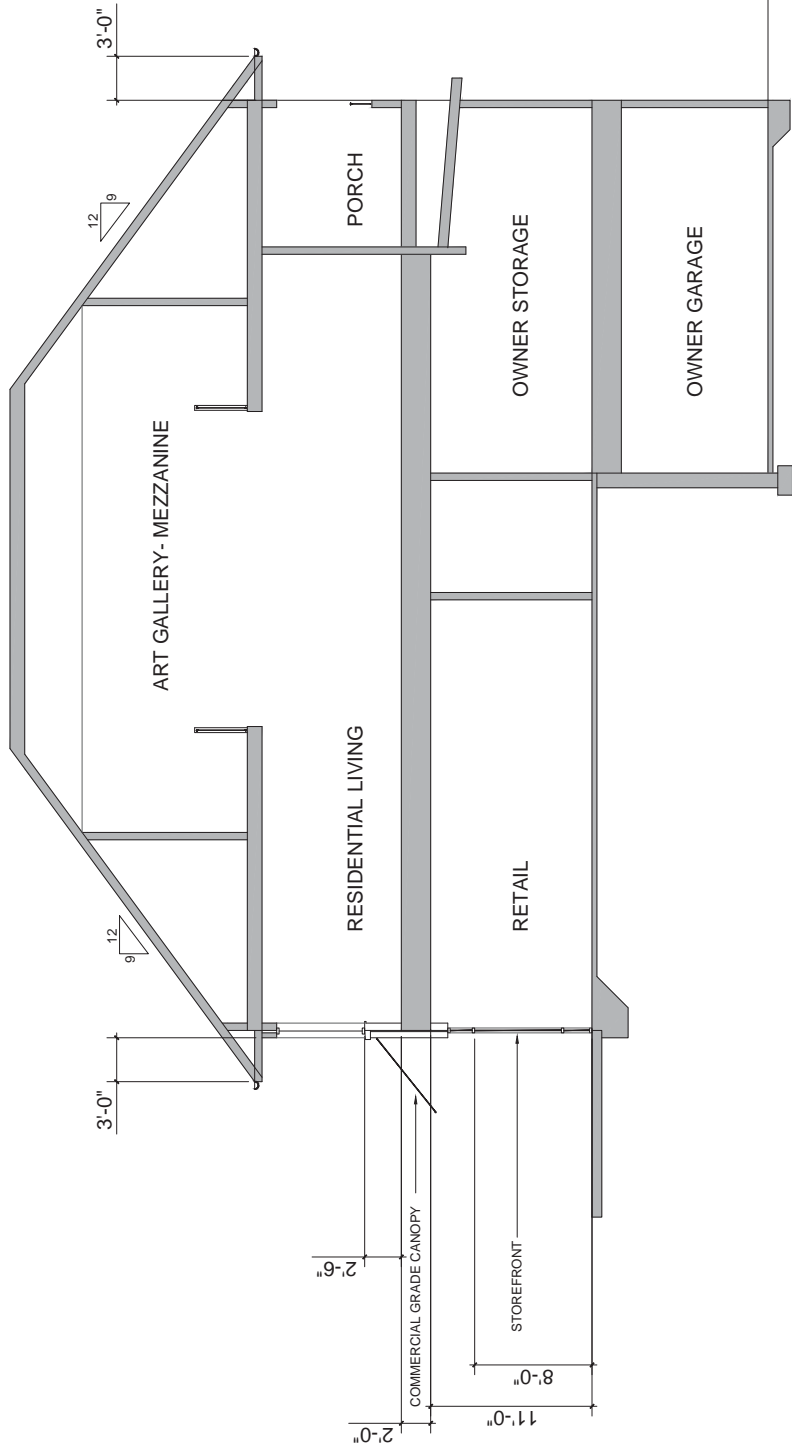
ZONING REQUEST
(8-10-19)

DATE: 10/19/19
DRAWN: JMH
CHECKED: JMH
APPROVED: JMH

PROJECT NO: 1905

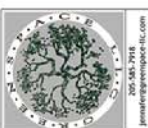
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OF 08
A4.1



1
A4.1
SCHEMATIC BUILDING SECTION

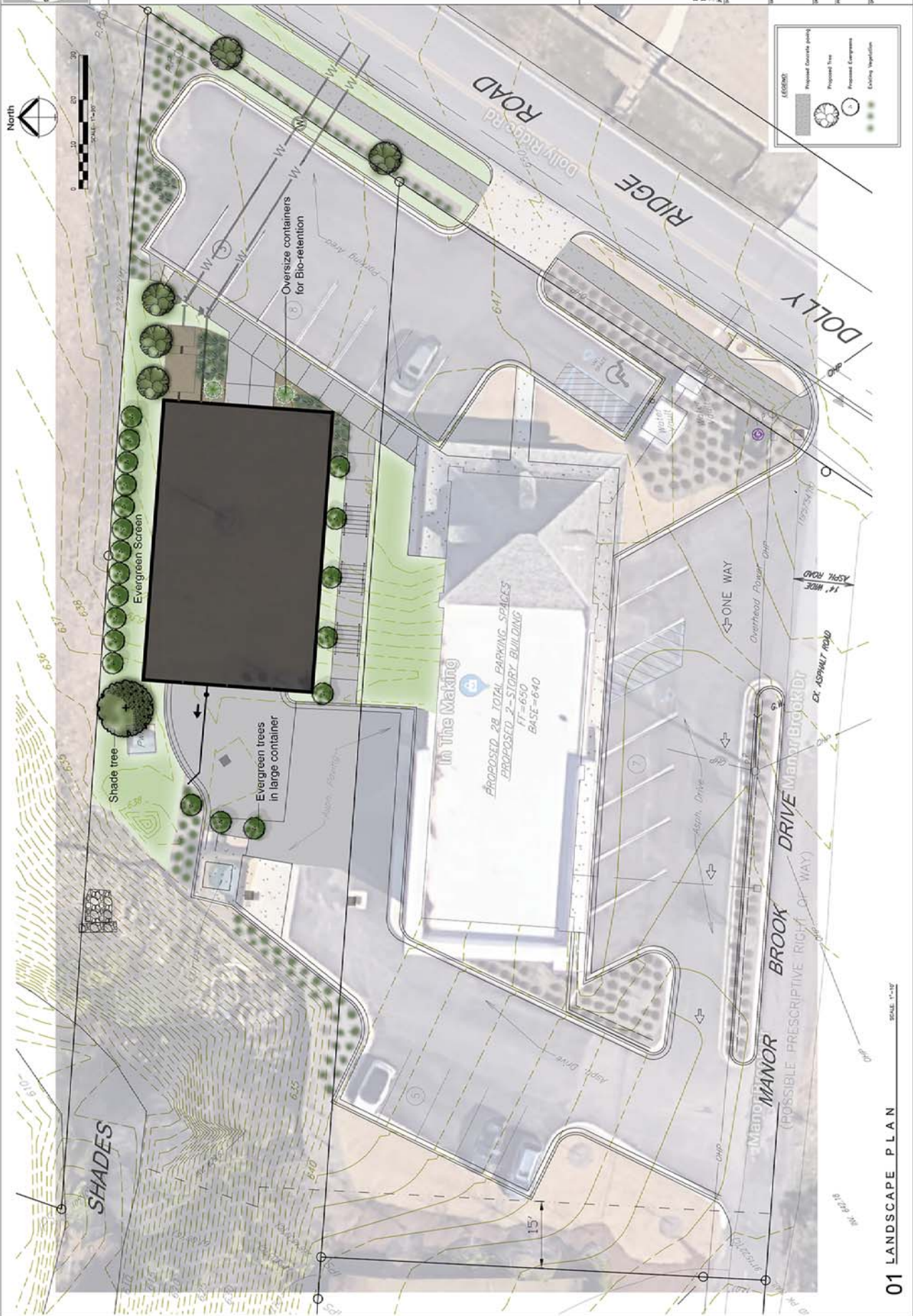
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NOT FOR CONSTRUCTION



ITM-PHASE II DOLLY RIDGE ROAD, VESTAVIA, ALABAMA

JOHN M. HOLMES
ARCHITECT

DATE	8/20/19
PROJECT NO.	1905
SCALE	1"=30'
PROJECT	L1.0



01 LANDSCAPE PLAN

SCALE: 1"=30'

Prepared by and when recorded return to:

Sarah P. Thomson
Leitman, Siegal & Payne, P.C.
420 North 20th Street, Suite 2000
Birmingham, Alabama 35203

STATE OF ALABAMA

COUNTY OF JEFFERSON

DECLARATION OF RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS, that:

WHEREAS, the undersigned, Timothy B. Higgins, is the owner of that certain real property located in Jefferson County, Alabama, more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein (the "Property");

WHEREAS, the Property is currently classified as a mixed-use property as defined by the City of Vestavia Hills, Alabama Code of Ordinances; and

WHEREAS, the undersigned desires to subject said Property to the conditions, limitations, and restrictions hereinafter set forth.

NOW, THEREFORE, the undersigned does hereby expressly adopt the following restrictive covenants, conditions, and limitations for said Property, to-wit:

1. For as long as there is a residential dwelling on the Property, the residential dwelling on the Property shall be used or occupied exclusively as one (1) single-family dwelling.
2. The residential dwelling on the Property shall not be rented as an apartment.

[signature on the following page]

IN WITNESS WHEREOF, Timothy B. Higgins has caused this Declaration of Restrictive Covenants to be executed on this _____ day of _____, 2019.

TIMOTHY B. HIGGINS

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that TIMOTHY B. HIGGINS, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this _____ day of _____, 2019.

Notary Public
My Commission Expires: _____

EXHIBIT "A"

A parcel of land situated in the Southeast one-quarter of the Northwest one-quarter of Section 22, Township 18 South, Range 2 West Jefferson County, Alabama, said parcel being a part of lot 8, Block B-1, according to the map of New Merkle Heights as recorded in Map Book 16, page 20 as recorded in the Office of the Judge of Probate Jefferson County, Alabama and being more particularly described as follows:

Begin at the Southwest corner of said lot 8 and run in a Northeasterly direction along the West line thereof for a distance of 61.00 feet to a set 5/8" capped rebar; thence leaving said West line, turn an interior angle of 105 degrees 10 minutes 08 seconds to the left and run in an Easterly direction for a distance of 269.87 feet to a found 5/8" capped rebar stamped (JAM) on the Northwestern-most right of way of Dolly Ridge Road (50' right of way); thence turn an interior angle of 59 degrees 54 minutes 23 seconds to the left and run in a Southwesterly direction along said right of way for a distance of 68.36 feet to a set 5/8" capped rebar, said point being the Southeast corner of said lot 8; thence leaving said right of way, turn an interior angle of 120 degrees 01 minutes 55 seconds to the left and run in a Westerly direction along the South line of said lot 8 for a distance of 251.55 feet to the POINT OF BEGINNING.

Subject Parcel

Cahaba Heights

Vesuvia Hills | ALABAMA



Concepts

The project is a multi-phase, multi-story residential development in the heart of Cahaba Heights, Alabama. It is a prime location for a new residential development, offering a mix of housing options and amenities.

Make a strong statement by building with a modern, sustainable design. The project will feature a mix of housing types, including single-family homes, townhomes, and multi-family units.

Offer a mix of housing types, including single-family homes, townhomes, and multi-family units. The project will be designed to provide a high-quality living experience for its residents.

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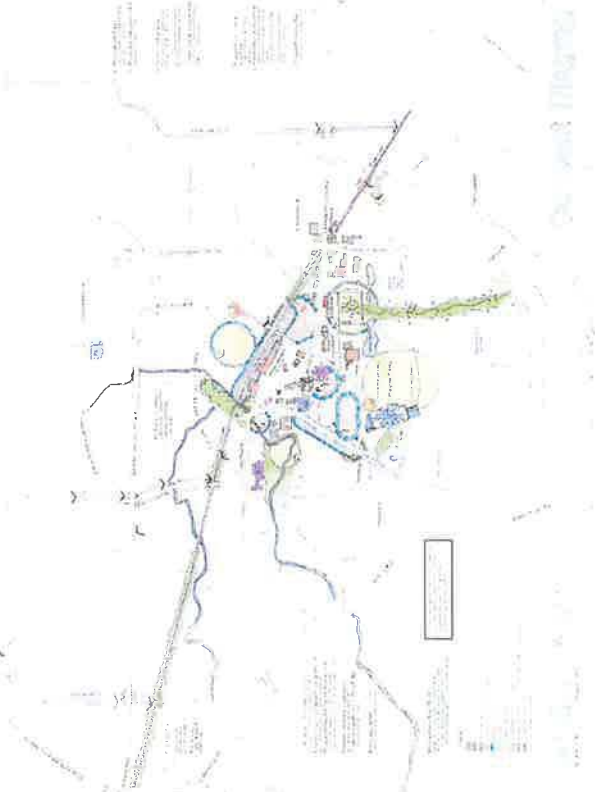
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Location

The project is located in the heart of Cahaba Heights, Alabama, a prime location for a new residential development. The site is well-served by local infrastructure and amenities.

History of this project

The project has a long history, dating back to the early days of Cahaba Heights. It has been a key part of the community's development and growth.

Goals & Principles

The project aims to create a high-quality living experience for its residents. It will be designed to provide a mix of housing options and amenities.

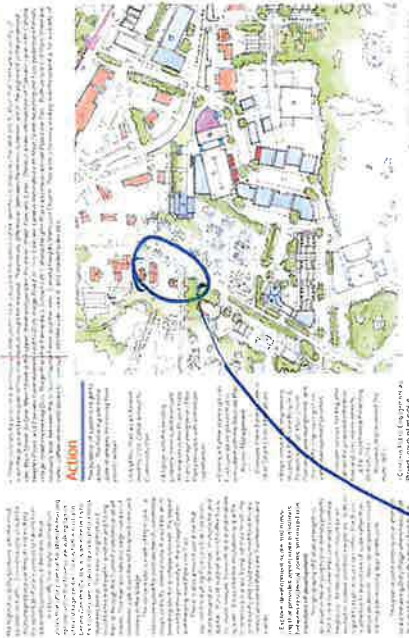
The project will be designed to provide a high-quality living experience for its residents. It will feature a mix of housing types and amenities.

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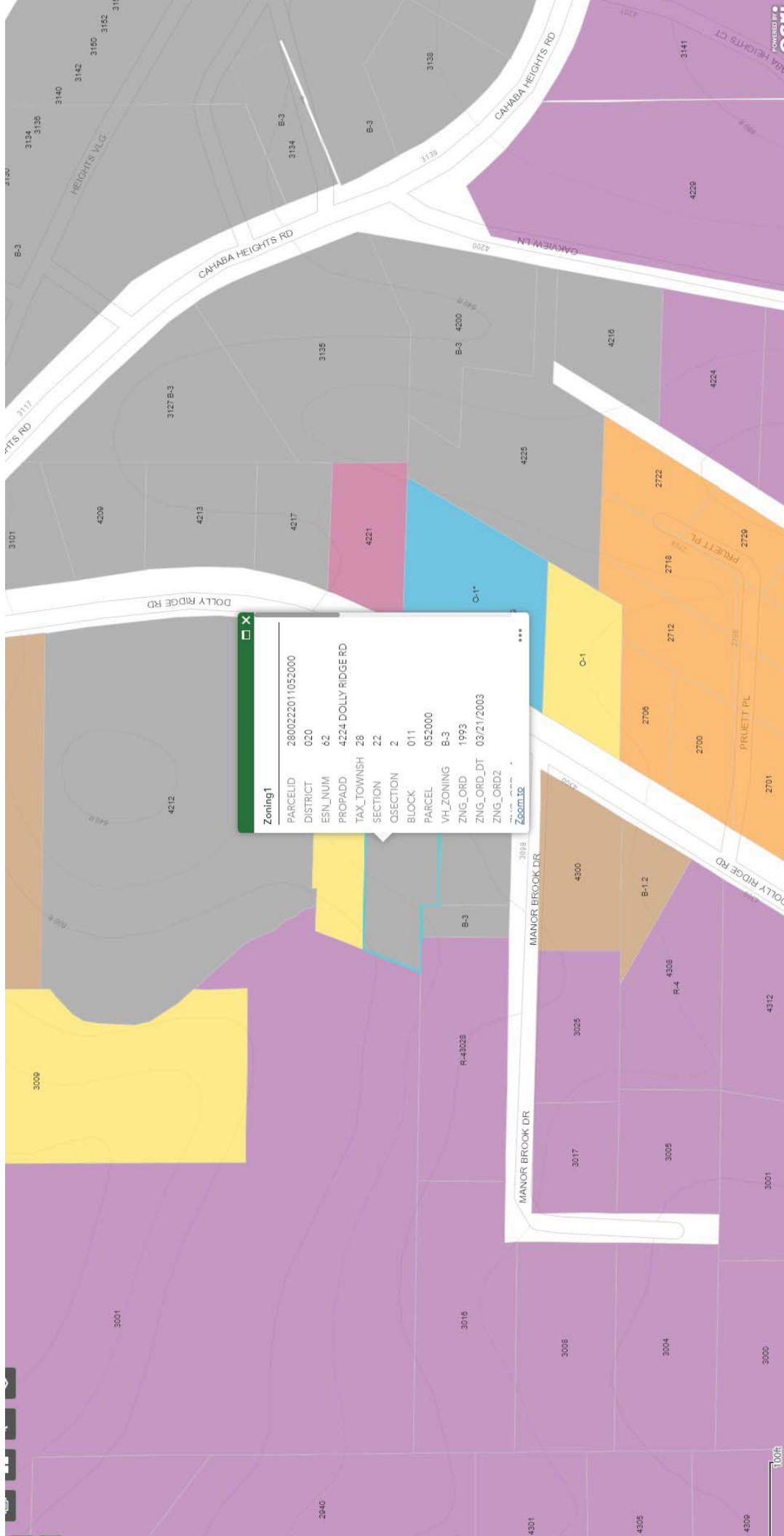
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Subject Parcel



Zoning1

PARCELID	2800222011052000
DISTRICT	020
ESN_NUM	62
PROPADD	4224 DOLLY RIDGE RD
TAX_TOWNSH	28
SECTION	22
OSECTION	2
BLOCK	011
PARCEL	052000
VFL_ZONING	B-3
ZNG_ORD	1993
ZNG_ORD_DT	03/21/2003
ZNG_ORD2	

Zoom: 100%

100ft

POWERED BY

ORDINANCE NUMBER 2899

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH JEFFERSON COUNTY COMMISSION TO JOIN A GIS CONSORTIUM TO CONTACT WITH G-SQUARED FOR PLANIMETRIC GIS DATA OVER THE NEXT 3 YEARS

WHEREAS, Geographic Information Services (“GIS”) has become an integral part of the City’s information base for several departments including planning, zoning, engineering, VHPD, VHFD, Public Services, etc.; and

WHEREAS, Jefferson County began the Jefferson County Consortium (“the Consortium”) of several Jefferson County entities to cooperate together in order to contract with G-Squared, for delivery of planimetric data including, but not limited to buildings, pavement, paves and unpaved roads and other layers with an migration from 10 to 50 engineering grade scale; and

WHEREAS, this detailed information will provide accurate and high quality orthophotography and planimetric data annually for a period of three years, higher accuracy imagery, buildings, street data; and

WHEREAS, the City Manager has reviewed and recommended participation in the Jefferson County GIS Consortium at the minimum participation graduated rates of: \$19,000 (year 2020); \$30,000 (year 2021) and \$45,000 (year 2022); and

WHEREAS, the Mayor and City Council find it is in the best public interest to consent to participation in the Consortium as described above.

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

1. The Mayor and City Manager are hereby authorized to execute and deliver an agreement for participation in the Consortium at the graduated rates of \$19,000 (year 2020); \$30,000 (year 2021) and \$45,000 (year 2022); and
2. A copy of said agreement is marked as Exhibit A, attached and incorporated into this Ordinance Number 2899 as if written fully therein; and
3. This Ordinance Number 2899 shall become effective immediately upon adoption and approval and posting/publishing pursuant to Alabama law.

ADOPTED and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

INTEROFFICE MEMORANDUM

DATE: October 21, 2019

TO: Jeff Downes, City Manager

FROM: Rebecca Leavings, City Clerk/Zoning Official
Jack Wakefield, Planner and GIS Technician
Brian Davis, Public Services Director
Christopher Brady, City Engineer

RE: Jefferson County GIS Consortium and G-Squared Contract

Geographic Information Services was begun in the City Clerks Office many years ago to be utilized as an informational land base and has since become an integral part of many departments including Engineering, VHPD, VHFD, Public Services, etc. The utilization of GIS is constant in our departments in order to derive information concerning all aspects of our jobs and the questions and/or requests that derive from contractors, attorneys, engineers and the general public regarding land in the City.

Recently, our department had the opportunity to join with the Jefferson County Consortium on a new partnership with G-Squared for delivery of planimetric data (*planimetric - showing only the horizontal position of features on the Earth's surface which show geographic objects, natural and cultural physical features, and entities without topographic features such as roads, buildings, and water bodies that are visible and identifiable on aerial photographs*) including, but not limited to buildings, pavement, paved and unpaved roads and other layers with a migration from 10 to 50 engineering grade scale. This will open up Planimetric Areas of Change detection of properties and related taxes in city and zoning processing. Benefits include:

- Regular higher quality and accuracy orthophotography and planimetric data (every year). Previous contracted projects were every 3-5 years and only with Jefferson County and only accessible via internet through the public viewing system.
- Having higher accuracy imagery, buildings and streets data will help JC cities and agencies with:
 - Public Safety and Emergency Response teams (accurate and updated streets and buildings)
 - Engineering projects and field operations
 - Tax Map (parcels) Modernization project - the new 50 scale imagery and data is critical to the update parcels and cities boundaries
- JC Consortium cost sharing makes feasible for all agencies to have yearly aerial survey and mapping updates for all JC cities & agencies
- The ability for the City to import the planimetric data into the City's GIS system for better analysis of properties, ability to identify planimetric data, etc. for utilization into the City's maps.

Within this consortium, Vestavia Hills was given the projected minimum level partner contribution at a rate of 5% with a 3-year funding commitment with the understanding that if more partners are recruited, the possibility of a reduced rate could be recognized.

The GIS Consortium is requesting the following in commitments from the seven current partners for the years 2020-2022 (3-year commitment).

JC GIS Consortium Partners	G-Squared Contract Funding	
	3 years Funding Commitment	Cost Sharing by Partners %
Jefferson County Commission	\$ 679,000	35.9%
Birmingham	\$ 140,000	7.40%
JCHD	\$ 140,000	7.4%
JC 911	\$ 305,000	16.1%
911 Birmingham	\$ 305,000	16.1%
City of Hoover	\$ 132,000	7.0%
Vestavia Hills	\$ 94,000	5.0%
GIS Consortium Total	\$ 1,892,000	100%

With this the City has an option to pay a graduated cost of \$19,000 (year 2020); \$30,000 (year 2021) and \$45,000 (year 2022). The City is paying the minimum partner amount, however, all information will be provided to the City as it is for all other entities.

In order for the fly to occur during the winter months, commitment must be obtained soon. Therefore, the City Zoning Staff join together to request that the Council approve the agreement that is attached to this memorandum along with the pre-commitment of the 3-year or total \$94,000 commitment for this planimetric data.

Thank you, in advance for your consideration. If you need more information, please feel free to contact Rebecca Leavings, City Clerk.

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705
215 RICHARD ARRINGTON, JR. BOULEVARD NORTH
BIRMINGHAM, ALABAMA 35203-3720

TELEPHONE (205) 324-2018
FACSIMILE (205) 324-2295

E-Mail: patrickboone@bellsouth.net

October 21, 2019

By Electronic Mail

City Manager Jeffrey D. Downes
Vestavia Hills Municipal Center
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

In Re: Proposed Contract Agreement Between Jefferson County Commission
and the City of Vestavia Hills

Dear Mr. Downes:

On October 21, 2019, City Clerk Rebecca Leavings sent to me via electronic mail a proposed Contract Agreement (“contract”) between Jefferson County Commission (“County”) and the City of Vestavia Hills (“Consortium Partner”) with a request that a review the contract and provide my written legal opinion. The purpose of this letter is to comply with her request.

I. FACTS

The proposed contract proposes that the County and Consortium Partner will purchase updated orthophotography and planimetric data in order to maintain their respective existing GSI data sets. The contract is for a period not to exceed four (4) years. The maximum contract price for the Consortium Partner will not exceed \$94,000.00.

II. LEGAL OPINIONS

A. VALIDITY OF CONTRACT: The Alabama Competitive Bid Law at Title 41-16-50(b), *Code of Alabama, 1975*, permits the Jefferson County Commission and the City Council of the City of Vestavia Hills to provide by joint agreement for the purchase of labor, services or work or for the purchase or lease of materials, equipment, supplies or other personal property for use by their respective agencies. Therefore, it is my legal opinion that the County and City may legally enter into this agreement.

October 21, 2019

Page 2

B. TERMS, PROVISIONS AND CONDITIONS: I have carefully reviewed the proposed contract and do not have any recommended additions, deletions, changes and/or corrections. Therefore, I approve the contract as written from a legal standpoint.

Please call me if you have any questions regarding any matters set forth in this legal opinion.

Sincerely,

A handwritten signature in blue ink that reads "Patrick H. Boone". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp

cc: City Clerk Rebecca Leavings (by e-mail)

CONTRACT AGREEMENT

TERMS AND CONDITIONS

Between

Jefferson County Commission

And

The City of Vestavia Hills

Contract No. #####

**Orthophotography and Planimetric Data Cost Sharing
Jefferson County, Alabama**

CONTRACT FORM

THIS AGREEMENT made this ____ day of _____, 2019, by and between, **Jefferson County Commission (COUNTY)** with its offices at 716 Richard Arrington Jr. Blvd. N Birmingham, AL 35203 and **The City of Vestavia Hills**, with its offices at 1032 Montgomery Hwy, Vestavia Hills, AL 35216, hereinafter referred to as "Consortium Partner".

For the purposes of this Contract, the following terms are defined as follows:

1. "Contract" means this Agreement.
2. "Consortium Partner" means The City of Vestavia Hills.
3. "Contract Administrator" means Jefferson County Commission, and its duly authorized representatives.

WHEREAS, COUNTY and Consortium Partner mutually desire to maintain their existing GIS data sets through regular updates, and it is in the best interest of those served by COUNTY and Consortium Partner to financially share the cost of data acquisition updates; and

WHEREAS, COUNTY has contracted with G Squared, LLC for three years (3), until December 31, 2022, with an option to extend for one (1) additional year, to migrate existing planimetric features from 100 scale to 50 scale, to provide updated orthophotography and planimetric data; and

WHEREAS, Consortium Partners who providing funding toward the project, through economies of scale, will be able to mutually obtain the countywide data sets at a significant savings compared to one agency contracting for the services as a single entity; and

WHEREAS, Consortium Partner has committed funds toward the project as set forth in this AGREEMENT.

ARTICLE 1. STATEMENT OF WORK (SOW)

I. Jefferson County, Alabama 2020 - 2022 Countywide 1" = 50' Scale Photogrammetric Mapping and Orthoimagery Project SOW

The objective of the project is to establish an intergovernmental funding consortium in order to obtain new digital color orthorectified aerial photography and updated planimetric data sets for Jefferson County,

Alabama encompassing an area of approximately 1153 square miles. The data will be used for infrastructure analysis and management, property valuation, law enforcement, emergency management, land and transportation planning, permitting, stormwater management, tax mapping, preliminary engineering, and to support other business processes within agency departments. The project area shall be defined as the geographic entirety of Jefferson County.

The specifications for this project are in accordance with the Alabama Department of Revenue, Property Tax Division specifications (ADV-25), Effective June 2010. The products and/or services to be provided by COUNTY hereunder (hereinafter referred to collectively as "Deliverables") are defined below and are governed by the ALDOT/ALDOR/NMAS specifications for 1" = 100' map accuracy standards:

Products and/or Services to Be Provided (Countywide):

- Color orthophotography with 3" resolution at 1" = 50' scale in Mr. Sid and geo-tiff format
- Planimetric Map features listed in Attachment B in Microstation and ESRI Geodatabase format
- Change Detection parcel layer with Excel Spreadsheet of parcel numbers
- Updated Terrain model data for the areas of change in ESRI shapefile format

Schedule:

Year 1:

January 15, 2020 – Ground control and flight planning complete
 January 15, 2020 – March 15, 2020 – Aerial Acquisition complete
 October 1, 2020 – Orthophotography delivered
 December 31, 2021 – Planimetric Updated where areas have changed delivered
 December 31, 2021 – Data migration of existing planimetric features from 100 scale to 50 scale **(in progress)**

Year 2:

January 15, 2021 – Ground control and flight planning complete
 January 15, 2021 – March 15, 2021 – Aerial Acquisition complete
 October 1, 2021 – Orthophotography and Building Footprints update delivered
 December 31, 2021 - Remaining Planimetric Updated (Areas of change) delivered
 December 31, 2021 – Data migration of existing planimetric features from 100 scale to 50 scale **(in progress)**

Year 3:

January 15, 2022 – Ground control and flight planning complete
 January 15, 2022 – March 15, 2022 – Aerial Acquisition complete
 October 1, 2022 – Orthophotography and Building Footprints update delivered
 December 31, 2022 - Remaining Planimetric Updated (Areas of change) delivered
 December 31, 2022 – Data migration of existing planimetric features from 100 scale to 50 scale **(complete)**

ARTICLE 2. INSPECTION / ACCEPTANCE

Responsibility for final inspecting, approving and accepting equipment, software, data and/or services rendered by G Squared, LLC in the performance of the project deliverables shall rest solely with the COUNTY. Deliverables will be inspected for conformance with the project requirements prior to acceptance.

Consortium Partner may elect, if they so desire, to participate in contributing to the inspection process. All requests for rework of any nonconforming deliverables will be provided in writing to the COUNTY within 10 calendar days from receipt of the Deliverables.

ARTICLE 3. CONSIDERATION

Consortium Partner will pay COUNTY an amount not to exceed **Ninety Four Thousand Dollars and Zero Cents - \$94,000.00**. The price is in exchange for the COUNTY providing Consortium Partner a copy of received data products as delivered by G Squared, LLC under the Orthophotography and Planimetric Mapping Update project. These products are being provided for the countywide acquisition of orthophotography data and planimetric data set update according to ALDOR/ALDOT specification guidelines, orthorectified digital color aerial photography, photogrammetrically updated planimetric feature data sets, and LiDAR data sets.

The SCHEDULE OF PAYMENTS to be made by Consortium Partner is as follows:

For each calendar year, full payment is due to County by September 30. **County shall submit its invoice by August 30th, with payment due from Consortium Partner within 30 days.**

- in 2020 year the Consortium Partner payments will not exceed \$19,000
- in 2021 year the Consortium Partner payments will not exceed \$30,000
- in 2022 year the Consortium Partner payments will not exceed \$45,000

ARTICLE 4. TERM

The duration of this contract shall not exceed four years from the date of its final execution or end of the **Project**, whichever first occurs.

ARTICLE 5. TERMINATION

This agreement can be terminated by the COUNTY or Consortium Partner upon a thirty (30) day written notice for any reason. Upon termination of this Agreement for any reason whatsoever, Consortium Partner shall retain all data provided by the COUNTY for which payment has been received from Consortium Partner by the COUNTY prior to the termination, but Consortium Partner will remove all data provided by the COUNTY from their respective computer systems for which payment has not been received from Consortium Partner by the COUNTY.

ARTICLE 6. RIGHT OF OWNERSHIP

All items developed and delivered as a result of Article 3 under this AGREEMENT shall become the property of the funding partners as outlined below:

- Orthorectified digital color aerial photography (owned by Jefferson County, Consortium Partner). Each party retains full ownership in the data to use as it deems appropriate.
- Photogrammetrically updated Digital Terrain Model (owned by Jefferson County, Consortium Partner). Each party retains full ownership on the data to use as it deems appropriate.
- Photogrammetrically updated Planimetric mapping data layers (owned by Jefferson County). Consortium Partner is granted an exclusive use license to this data. This license provides that Consortium Partner shall use the Planimetric data for their respective internal business purposes and may be provided to consultants, contractors, etc. who are formally working for them.

ARTICLE 7. CONFIDENTIALITY

To the extent allowed by law, a Party may designate information to be deemed confidential because of considerations of individual privacy, safety and health, corporate proprietary claims, and other reasons in the best interests of the public or that would violate agreements with other entities.

Neither party shall be liable in damages for any disclosures pursuant to judicial actions or for inadvertent disclosure where proper degree of care has been exercised; provided, that upon discovery of such disclosure, it shall have endeavored to prevent any further inadvertent disclosure.

The receiving party shall not disclose or deliver, directly or indirectly, any technical data or product to any person to whom disclosure or delivery is prohibited by the U.S. Government, nor export, directly or indirectly, any technical data or product to any county for which the U.S. Government or any agency requires an export license or Government approval without first obtaining such license or approval.

ARTICLE 8. FORCE MAJEURE

- a. For the purpose hereof, force majeure shall be any of the following events: acts of God, compliance with any order, regulation, decree of governmental authority or agency purporting to act therefore, acts of war, public disorder, rebellion, terrorism or floods, hurricanes or other storms; or strikes or disputes, or any other cause, not within the reasonable control of the party affected.
- b. A delay in or failure of performance of either COUNTY or Consortium Partner shall not constitute a default hereunder nor be the basis for any claim for damages, if such delay or failure is caused by force majeure.
- c. The party prevented from performing by force majeure (i) shall be obligated within a period not to exceed 14 days after the occurrence or detection of such event to give notice to the other party setting forth in reasonable detail the nature therefore and the anticipated extent of the delay, and (ii) shall remedy such cause as soon as reasonably possible.

ARTICLE 9. COMPLIANCE WITH LAWS

Both parties shall comply with known and applicable laws, regulations, ordinances and other rules of governments and governmental agencies having jurisdiction over any portion of performance under this AGREEMENT.

ARTICLE 10. WAIVERS

Any failure by either party to enforce performance of the terms and conditions of this AGREEMENT shall not constitute a waiver of, or affect said party's right to avail itself of, such remedies as it may have for any subsequent breach of the terms of this AGREEMENT.

ARTICLE 11. NOTICES

Any notice or communication given pursuant to this AGREEMENT shall be in writing, as a document or in electronic form, and deemed received when delivered in person, electronic mail, facsimile, or sent prepaid via Express Mail, Federal Express or other private courier, or US certified mail, return receipt requested.

Consortium Partner agrees that any data provided will be relied upon at its own risk. COUNTY will not be responsible for incidental, consequential, or special damages, or any other damages of any type or character arising out of the use of any data, information, or products which may be furnished by the COUNTY. COUNTY does not warrant, either expressed or implied, of fitness of such data, information, or products for a particular purpose or any other use or purpose.

ARTICLE 12. NO THIRD PARTIES BENEFITED

This agreement is made and entered into solely for the benefit of the respective Parties, their successors and permitted assigns, and no other person or entity shall have any rights hereunder.

ARTICLE 13. GOVERNING LAW

This AGREEMENT shall be deemed to be a contract made under the laws of the State of Alabama and for all purposes it shall be construed in accordance with and governed by the laws of such state, conflict of law rules notwithstanding.

ARTICLE 14. IMMIGRATION LAW COMPLIANCE

By signing this Contract, the contracting parties affirm, for the duration of the Agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a

contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

ARTICLE 15. COMPLETE AGREEMENT

This Contract document constitutes the entire AGREEMENT between the parties. This Contract may only be amended by execution of a written bilateral amendment.

ARTICLE 16. SEVERABILITY

If any provision of this agreement is declared by a court having jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected; the rights and obligations of the parties shall be construed and enforced as if the agreement did not contain the particular provision held to be invalid.

The City of Vestavia Hills

Jefferson County Commission

Authorized Signature

Authorized Signature

Printed Name

Printed Name

Title

Title

Date

Date

Authorized Signature

Printed Name

Title

Date

RESOLUTION NUMBER 5206

A RESOLUTION AUTHORIZING THE CITY MANAGER TO TRANSFER 50% OF THE FY2019 GENERAL FUND SURPLUS TO THE CAPITAL PROJECTS FUND IN ANTICIPATION OF CERTAIN UPCOMING PROJECTS

WHEREAS, the unaudited FY2019 General Fund surplus for the City of Vestavia Hills, Alabama; is estimated at \$1.4 million; and

WHEREAS, the City Manager has identified certain upcoming projects, including, but not limited to ALDOT projects which require a 20% local match; and

WHEREAS, the City's Reserves Fund reflects a healthy balance which has progressively increased through the years; and

WHEREAS, the City Manager, in his analysis of all City funds, has recommended that fifty percent (50%) of the FY2019 General Fund surplus be transferred to the City's Capital Projects Fund to assist with certain upcoming projects and project matches; and

WHEREAS, the Mayor and the City Council agree it is in the best public interest to prepare in anticipation of upcoming projects and accept the City Manager's recommendation to transfer fifty percent of the City's FY2019 surplus to the Capital Projects Fund.

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

1. The City Manager is hereby authorized to direct the Finance Director to transfer fifty percent of the audited FY2019 General Fund surplus to the City's Capital Projects Fund; and
2. This Resolution Number 5206 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 2902

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH MADDOX ENTERPRISES, LP AND THE CITY OF VESTAVIA HILLS REGARDING FORGIVENESS OF A PORTION OF A LIEN AGAINST PROPERTY LOCATED AT 1459 MONTGOMERY HIGHWAY; DEVELOPMENT OF A PORTION OF THE PROPERTY AND PROHIBITING CERTAIN TEMPORARY USES ON THE REMAINING PORTION

WHEREAS, Maddox Enterprises, LP owns property situated at 1459 Montgomery Highway in the City of Vestavia Hills, Alabama which has recently been subdivided into two lots; and

WHEREAS, pursuant to City Council actions in 2013, the City Council approved and adopted Resolution Number 4463 to assess a lien against the property located at 1459 Montgomery Highway in the amount of Seventy-five Thousand Dollars (\$75,000); and

WHEREAS, a copy of said lien was filed in the Office of the Judge of Probate of Jefferson County, Alabama and recorded at BK: LR201315, Pg. 16803; and

WHEREAS, the owners are desirous to sell Lot 1 for development of a restaurant and retain ownership of Lot 2; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to stimulate development in the southern corridor of Montgomery Highway and therefore are willing to consider forgiveness of a portion of the lien conditioned upon the sale of Lot 1 and the execution of an agreement regarding the uses of Lot 2; and

WHEREAS, an agreement was drafted which allows forgiveness of fifty percent of the recorded lien upon certain conditions and the uses of Lot 2, a copy of which is marked as Exhibit A, attached to and incorporated into this Ordinance Number 2902 as if written fully therein; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to authorize the execution and delivery of the agreement marked as Exhibit A regarding the development of property located at 1459 Montgomery Highway.

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

1. The Mayor and City Manager are hereby authorized to execute and deliver the agreement detailed in Exhibit A with Maddox Enterprises, LP and take all actions necessary to complete all provisions of said agreement; and
2. A copy of the executed agreement shall be retained in the Office of the City Clerk; and
3. This Ordinance Number shall become effective immediately upon adoption and posting/publication pursuant to Alabama law.

ADOPTED and APPROVED this the 25th day of November, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

STATE OF ALABAMA

JEFFERSON COUNTY

AGREEMENT

THIS AGREEMENT (“the Agreement”), is hereby made and entered on this the _____ day of September, 2019 by and between Maddox Enterprises, LP (hereinafter referred to as “Maddox”) and the City of Vestavia Hills, Alabama, a municipal corporation (hereinafter referred to as “City”).

WITNESSETH THESE RECITALS:

WHEREAS, Maddox owns the real estate situated at 1459 Montgomery Highway in the City of Vestavia Hills, Jefferson County, Alabama having Parcel ID number 39-01-1-001-002.000-RR-2, hereinafter referred to as “Parcel I” more particularly described in Exhibit 1, which is attached hereto and incorporated into this Agreement by reference as though set out fully herein); and

WHEREAS, Maddox also owns the real estate situated at 1459 Montgomery Highway in the City of Vestavia Hills, Jefferson County, Alabama having Parcel ID number 29-36-4-007-005.000-RR6, hereinafter referred to as “Parcel II” more particularly described in Exhibit 2, which is attached hereto and incorporated into this Agreement by reference as though set out fully herein); and

WHEREAS, Parcel I and Parcel II are zoned B-3 Conditional Business District pursuant to City Zoning Code Ordinance Number 2331, which permits said parcels to be used for those purposes set forth in Table 6 of said *Zoning Code*, a copy of which is attached hereto, marked as Exhibit 3 and incorporated into this Agreement by reference as though set out fully herein; and

WHEREAS, Maddox utilized Parcel I and Parcel II for the operation of a hotel and restaurant for many years; and

WHEREAS, on July 23, 2012 the City Council approved and adopted Resolution Number 4322 declaring the building on Parcel I and Parcel II to be unsafe to the extent that it was a public nuisance and subject to demolition; and

WHEREAS, Maddox disagreed with the decision of the City Council and filed a Notice of Appeal in the Civil Division of the Circuit Court of Jefferson County, Alabama in case number CV-2012-01905 styled *City of Vestavia Hills v. Maddox Enterprises, LP, et al* (the “lawsuit”); and

WHEREAS, the lawsuit was settled by mediation on May 22, 2013, which Settlement Agreement provided that Maddox would demolish the building within a seven-month period at its sole expense; and

WHEREAS, on May 29, 2013, the City Council approved and adopted Resolution Number 4455 approving the settlement; and

Agreement
Page 2

WHEREAS, Maddox failed and refused to demolish the building as agreed upon in the lawsuit; and

WHEREAS, the City hired Tomlin Excavating and Demolition to demolish the building; and

WHEREAS, Tomlin Excavating and Demolition demolished the building; and

WHEREAS, on June 24, 2013, the City Council approved and adopted Resolution Number 4463 and assessed the sum of Seventy-five Thousand Dollars (\$75,000.00) to be the cost reasonably incurred by the City through May 22, 2013 in connection with the prosecution of the demolition action of the building and established a lien ("lien") against Parcel I and Parcel II for that amount; and

WHEREAS, a copy of the lien was filed in the office of the Judge of Probate of Jefferson County, Alabama on June 28, 2013 and recorded at BK: LR201315, Pg. 16803, a copy of which is attached hereto, marked as Exhibit 4 and incorporated into this Agreement by reference as though set out fully herein; and

WHEREAS, to date Maddox has paid none of the indebtedness secured by the lien; and

WHEREAS, Maddox has requested the City to forgive the indebtedness of the lien and to release Parcel I and Parcel II for the encumbrance of said lien; and

WHEREAS, Section 94 of the *Constitution of Alabama*, as amended by Amendments 112 and 558, prohibits a city from lending its credit or to grant public money or thing of value in aide of or to any individual, association or corporation whatsoever; and

WHEREAS, the Supreme Court of Alabama has interpreted the language of Section 94 of the *Constitution of Alabama*, and held that governmental bodies such as a city may spend municipal funds only for public purposes (*Slawson v. Alabama Forestry Commission*, 631 So.2d 953 (1994)); and

WHEREAS, on April 6, 2004, the Legislature of the State of Alabama enacted Act 2004-094 to propose an amendment to the *Constitution of Alabama of 1901*. The proposed constitutional amendment appeared as Amendment Number 3 on the ballot for the statewide referendum conducted during the National Election on November 11, 2004. Voters in Alabama approved the constitutional amendment by a vote of 727,630 in favor and 584,014 against. The constitutional amendment known as "Amendment 772" was, therefore, ratified and brought forward as Article IV, §94.01, which reads in pertinent part as follows:

Agreement
Page 3

“(a) The governing body of any county, and the governing body of any municipality located therein, for which a local constitutional amendment has not been adopted authorizing any of the following, shall have full and continuing power to do any of the following:

(3) Lend its credit to or grant public funds and things of value in aid of or to any individual, firm, corporation, or other business entity, public or private, for the purpose of promoting the economic and industrial development of the county or the municipality.

(c) Neither the county nor any municipality located therein shall lend its credit to or grant any public funds or thing of value to or in aid of any private entity under the authority of this amendment unless prior thereto both of the following are satisfied:

(1) The action proposed to be taken by the county or municipality is approved at a public meeting of the governing body of the county or municipality, as the case may be, by a resolution containing a determination by the governing body that the expenditure of public funds for the purpose specified will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(2) At least seven days prior to the public meeting, a notice is published in the newspaper having the largest circulation in the county or municipality, as the case may be, describing in reasonable detail the action proposed to be taken, a description of the public benefits sought to be achieved by the action, and identifying each individual, firm, corporation, or other business entity to whom or for whose benefit the county or the municipality proposes to lend its credit or grant public funds or thing of value.

For purposes of the foregoing, any sale, lease, or other disposition of property for a price equal to the fair market value thereof shall not constitute the lending of credit or a grant of public funds or thing of value in aid of a private entity.”; and

WHEREAS, the Supreme Court of Alabama has held that predisposing an issue before it is heard and considered by the governing body can constitute a denial of due process (*Chandler v. City of Lanett*, 424 So.2d 1307 (1982); and *City of Huntsville v. Biles*, 489 So.2d 509 (1986)); and

WHEREAS, the Alabama Open Meetings Act (“OMA”) set forth at Title 36-25A-1, et seq., *Code of Alabama, 1975*, requires that the deliberative process of conducting business by governmental bodies shall be open to the public during meetings and that no meeting may be held without providing notice as required by OMA; and

Agreement
Page 4

WHEREAS, based upon the legal authorities cited above, the City cannot act upon the request by Maddox unless and until the City has completed the process as required by §94.01 of the *Constitution of Alabama* at a public meeting in compliance with the Alabama Open Meetings Act; and

WHEREAS, Maddox is interested in selling both Parcel I and Parcel II and feels that the ultimate development of Parcel I and Parcel II will promote economic development and thereby benefit the City; and

WHEREAS, Maddox represents and warrants that it will proceed with the execution and delivery to the Vestavia Hills Planning and Zoning Commission of an application and other required documents and information to replat Parcel I and Parcel II into one subdivision consisting of two (2) separate lots designated as Lot 1 and Lot 2; and

WHEREAS, Maddox has informed the City that it is presently negotiating the possible sale of Lot 1 (after replatting) to an entity that plans to utilize said Lot 1 (after replatting) for the operation of a Waffle House restaurant; and

WHEREAS, Maddox continues to request the City to forgive the indebtedness of the lien and to release Parcel I and Parcel II from the encumbrance of said lien; and

WHEREAS, Maddox has requested that the City enter into this Agreement in order for the City Council to consider the request by Maddox pursuant to Article IV §94.01 of the *Constitution of Alabama*.

NOW, THEREFORE, in consideration of the premises, the mutual covenants hereinafter contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, City and Maddox hereby mutually covenant and agree as follows:

I. RECITALS

The recitals set forth in the premises above are hereby incorporated into this Development Agreement by reference as though set out fully herein.

II. REPLATTING OF PARCEL I AND PARCEL II

Maddox shall, within ninety (90) days from the date of this Agreement, complete the legal process as required by Alabama law and the ordinances, regulations and rules of the City, to replat Parcel I and Parcel II into one subdivision consisting of two (2) separate lots, designated as Lot 1 and Lot 2.

III. APPLICATION FOR SATISFACTION AND RELEASE OF LIEN

If Maddox, at any time following the approval of the subdivision plat by the Vestavia Hills Planning and Zoning Commission as described in section II above, receives a written offer from a proposed purchaser to buy Lot 1, in the form of a contract or agreement for the sale and purchase of real estate (“contract”), then in such event Maddox shall:

- A.** Present a copy of the contract, together with a written request for the City to:
 - 1.** Conduct a public hearing at a regularly scheduled or special meeting of the City Council meeting (“hearing” pursuant to the process and for the purpose described in Article IV Section 94.01 of the *Alabama Constitution*.
 - 2.** Release Lot 1 from the encumbrance of the lien.
 - 3.** Apply a credit of Thirty-seven Thousand Five Hundred Dollars (\$37,500.00) as partial payment of the indebtedness secured by the lien.
 - 4.** A written acknowledgment and agreement that should the request be approved, then in such event the lien shall remain an encumbrance against Lot 2 in the amount of Thirty-seven Thousand Five Hundred Dollars (\$37,500.00).
- B.** The purchaser named in the contract shall be present in person at the public hearing for the purpose of informing the City and members of the public about the type and kind of business proposed to be operated on Lot 1 and to answer any questions asked by members of the City Council.

IV. PUBLIC HEARING

A. PREREQUISITES: The City will schedule the public hearing; provided, however, Maddox shall have first completed the replatting as required by Section II and submitted the written request as required by Section III. The City will not schedule the public hearing until after Maddox has complied with the requirements of Sections II and III of this Agreement.

V. ISSUE

The issue for the City Council to decide at the public hearing is whether or not approving the request will promote economic development and serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

Agreement
Page 6

VI. LOT 2

The terms, provisions and conditions of this Agreement shall also apply to Lot 2 if Maddox ultimately makes such a request regarding said Lot 2.

VII. FUTURE USE OF PROPERTY

If this Agreement is approved by the City Council, then in such event the property described in Exhibit 1, Exhibit 2 and the contemplated replatted subdivision shall be used by Maddox or lessees for businesses that are operated in buildings as defined in Section 2.1.17 of the City *Zoning Code*. This covenant shall apply to the successors and assigns of Maddox Enterprises, LP and all future owners of said property.

VIII. INTENT OF THIS AGREEMENT

The approval of this Agreement shall in no way be considered, interpreted or otherwise construed as an approval for the satisfaction of any portion or all of the indebtedness owed by Maddox to the City and secured by the lien on Parcel I and Parcel II. The sole and exclusive purpose of the approval, execution and delivery of this Agreement is to provide a legal procedure for the City Council to consider the request.

IX. OWNERSHIP AND AUTHORITY

Maddox represents, covenants and warrants that Maddox Enterprises, LP is the legal owner of the real estate described in Exhibit 1 and Exhibit 2 and has the legal authority to execute and deliver this Agreement.

X. MISCELLANEOUS

A. GOVERNING LAW: This Agreement and the rights and obligations of the parties hereto shall be governed by and construed in accordance with the laws of the State of Alabama. The jurisdiction and venue for the resolution of any dispute shall be in Jefferson County, Alabama.

B. BINDING AGREEMENT: This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

C. NO WAIVER: The failure of either party to exercise any rights under this Agreement shall not constitute a waiver of any right, nor excuse the other party's full performance. No express waiver of any matter shall affect any other matter under this Agreement. Express waivers are only effective if in writing.

Agreement
Page 7

D. CONSTRUCTION OF TERMS: Descriptive headings are for convenience only and shall not control or affect the meaning or construction of any provision. Any ambiguities of this Agreement shall be construed fairly and equitably regardless of the participation of either party in drafting this Agreement. The reference in terms to gender and number shall be modified as may be appropriate.

E. SEVERABILITY: In case of any of the provisions of this Agreement shall for any reason be held invalid, illegal or unenforceable by any court of competent jurisdiction in any respect, the remaining provisions shall remain in effect and the Agreement be performed in a fair and equitable manner as to any uncertainties arising from the unenforceable provisions.

F. DATES: If any date provided in this Agreement falls on a Saturday, Sunday or holiday, the date shall be the next business day.

G. EXECUTION IN COUNTERPARTS: This Agreement may be executed simultaneously in any number of counterparts, each of which shall be an original, but all of which shall constitute but one and the same instrument.

H. ENTIRE AGREEMENT: This written Agreement contains the entire agreement between the parties, incorporating all prior agreements, and may only be amended by approval of the City Council and in writing executed by both parties.

IN WITNESS WHEREOF, City and Maddox have executed this Agreement to be executed as of the date first above written.

MADDOX ENTERPRISES, LP

By _____
Its _____

ATTESTED:

By _____

Agreement
Page 8

THE CITY OF VESTAVIA HILLS, ALABAMA
A Municipal Corporation

By _____
Ashley C. Curry
Mayor

By _____
Jeffrey D. Downes
City Manager

ATTESTED:

By _____

STATE OF ALABAMA
JEFFERSON COUNTY

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that _____, whose name as _____ of Maddox Enterprises, LP, is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day that being informed of the contents of the Agreement, he/she in his/her capacity as such and with full authority, executed the same voluntarily for and as the act of said Maddox Enterprises, LP on the day the same bears date.

Given under my hand and official seal, this the _____ day of September, 2019.

Notary Public

My Commission Expires:

SEAL

Agreement
Page 9

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Ashley C. Curry, whose name as Mayor of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day that being informed of the contents of the Agreement, he in his capacity as such and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama, a municipal corporation, on the day the same bears date.

Given under my hand and official seal, this the _____ day of September, 2019.

Notary Public

My Commission Expires:

SEAL

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Jeffrey D. Downes, whose name as City Manager of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day that being informed of the contents of the Agreement, he in his capacity as such and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama, a municipal corporation, on the day the same bears date.

Given under my hand and official seal, this the _____ day of September, 2019.

Notary Public

My Commission Expires:

SEAL

LEGAL DESCRIPTION – PARCEL I

Lot 1, according to the Survey of Motel Investors Addition to Vestavia Hills, as recorded in Map Book 86, Page 14, in the Office of the Judge of Probate of Jefferson County, Alabama.

Less and except that part conveyed to Koger Properties, Inc. by deed recorded in Real Volume 2138, page 797 and that part conveyed to SouthPark, Ltd. by deed recorded in Real Volume 2138, page 802.

EXHIBIT 1

LEGAL DESCRIPTION - PARCEL II

A part of Lot 6, according to the Survey of Shad Springs, Meek's First Addition, as recorded in Map Book 15, Page 31, in the Office of the Judge of Probate of Jefferson County, Alabama, being situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 18 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the southeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 18 South, Range 3 West, Jefferson County, Alabama; thence run in a Westerly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section line 242.17 feet to the Point of Beginning; thence 32 degrees 49 minutes 16 seconds right, and run in a Northwesterly direction along a line that is 3.00 feet South of and parallel to the edge of a 102" by 62" concrete pipe to a point on a curve, said point being on the easterly right-of-way line of U.S. Highway 31; thence 86 degrees 20 minutes 01 seconds left to the tangent of said curve having a central angle of 01 degrees 20 minutes 16 seconds and a radius of 4,483.65 feet; thence run in a Southwesterly direction along said right-of-way 104.69 feet to the South $\frac{1}{4}$ - $\frac{1}{4}$ Section line of said $\frac{1}{4}$ section; thence 54 degrees 51 minutes 00 seconds left to the tangent of the preceding curve and leaving said right-of-way, run 92 feet in an Easterly direction to the Point of Beginning.

EXHIBIT 2

Article 6 NON-RESIDENTIAL DISTRICTS

Table 6 Use Regulations for Non-Residential Districts								
USES / DISTRICTS:	A	B-1	B-1.2	B-2	B-3	O-1	O-2	INST
AGRICULTURAL								
Farm, Raising of Crops only	Y							
Farm, Raising of Livestock	L							
Farm Support Business	SE				C			
Forestry	Y							
Stable	Y							
RESIDENTIAL								
Assisted Living Facility			C					Y
Independent Living Facility			Y					
Multi-family dwelling			Y					
Townhouse			Y					
LODGING								
Bed and Breakfast, §7.4	C							
Hotel								
Motel				Y	Y			
					Y			
INSTITUTIONAL								
Animal Shelter, §7.6	Y			C	C			C
Private Club		Y	Y	Y	Y	Y	Y	Y
Day Care Center, §7.7		L	L	Y	Y	C	C	C
Hospital					C		C	Y
Nursing Home					C			Y
Place of Assembly	C	L	L	Y	Y	L	Y	Y
Public Facility	L	L	L	Y	Y	L	Y	Y
Public Utility Facility	SE	SE	SE	SE	SE	SE	SE	SE
School, Commercial	C	L	L	Y	Y	L	Y	Y
School, Not-for-Profit	C	L	L	Y	Y	L	Y	Y
School, Public	C	L	L	Y	Y	L	Y	Y
BUSINESS								
Automotive Repair Service, Major				C	C			
Automotive Repair Service, Minor				Y	Y			
Automotive Sales				C	C			
Bank or Financial Service		L	L	Y	Y	Y	Y	
Broadcast Studio				Y	Y	Y	Y	
Business or Professional Office		L	L	Y	Y	Y	Y	
Business Support Service		L	L	Y	Y	Y	Y	
Car Wash, Freestanding (non-accessory)				C	C			
Convenience Store		Y	Y	Y	Y			
Entertainment, Indoor				Y	Y			
Entertainment, Outdoor				C	C			
Funeral Home				C	Y			
Garden Center/ Nursery		L	L	Y	Y			

Y – The use is permitted by right.
 L – Permitted to limits set by district regulations
 SE – Special Exception Use, requires approval by BZA (see §12.3). May also be subject to district limitations.
 C – Conditional Use, requires approval by the Council (see §13.3). May also be subject to district limitations.
 A use not listed may be requested for approval as a Conditional Use per §13.3.
 A use followed by a numeric cross-reference is subject to Use-Specific Regulations in Article 7.
 A blank cell indicates that the use is not permitted.

USES / DISTRICTS:	A	B-1	B-1.2	B-2	B-3	O-1	O-2	INST
Gas Station, §7.2			C	Y	Y			
Hardware Store		L	L	Y	Y			
Home Improvement Center				Y	Y			
Kennel, §7.6	Y				C			
Laundromat			Y	Y	Y			
Laundry and Dry Cleaning, Retail		Y	Y	Y	Y	Y	Y	
Laundry, Industrial				C	C			
Liquor Lounge		C	C	C	C			
Maintenance Service				C	C			
Medical Clinic			L	Y	Y	Y	Y	Y
Medical Support Service			L	Y	Y	Y	Y	Y
Personal Service		L	L	Y	Y			
Produce Market	Y	Y	Y	Y	Y			
Restaurant, Fast Food		L	L	Y	Y			
Restaurant, Standard		L	L	Y	Y			
Retail, General, Enclosed				Y	Y			
Retail, General, Unenclosed				C	Y			
Retail, Neighborhood		L	L	L	L			
Services, Neighborhood		L	L	L	L			
Service Station, §7.2			C	Y	Y			
Studio, Artist		Y	Y	Y	Y			
Veterinary Hospital, §7.6				C	C			
OTHER								
Airport					C			
Cemetery	C							C
Construction Service					C			
Country Club	C							
Heliport					C		C	C
Landfill					C			
Manufacturing, Light					C			
Mixed Use, General			L					
Mixed Use, Live-Work			L					
Parks, Gardens, Playgrounds	Y	Y	Y	Y	Y			Y
Recreation, Indoor				Y	Y			
Recreation, Outdoor				C	C			Y
Rehabilitation Facility					C			Y
Research Laboratory					C		C	
Salvage Yard					C		C	
Storage, Mini-warehouse, §7.5				C	C			
Storage, Outdoor					C			
Telecommunications Facilities, §7.9	C	C	C	C	C	C	C	C
Warehousing, Wholesale, Distribution				C	C			

Y – The use is permitted by right.
 L – Permitted to limits set by district regulations
 SE – Special Exception Use, requires approval by BZA (see §12.3). May also be subject to district limitations.
 C – Conditional Use, requires approval by the Council (see §13.3). May also be subject to district limitations.
 A use not listed may be requested for approval as a Conditional Use per §13.3.
 A use followed by a numeric cross-reference is subject to Use-Specific Regulations in Article 7.
 A blank cell indicates that the use is not permitted.



20130628000698650 1/5
Bk: LR201315 Pg: 16803
Jefferson County, Alabama
I certify this instrument filed on:
06/28/2013 10:48:23 AM LN
Judge of Probate- Alan L. King

Resolution Number 4463

Page 1

RESOLUTION NO. 4463

A RESOLUTION ASCERTAINING, FIXING AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A LIEN ON THE PROPERTY KNOWN AS 1459 MONTGOMERY HIGHWAY, VESTAVIA HILLS, ALABAMA 35216; PARCEL ID# 39-01-1-001-002.000-RR-2 AND 29-36-4-007-005.000-RR6, IN THE CITY OF VESTAVIA HILLS AS A RESULT OF THE CITY OF VESTAVIA HILLS ORDERING THE DEMOLITION OF THE BUILDING ON THE PROPERTY PURSUANT TO ORDINANCE NO. 2382

WHEREAS, heretofore the City Council of the City of Vestavia Hills, after due and lawful notice was given and a public hearing held in accordance with Ordinance No. 2382, declared that a building located within the City of Vestavia Hills was unsafe to the extent that it was a public nuisance and ordered the demolition of said building located on the following described property, to wit:

STREET ADDRESS:

1459 Montgomery Highway, Vestavia Hills, Alabama

LEGAL DESCRIPTION:

Parcel I:

Lot 1, according to the Survey of Motel Investors Addition to Vestavia Hills, as recorded in Map Book 86, Page 14, in the Office of the Judge of Probate of Jefferson County, Alabama.

Less and except that part conveyed to Koger Properties, Inc. by deed recorded in Real Volume 2138, page 797 and that part conveyed to SouthPark, Ltd. by deed recorded in Real Volume 2138, page 802.

Parcel II:

A part of Lot 6, according to the Survey of Shad Springs, Meek's First Addition, as recorded in Map Book 15, Page 31, in the Office of the Judge of Probate of Jefferson County, Alabama, being situated in the Southwest ¼ of the Southeast ¼ of Section 36, Township 18 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the southeast corner of the Southwest ¼ of the Southeast ¼ of Section 36, Township 18 South, Range 3

West, Jefferson County, Alabama; thence run in a Westerly direction along the South line of said ¼-¼ Section line 242.17 feet to the Point of Beginning; thence 32 degrees 49 minutes 16 seconds right, and run in a Northwesterly direction along a line that is 3.00 feet South of and parallel to the edge of a 102" by 62" concrete pipe to a point on a curve, said point being on the easterly right-of-way line of U.S. Highway 31; thence 86 degrees 20 minutes 01 seconds left to the tangent of said curve having a central angle of 01 degrees 20 minutes 16 seconds and a radius of 4,483.65 feet; thence run in a Southwesterly direction along said right-of-way 104.69 feet to the South ¼-¼ Section line of said ¼ section; thence 54 degrees 51 minutes 00 seconds left to the tangent of the preceding curve and leaving said right-of-way, run 92 feet in an Easterly direction to the Point of Beginning.

PARCEL IDENTIFICATION NUMBER:

39-01-1-001-002.000-RR2 and 29-36-4-007-005.000-RR6

INTERESTED PERSONS:

Maddox Enterprises LP;
Jefferson County;
Total Fire Protection;
Karen Maddox;
Larry C. Maddox;
Richard M. Maddox;
Jefferson County Sewer Service Office;
Birmingham Water Works

WHEREAS, after litigation, the property owners and the City have entered into a Memorandum of Settlement allowing the City to assess a lien against the property for the City's fees and expenses arising through May 22, 2013, from the prosecution of the demolition action; and

WHEREAS, the appropriate municipal official has made a report to the City Council of said costs, including the cost of complying with Ordinance No. 2382, the sum of which was \$75,000; and

WHEREAS, the City Clerk set the report of costs for a public hearing and gave no less than ten (10) days notice of the public hearing by first-class mail to all persons or entities listed in Section 4-114(b)(1) of Ordinance No. 2382; and

WHEREAS, said public hearing was held by the City Council; and

Resolution Number 4463

Page 3

WHEREAS, it is now the desire of the City Council of the City of Vestavia Hills to fix the costs which it finds were reasonably incurred through May 22, 2013, in connection with the prosecution of the demolition action and assess the costs against the previously described land upon which said building is located.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama while in regular session on Monday, June 24, 2013 at 5:00 p.m. as follows:

Section 1. That the City Council hereby assesses the sum of **\$75,000** to be the costs reasonably incurred by the City of Vestavia Hills through May 22, 2013, in connection with the prosecution of the demolition action of the building located on the following described property, to wit:

STREET ADDRESS:

1459 Montgomery Highway, Vestavia Hills, Alabama

LEGAL DESCRIPTION:

Parcel I:

Lot 1, according to the Survey of Motel Investors Addition to Vestavia Hills, as recorded in Map Book 86, Page 14, in the Office of the Judge of Probate of Jefferson County, Alabama.

Less and except that part conveyed to Koger Properties, Inc. by deed recorded in Real Volume 2138, page 797 and that part conveyed to SouthPark, Ltd. by deed recorded in Real Volume 2138, page 802.

Parcel II:

A part of Lot 6, according to the Survey of Shad Springs, Meek's First Addition, as recorded in Map Book 15, Page 31, in the Office of the Judge of Probate of Jefferson County, Alabama, being situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 18 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the southeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 18 South, Range 3 West, Jefferson County, Alabama; thence run in a Westerly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section line 242.17 feet to the Point of Beginning; thence 32 degrees 49 minutes 16 seconds right, and run in a Northwesterly

direction along a line that is 3.00 feet South of and parallel to the edge of a 102" by 62" concrete pipe to a point on a curve, said point being on the easterly right-of-way line of U.S. Highway 31; thence 86 degrees 20 minutes 01 seconds left to the tangent of said curve having a central angle of 01 degrees 20 minutes 16 seconds and a radius of 4,483.65 feet; thence run in a Southwesterly direction along said right-of-way 104.69 feet to the South ¼-¼ Section line of said ¼ section; thence 54 degrees 51 minutes 00 seconds left to the tangent of the preceding curve and leaving said right-of-way, run 92 feet in an Easterly direction to the Point of Beginning.

PARCEL IDENTIFICATION NUMBER:

39-01-1-001-002.000-RR2 and 29-36-4-007-005.000-RR6

INTERESTED PERSONS:

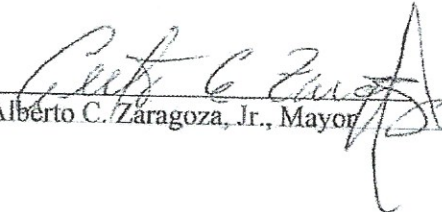
Maddox Enterprises LP;
Jefferson County;
Total Fire Protection;
Karen Maddox;
Larry C. Maddox;
Richard M. Maddox;
Jefferson County Sewer Service Office;
Birmingham Water Works

Section 2. That the City Council hereby reserves the right if necessary to fix an additional lien for costs reasonably incurred by the City of Vestavia Hills after May 22, 2013, in connection with the prosecution of the demolition of the property described in Section 1.

Section 3. That the City Clerk be authorized and directed to file a certified copy of this resolution in the offices of the Judge of Probate of Jefferson County, Alabama, Birmingham Division.

ADOPTED this June 24, 2013.

APPROVED:


Alberto C. Zaragoza, Jr., Mayor

ATTEST:

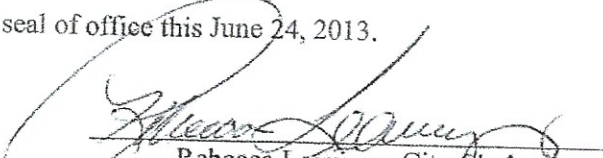

Rebecca Leavings, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Rebecca Leavings, City Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Vestavia Hills, Alabama, on June 24, 2013 while in regular session on Monday, June 24, 2013, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this June 24, 2013.


Rebecca Leavings, City Clerk

539158

20130628000698650 5/5
Bk: LR201315 Pg: 16803
Jefferson County, Alabama
06/28/2013 10:48:23 AM LN
Fee - \$28.00

Total of Fees and Taxes-\$28.00
SCOTTK

RESOLUTION NUMBER 5207

A RESOLUTION DECLARING WATER DAMAGE AT THE CAHABA HEIGHTS POLICE SUBSTATION AS AN EMERGENCY AND AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO REPAIR SAID DAMAGES

WHEREAS, the Cahaba Heights Police Substation recently experienced a plumbing issues that caused extensive damage to the building; and

WHEREAS, the cost to repair said damage is estimated at approximately \$8,251.25 as detailed in m an estimated marked as Exhibit A, attached to and incorporated into this Resolution Number 5207 as though written fully therein; and

WHEREAS, the Police Chief, in an email to the City Manager dated November 20, 2019 has indicated that repairs are needed immediately in order to keep the facility functioning; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to declare said repairs as an emergency and authorize the City Manager to repair said damage.

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

1. The repairs needed at the Cahaba Heights Police Substation are deemed essential and are deemed an emergency situation; and
2. The City Manager is hereby authorized to take all actions necessary to repair said damage at an expense not to exceed \$9,000 pursuant to the estimate detailed in the attached Exhibit A; and
3. This Resolution Number 5207 is effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 25th day of November, 2019.

ATTESTED BY:

Ashley C.
Curry Mayor

Rebecca Leavings
City Clerk



AGL, Inc.
 3118 Bellwood Drive
 Suite 114

Estimate

Date	Estimate No
11/19/2019	6236

Name / Address
CITY OF VESTAVIA HILLS ATTN: KEITH BLANTON 1032 MONTGOMERY HIGHWAY VESTAVIA HILLS, AL 35216-1807

REP	JOB NAME
SPL	Vestavia Police

ITEM	DESCRIPTION	COST	Total
	CITY OF VESTAVIA HILLS - CAHABA HEIGHTS POLICE DEPARTMENT		
150	DEMOLITION	250.00	250.00
320	WALLS & PATCH - Prep walls	1,450.00	1,450.00
130	CEILINGS	475.00	475.00
270	PLUMBING	350.00	350.00
250	PAINT	2,500.00	2,500.00
180	FLOOR COVERINGS/COVE BASE	1,450.00	1,450.00
140	CLEAN UP	350.00	350.00
300	PROJECT MANAGEMENT	350.00	350.00
240	OVERHEAD AND PROFIT	1,076.25	1,076.25

AGL is not responsible for errors or omissions in drawings or changes without confirmed notification.	Total	\$8,251.25
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Rebecca Leavings

From: Danny Rary
Sent: Wednesday, November 20, 2019 10:38 AM
To: Jeff Downes
Cc: Rebecca Leavings
Subject: Council agenda request
Attachments: Quote from AGL to Repair Plumbing Leak at CH Sub dated 11-19-2019.pdf

Mr. Downes,

On 28 Oct 2019 the Cahaba Heights Police sub-station experienced a plumbing issue causing extensive damage. I am requesting council action to appropriate the money to fix this damage. We do not have allocated funds for this type of unusual repair in the budget for Fiscal Year 2020.

FY 2020 Budget Account 51-5390-000-200	Maintenance/Repair Electric & Plumbing Cahaba
Heights	3,500.00

While the above amount is the average regular amount spent annually for repairs, this major damage far exceeds allocated funds.

Estimate to repair damage to Cahaba Heights substation is \$8,251.25.

I am requesting that this request for funding be placed on the agenda for the City Council regular scheduled meeting Monday 25 November 2019.

Attached is the estimate.



Danny P. Rary
Chief of Police
Vestavia Hills Police Department
1032 Montgomery Highway
Vestavia Hills, Alabama 35216
205-978-0109
drary@vhal.org

ORDINANCE NUMBER 2900

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY R-4 TO VESTAVIA HILLS R-5

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-4 (multi-family residential) to Vestavia Hills R-5 (multi-family residential):

2926 Columbiana Road (2927 Columbiana Court)
Elevation Apartments (formerly Windcliff Apartments)
ECG Vestavia, LLC; Summit Vestavia I, LLC; Summit Vestavia II, LLC as tenants in
common, Owners

Real property in the City of Vestavia Hills, County of Jefferson, State of Alabama, described as follows:

A part of the Northeast quarter of the Northwest quarter of Section I, Township 19 South, Range 3 West, situated in Jefferson County, Alabama, lying North of the property conveyed to Wessel B. and Frances L. Fleming by deed recorded in Volume 4659, Page 46 6 and lying West and Northwest of Oxmoor Camp Branch Road, (also known as Old Columbiana Road), said property also lying West of the property conveyed to Jonas Schwab and wife, to W. F. and Mary Ethel Pilcher by deed recorded in Volume 1421, Page 530 and West of the property conveyed by J.M. Oglesby and wife, to W.W.M. and Lillian F. Riddle by deed recorded in Volume 3727, Page 218 , LESS AND EXCEPT that part conveyed to Jefferson County, Alabama as recorded in Volume 6605 , Page 287, the above described parcel of land being more particularly described as follows: Begin at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 1, Township 19 South, Range 3 West; thence in an Easterly direction along the North line of said quarter-quarter section a distance of 584 .02 feet to a point on the Westerly right of way line of the Green Springs Highway; thence 77° 21' right in a Southeasterly direction along said right of way line a distance of 648 .81 feet; thence 48 ° 25' right in a Southwesterly direction a distance of 28 .29 feet; thence 54 ° 06' right in a Westerly direction a distance of 695.2 2 feet to a point in the Westerly line of said quarter-quarter section; thence 88 ° 53' right in a Northerly direction

along the Westerly line of said quarter-quarter section a distance of 657 .80 feet to the point of beginning.

APPROVED and ADOPTED this the 16th day of December, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

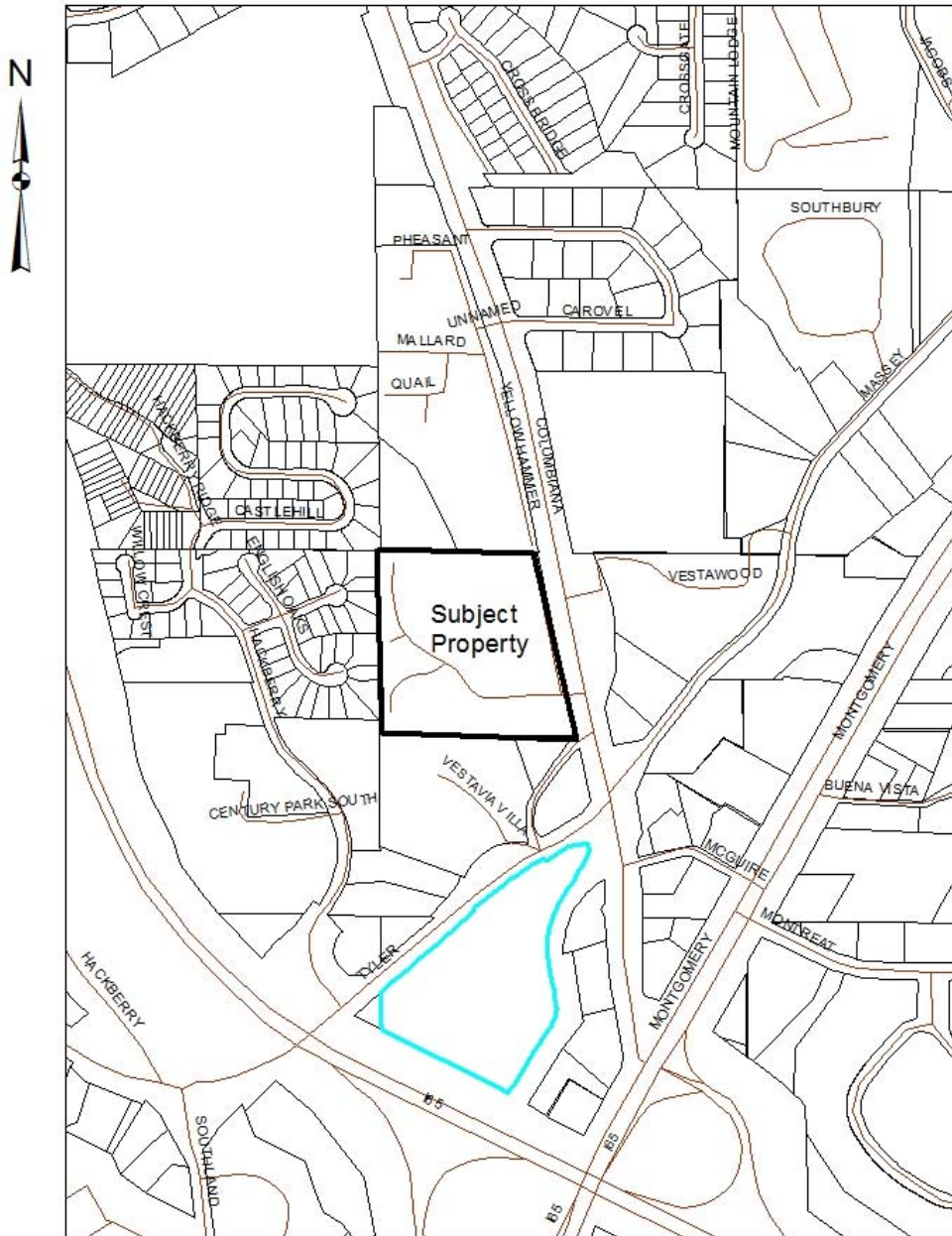
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2900 is a true and correct copy of such 16th day of December, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

Elevation Apartments



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

Date: NOVEMBER 14, 2019

- **CASE:** P-1119-60
- **REQUESTED ACTION:** Rezoning JC R-4 to Vestavia Hills R-5
- **ADDRESS/LOCATION:** 2926 Columbiana Rd.
- **APPLICANT/OWNER:** ECG Vestavia, LLC; Et Al.
- **GENERAL DISCUSSION:** This is a rezoning of a property on Columbiana Rd. Property was annexed into the City on 8/8/84 but never compatibly rezoned, as is not customary. This request will compatibly rezone the property in accordance with zoning code.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for Village Center.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

MOTION Mr. Weaver made a motion to recommend Rezoning from JC R-4 to Vestavia Hills R-5 for the property located At 2926 Columbiana Rd.. Second was by Ms. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Vercher – yes

Mr. Farrell – yes
Ms. Cobb – yes
Mr. Weaver – yes
Motion carried.

Mr. Sykes– yes
Mr. Larson – yes
Mrs. Barnes – yes

ORDINANCE NUMBER 701

ANNEXING CERTAIN TERRITORY TO THE CORPORATE LIMITS
OF THE CITY OF VESTAVIA HILLS AL

WHEREAS, on the 16th day of April, 1984, a petition was presented to the City Council of the City of Vestavia Hills AL, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32, of the Special Session of the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, as follows:

1. That the following property which was described in said Petition be annexed to the City of Vestavia Hills, Alabama:

Windcliff Apartments
2946 Columbiana Court
Birmingham AL 35216

Legal Description:

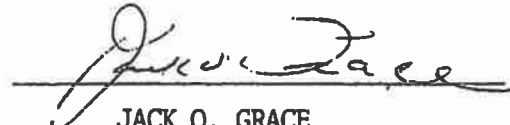
A part of the NE 1/4 of the NW 1/4 of Section 1, Township 19 South, Range 3 West, situated in Jefferson County, Alabama, lying North of the property conveyed to Wessel B. and Frances L. Fleming by Deed recorded in Volume 4659, Page 466, and lying West and Northwest of Oxmoor Camp Branch Road (also known as Old Columbiana Road), said property also lying West of the property conveyed to Jonas Schwab and wife, to W.F. and Mary Ethel Pilcher by Deed recorded in Volume 1421, Page 530, and West of the property conveyed by J. M. Oglesby and wife, to W.M. and Lillian F. Riddle by Deed recorded in Volume 3727, page 218, less and except that part conveyed to Jefferson County, Alabama as recorded in Volume 6605, Page 287, the above described parcel of land being more particularly described as follows: Begin at the NW corner of the NE 1/4 of the NW 1/4 Section 1, Township 19 South, Range 3 West; thence in an easterly direction along the North line of said 1/4 - 1/4 section, a distance of 584.02 feet to a point on the Westerly R/W Line of the Green Springs Highway; thence 77 degrees 21 minutes right, in a Southeasterly direction along said R/W line, a distance of 648.81; thence 48 degrees 25 minutes right in a southwesterly direction. A distance of 28.29 feet; thence 54 degrees 06 minutes right, in a westerly direction, a distance of 695.22 feet to a point in the westerly line of said 1/4-1/4 section; thence 88 degrees 53 minutes right, in a northerly direction along the Westerly line of said 1/4-1/4 section, a distance of 657.80 feet to the point of beginning.

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the Petition, with the Probate Judge of Jefferson County, Alabama.

Ord. #701
page 3

ADOPTED and APPROVED this the 6th day of August. 1984.


JACK O. GRACE
MAYOR

ATTEST:

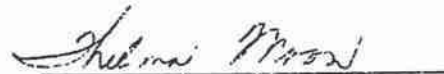
Thelma Moon, City Clerk

C E R T I F I C A T I O N

I, Thelma R. Moon, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 Ordinance #701, is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 8th day of August 1984, as same appears in the official records of said City.

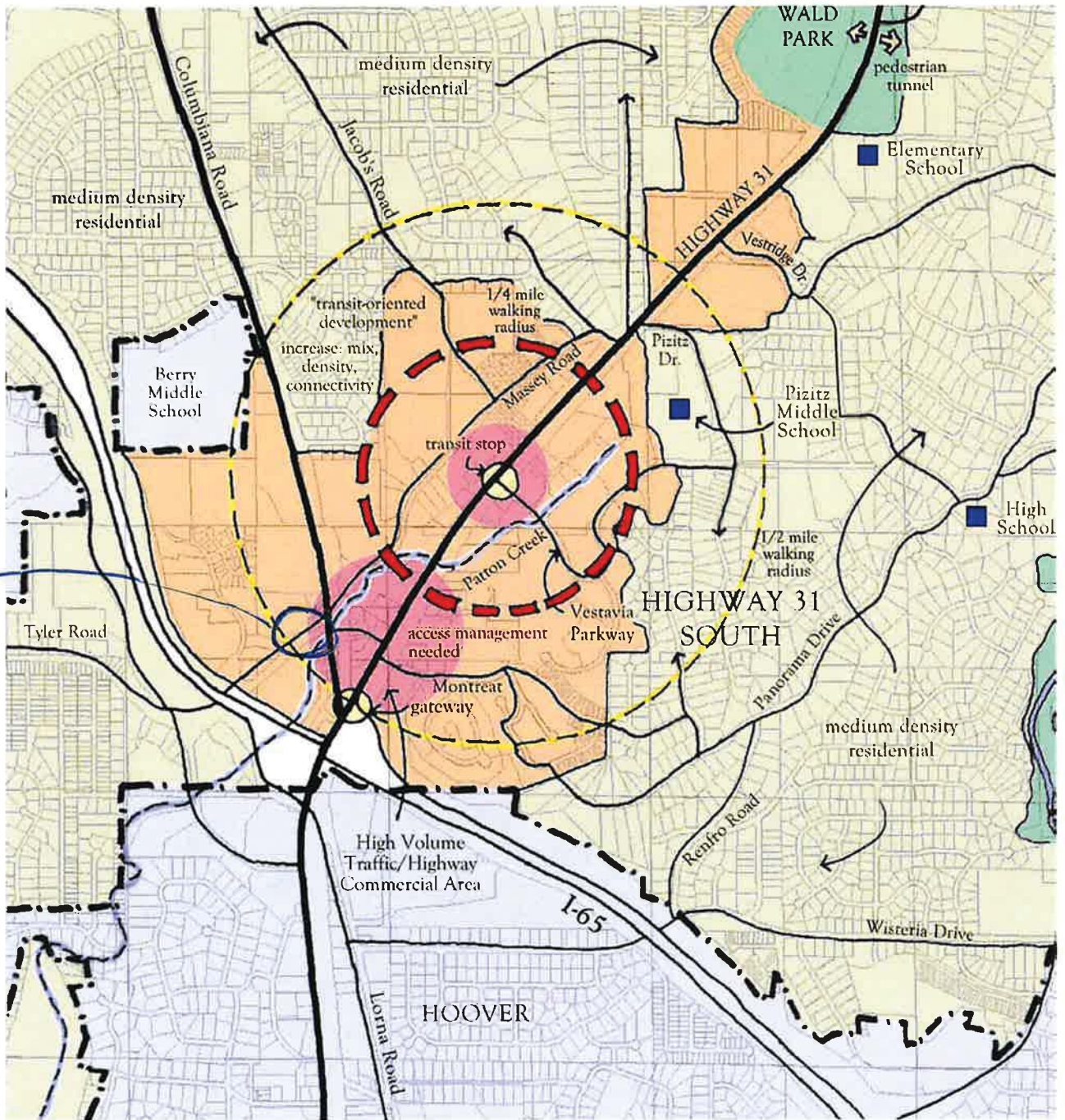

Thelma Moon

Posted at Vestavia Hills City Hall, Vestavia Post Office and
Sears Vestavia Mall, this 7th Day of Aug 1984.





Zoning1	
PARCELID	39000012000004000
DISTRICT	020
ESN_NUM	62
PROPRADD	2926 COLUMBIANA RD
TAX_TOWNSH	39
SECTION	01
CSECTION	2
BLOCK	000
PARCEL	0040000
VH_ZONING	R-2
ZNG_ORD	28F
ZNG_ORD_DT	10/22/1956
ZNG_ORD2	



Subject Parcel

Figure 18: Highway 31 South 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 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.



ORDINANCE NUMBER 2901

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS B-1.2 TO VESTAVIA HILLS B-1.2 WITH A REVISED SITE PLAN

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills B-1.2 to Vestavia Hills B-1.2 with a revised site plan:

3127 Blue Lake Drive
Lot 10-A, Resurvey Lots 8, 9 & 10 Topfield and Lot 11 Topfield Subdivision
SWBP Investments LLC, Owners

BE IT FURTHER RESOLVED that said development is permitted as a conditional use, an additional 2,500 square feet for a 12,500 square foot building pursuant to the Vestavia Hills Zoning Code.

APPROVED and ADOPTED this the 16th day of December, 2019.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

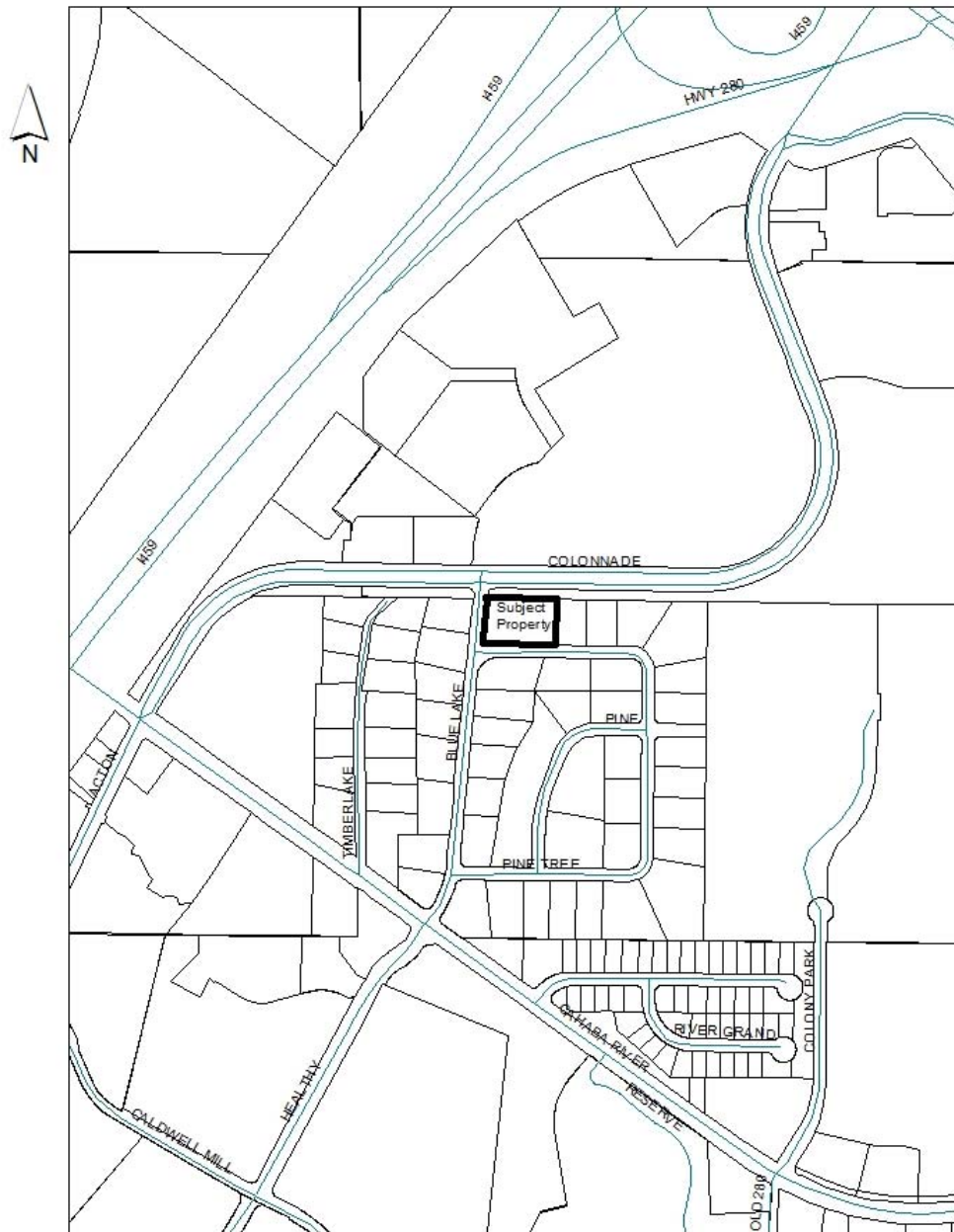
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2901 is a true and correct copy of such 16th day of December, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2019.

Rebecca Leavings
City Clerk

3127 Blue Lake Dr Lts 10A&11



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

Date: **FEBRUARY 14, 2019**

- **CASE: P-1119-61**
- **REQUESTED ACTION:** Site Plan Amendment And Conditional Use Approval
2,500 Square Feet Of Gross Floor Area
- **ADDRESS/LOCATION:** 3127 Blue Lake Dr.
- **APPLICANT/OWNER:** SWBP Investments, LLC
- **REPRESENTING AGENT:** Shannon Waltchack
- **GENERAL DISCUSSION:** Applicant is seeking a site plan amendment for a medical office for the property at 3127 Blue Lake Dr. This property and the adjoining property were originally rezoned from R-1 to B-1.2 in October 2015 (Ordinance Number 2605) and conditioned on the site plan as presented at that time. The property is currently in purchase/sale, requiring a site plan change. This revised site plan will include one proposed building with the required parking and landscaping. The proposed building would be 12,500 square feet. Section 6.3.1.1 of the Zoning Ordinance states that any building over 10,000 square feet requires Conditional Use approval (see attached).
- **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: Building to be designed in a residential style and compatible with other new construction in the Blue Lake area
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION Mr. Weaver made a motion to recommend the Site Plan Amendment and Conditional Use for an Additional 2,500 square feet for the property located At 3127 Blue Lake Dr. Second was by Ms. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Farrell – yes

Ms. Cobb – yes

Mr. Weaver – yes

Motion carried.

Mr. Vercher – yes

Mr. Sykes – yes

Mr. Larson – yes

Mrs. Barnes – yes

CITY OF VESTAVIA HILLS

2019 OCT -9 A 10:59

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.
(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.
(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: SWBP Investments, LLC

ADDRESS: 1616 2nd Avenue South, Suite 100

Birmingham, AL 35233

MAILING ADDRESS (if different from above)

PHONE NUMBER: Home (205) 977-9908 Office (205) 977-9908

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

Shannon Waltchack, LLC / Len Shannon

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: B1.2

To: B1.2 - Amended for site plan revision. with Conditional use for

For the intended purpose of: Medical Office

Add 2,500 SF for A total of 12,500 SF 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 10-A / Topfield Subdivision (MB. 56 PG 40) and

Lot 11 / Topfield Subdivision (MB. 42 PG. 72)

Property size: 281 (front) feet X 179.46 feet. Acres: +/- 1.16 acres

V. INFORMATION ATTACHED:



Attached Checklist complete with all required information.



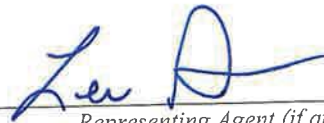
Application fees submitted.

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.



Owner Signature/Date

10/8/19



Representing Agent (if any)/date

10/8/19

Given under my hand and seal
this 8th day of October, 2019.



Notary Public

My commission expires 10th
day of August, 2022.

MALM, LLC

3127 BLUE LAKE DRIVE

VESTAVIA HILLS, ALABAMA

MTRR
 ENGINEERS, INC.
 CONSULTING ENGINEERS-LAND SURVEYORS
 2500 SOUTHLAKE PARK, SUITE 100, HOOVER, AL 35244
 TELEPHONE (205) 320-0114



COVER SHEET
 MALM, LLC
 PINE TREE CIRCLE
 VESTAVIA HILLS, AL

PROJECT

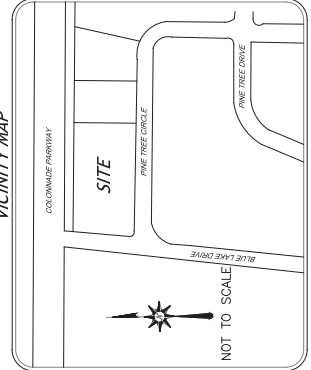
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 DRAWN BY: [blank]
 CHECKED BY: [blank]
 IN CHARGE: [blank]

DATE: [blank]
 REVISIONS: [blank]
 FILE NAME: [blank]
 PROJECT: [blank]
 DRAWN: [blank]
 DATE: [blank]
 SCALE: [blank]
 SHEET: [blank]

Exhibit - Ordinance No. 2901

CO

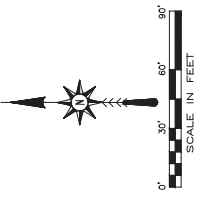
VICINITY MAP



VESTAVIA HILLS, ALABAMA

SHEET INDEX

- C0 COVER SHEET
- C1 DEMOLITION PLAN
- C2 EXISTING AND PROPOSED GRADING AND DRAINAGE PLAN
- C3 EROSION CONTROL COVER
- C4 EROSION CONTROL NOTES
- C5 EROSION CONTROL PLAN
- C6 EROSION CONTROL DETAILS
- C7 SITE UTILITY PLAN
- C8 SECTIONS AND DETAILS
- C9 SITE LANDSCAPE PLAN

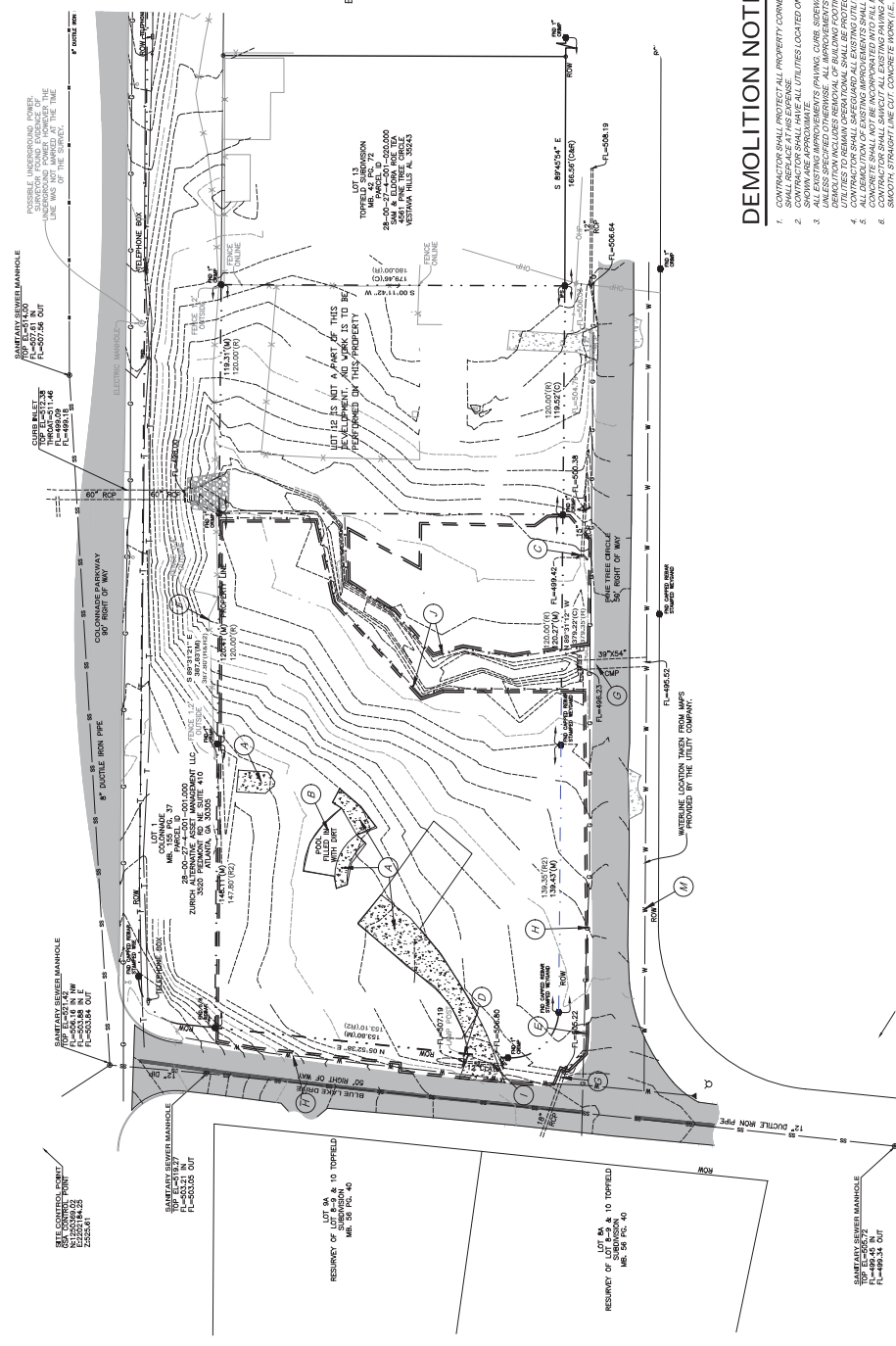


DEMOLITION LEGEND

- A REMOVE EXISTING CONCRETE DRIVEWAY, PATIO, ETC. - REPAIRS.
- B EXCAVATE AND REMOVE EXISTING POOL AND ALL APPURTENANCES.
- C REMOVE EXISTING HEADWALLS
- D REMOVE LAMP AND POST
- E REMOVE EXISTING MAIL BOX.
- F EXISTING FENCE TO REMAIN. PROTECT FROM DAMAGE.
- G EXISTING STORM PIPE TO REMAIN. PROTECT FROM DAMAGE.
- H EXISTING UTILITIES TO REMAIN. PROTECT FROM DAMAGE.
- I REMOVE EXISTING STORM PIPE
- J TEMPORARY ORANGE CONSTRUCTION FENCING REQUIRED.

LIMITS OF DEMOLITION: *****

EXISTING IMPERVIOUS AREA TO BE REMOVED = 2,685 SF

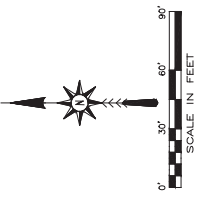


DEMOLITION NOTES

1. CONTRACTOR SHALL PROTECT ALL PROPERTY CORNERS AND BENCHMARKS. IF DESTROYED DURING CONSTRUCTION, CONTRACTOR SHALL REPLACE AT HIS EXPENSE.
2. ALL UTILITIES LOCATED ON AND ADJACENT TO THE SITE PRIOR TO BEGINNING WORK. ALL UTILITIES SHOWN ARE APPROXIMATE.
3. ALL IMPROVEMENTS OUTSIDE DEMOLITION LIMITS SHALL REMAIN UNLESS SPECIFIED OTHERWISE. UNLESS SPECIFIED OTHERWISE, ALL IMPROVEMENTS OUTSIDE DEMOLITION LIMITS THAT ARE NOT IN SERVICE EXISTING DEMOLITION INCLUDES REMOVAL OF BUILDING FOOTINGS AND UNDERGROUND UTILITIES THAT ARE NOT IN SERVICE EXISTING DEMOLITION SHALL BE PROTECTED AND REMOVED WITHIN ADJACENT FRONT-YARD AND DEMOLITION LIMITS.
4. CONTRACTOR SHALL SAFEGUARD ALL EXISTING UTILITIES WITHIN ADJACENT FRONT-YARD AND DEMOLITION LIMITS.
5. CONCRETE SHALL NOT BE ACCUMULATED INTO PILES OR BARRIERS.
6. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
7. CLOSEST CONSTRUCTION JOINT OR A PROPERTY LINE, WHICHEVER IS CLOSER.
8. ALL EXISTING UNDERGROUND IMPROVEMENTS (STORM SANITARY, ETC.) MAY NOT BE SHOWN. CONTRACTOR SHALL REPORT TO THE CITY ENGINEER ANY UNDISCOVERED UTILITIES.
9. ALL WORK SHALL BE PERFORMED OUTSIDE THE DEMOLITION LIMITS.
10. THE CONTRACTOR SHALL LOCATE ALL EXISTING SEPTIC TANKS ON SITE, AND REMOVE IN ACCORDANCE WITH JEFFERSON COUNTY HEALTH DEPARTMENT REQUIREMENTS.

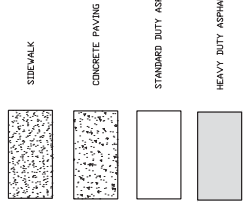
Know what's below
 Call before you dig.
 1-800-4-A-DIG
 Or Call 800.282.7411





SITE LEGEND

- A CONCRETE SIDEWALK REQ'D. SEE DETAIL.
- B 4" WIDE SINGLE WHITE SOLID STRIP ROOT. (TYP.)
- C ACCESSIBLE PARKING SPACE TYPICAL. SEE DETAIL.
- D 8" CONCRETE CURB AND GUTTER REQ'D. - SEE DETAIL. - TYPICAL.
- E ADA DETECTABLE WARNING STRIP - TRIANGULAR DOME.
- F 8" RETAINING WALL WITH HANDRAIL REQUIRED.
- G TRANSFORMERS AND PAD. CONTRACTOR SHALL COORDINATE WITH THE AL POWER COMPANY FOR THE EXACT LOCATION, TYPE AND SIZE.
- H STANDARD DUTY ASPHALT PAVEMENT (TYP.) SEE DETAIL.
- I HEAVY DUTY ASPHALT PAVEMENT (TYP.) SEE DETAIL.
- J PROPOSED LOCATION FOR PRIMARY IDENTIFICATION SIGN.
- K RUBIC GUMBRAL REQUIRED. PER A.L.D.T. SPEC DRAW # GR-030'S
- L 8" WIDE SIDEWALK REQUIRED. SEE DETAIL.
- M TAPER BACK OF CURB FROM 6" TO 0" IN 6'
- N 8" WIDE SIDEWALK WITH STOP BAR AND DOUBLE YELLOW PAINT STRIP REQUIRED. SEE DETAIL.
- O FIREHOUSE PAINTS REQUIRED.
- P DUMPER PAD REQUIRED. SEE PAD DETAIL.
- Q ARCHITECTURAL PLANTS FOR ENCLOSURE DETAILS.
- R FOOT BRIDGE REQUIRED.

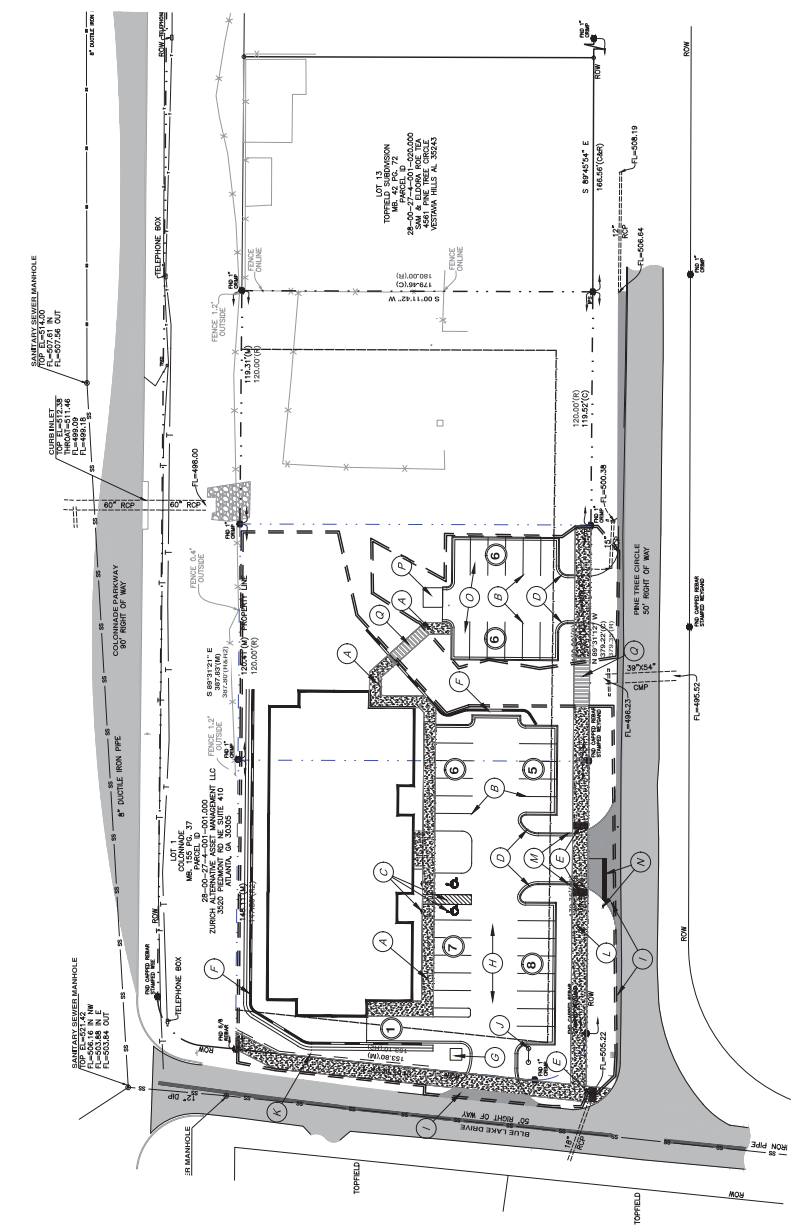


SITE LAYOUT NOTES

1. ALL DIMENSIONS ARE TO OUTSIDE FACE OF BUILDING TO FACE OF CURB, OR EDGE OF SURFACING.
2. DIMENSIONS FOR UTILITY TIE-INS, BRILLIARD LOCATIONS AND DIRECTIONAL ARROWS AND PARKING SPACES STRIPPING SHALL BE WHILE IN EXISTING CONSTRUCTION PERMITS SHALL BE IN ALL CASES THE SAME AS INDICATED ON THESE PLANS.
3. ALL EDGE OF PAVEMENT SHALL BE 3' UNLESS OTHERWISE NOTED.
4. REQUIREMENTS SHALL COMPLY TO ALA. CITY AND STATE REQUIREMENTS.

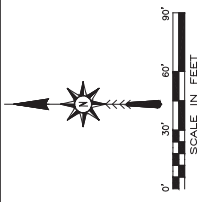
SITE DATA TABLE

EXISTING USE: RESIDENTIAL (CURRENTLY VACANT PROPERTY)	PROPOSED USE: MEDICAL OFFICE
ZONING: BIZ	
BUILDING SETBACK REQUIREMENTS	
FRONT: 30 FEET	
REAR: 30 FEET	
SIDE: NONE	
HEIGHT: NONE	
MAXIMUM OFFICIAL SPACES PER DOCTOR PLUS 1.0	
SPACES PER PHYSICIAN OR 2 DOCTORS AND 1.4	
3.0 FT. x 12.0 FT. STALLS	
3.0 FT. x 12.0 FT. STALLS	
HANDICAPPED STALLS INCLUDING 2	



Know what's below
Call before you dig.
Dial 811
Or Call 800.282.4111



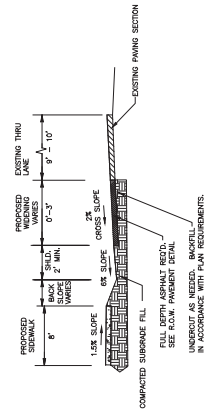
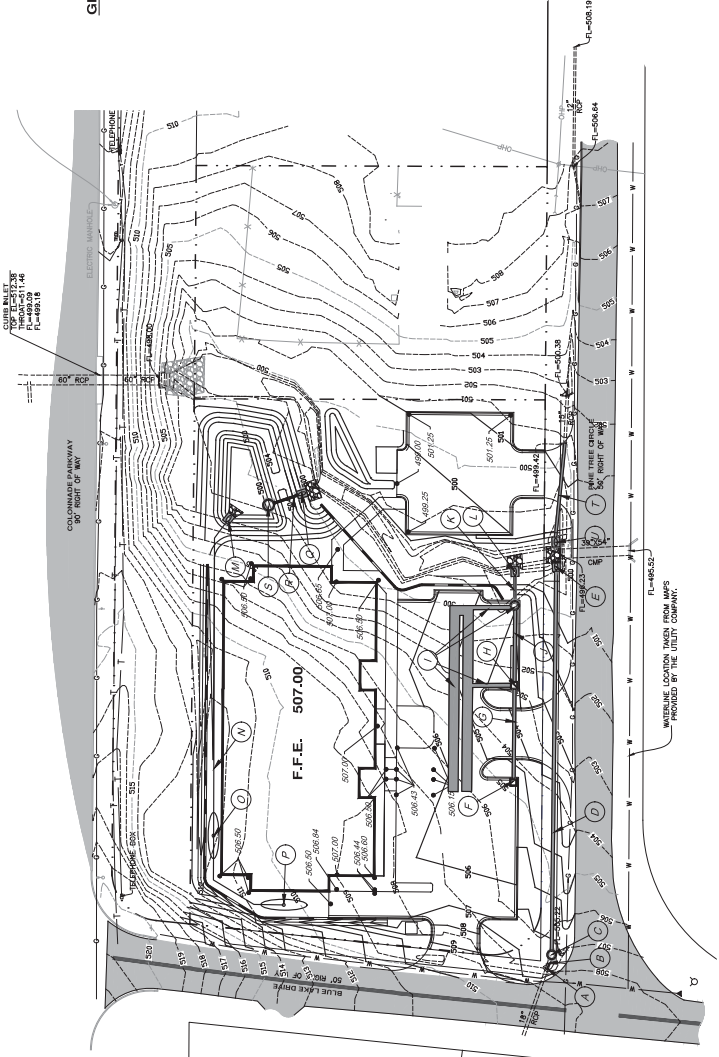


GRADING AND DRAINAGE LEGEND

- (A) CONCRETE COLLAR REQUIRED PER ALDOT. SPEC DWG# CC-630
- (B) 8 LF - 18" RCP PIPE.
- (C) STORM SEWER MANHOLE REQUIRED.
- (D) 200 LF - 18" RCP PIPE.
- (E) SLOPED PAVED HEADWALL REQUIRED. SEE DETAIL
INVERT EL. = 497.25
- (F) HIDDEN GRATE INLET REQUIRED. SEE DETAIL
INVERT EL. = 502.75
- (G) 30 LF - 18" R.C.P.
- (H) HIDDEN GRATE INLET / OUTLET CONTROL STRUCTURE - SEE
DETAIL
INVERT EL. = 502.00
INVERT EL. (DN) 499.00
- (I) UNDERGROUND STORM WATER RETENTIONS SYSTEM
REQUIRED. SEE UNDERGROUND STORM WATER PLAN FOR
DETAILS.
- (J) 40 LF - 18" R.C.P.
- (K) 16 LF - 18" R.C.P.
- (L) SLOPED PAVED HEADWALL REQUIRED. SEE DETAIL
INVERT EL. = 498.75
- (M) SLOPED PAVED HEADWALL REQUIRED. SEE DETAIL
INVERT EL. = 500.00
- (N) 224 LF - 10" PVC ROOF DRAIN COLLECTOR PIPE
AREA DRAIN REQUIRED. SEE DETAIL
INVERT EL. = 502.00
- (O) AREA DRAIN REQUIRED. SEE DETAIL
INVERT EL. = 502.00
- (P) SLOPED PAVED HEADWALL REQUIRED. SEE DETAIL
INVERT EL. = 498.75
- (Q) 18 LF - 15" PVC A-200
- (R) DULET CONTROL STRUCTURE - SEE DETAIL
INVERT EL. (DN) 499.00
- (T) 50 LF - 15" RCP.
- (U) SLOPED PAVED HEADWALL REQUIRED. SEE DETAIL
INVERT EL. = 498.75

WATER QUALITY CALCULATIONS

PAVEMENT	15,450 SF
PAVEMENT (STAFF LOT)	4,100 SF
TOTAL IMPERVIOUS	29,500 SF
VOLUME 11" / 12" = 0.91'	X .0021
VOLUME REQUIRED	2,721 CF



PINE TREE CIRCLE ROADWAY SECTION
N.T.S.

Know what's below
Call 811
Dial 811
O CH000-2627411



