

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

JANUARY 9, 2020

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: December 12, 2019

Rezoning/Conditional Use Recommendations

Annexations:

- (1) **P-0120-01** Vincent & Julie Harper Pappalardo Is Requesting **Rezoning** For **2312 St. Joseph Rd.** from **Jefferson County E-1 to Vestavia Hills E-2** For The Purpose Of Annexation.

- (2) **P-0120-02** Jimit Parekh & Pallavi Shah Is Requesting **Rezoning** For **2637 Alta Glen Dr.** from **Jefferson County E-1 to Vestavia Hills E-2** For The Purpose Of Annexation.

- (3) **P-0120-03** Oksana Senyk Is Requesting **Rezoning** For **312 Montgomery Hwy. & 1990 Southwood Rd.** from **Vestavia Hills O-1 & Vestavia Hills R-2 to Vestavia Hills B-1.2** For The Purpose Of Office Development.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES
DECEMBER 12, 2019

6:00 P.M.

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

MEMBERS PRESENT:

Erica Barnes, Chair
Lyle Larson
Hasting Sykes
Rusty Weaver
Mike Vercher
Ryan Ferrell

MEMBERS ABSENT:

Jonathan Romeo
Cheryl Cobb
Fred Goodwin

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer

Final Plats

Consent Agenda

- (1) **P-1219-67** Overton Investments, LLC Is Requesting **Final Plat Approval For Overton Investments Resurvey No 2 Of Mission Rd.** The Purpose for This Request Is to Resurvey Lot Lines. The Property Is Owned By Overton Investments, LLC and Is Zoned Vestavia Hills R-9.

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

MOTION Mr. Weaver made a motion to approve item 1. Second was by Mr. Larson. Motion was carried on a roll call; vote as follows:

Mr. Vercher – yes

Mr. Farrell – yes

Mr. Sykes– yes
Mr. Weaver – yes

Mr. Larson – yes
Mrs. Barnes – yes

Rezoning/Conditional Use Recommendations:

(2) **P-1219-65** Adam Hudson Is Requesting **Rezoning** For **3122, 3128, 3134, 3136 Sunview Dr.** from **Vestavia Hills Inst-1, Vestavia Hills A, Vestavia Hills B-2 to Vestavia Hills B-1.2** For The Purpose Of Retail Development.

Mr. Garrison stated that when this property was seeking rezoning for a salon. Additionally, the applicant will make intersection improvements to add on street parking.

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

MOTION Mr. Larson made a motion to recommend Rezoning from Vestavia Hills Inst-1, Vestavia Hills A, Vestavia Hills B-2 to Vestavia Hills B-1.2 for the property located At 3122, 3128, 3134, 3136 Sunview Dr. Second was by Ms. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Vercher – yes
Mr. Sykes– yes
Mr. Weaver – yes
Motion carried.

Mr. Farrell – yes
Mr. Larson – yes
Mrs. Barnes – yes

(3) **P-1219-66** Harold & Lillian Pennington Are Requesting **Rezoning** For **3216 Green Valley Rd.** from **Vestavia Hills R-4 to Vestavia Hills B-2** For The Purpose Of Retail Development.

Mr. Garrison explained the background of the request. He stated that the rezoning would be for parking for the redeveloped Rite-Aid.

Will Akin, developer for the project, stated he would like extra parking to maximize redevelopment for the Rite-Aid. He stated that the proposal has increased landscaping adjacent to the townhomes and Wall St. Additionally, access to Wall St. will be closed.

Mr. Larson asked Mr. Akin about the potential drive-thru affecting parking. Mr. Akin stated it would not.

Mrs. Barnes opened the floor for a public hearing.

Morris Newman, 4035 Ida Ln., spoke on behalf of his neighborhood and stated they were opposed to the rezoning. He stated they were concerned about commercial creep into the neighborhood.

Bruno Sanmartino, 3971, Wall St., spoke concerning an easement.

Joan Kindle, 3931 Westminster Ln., spoke in opposition due to commercial creep.

Susan McCulluh, 3230 Valley Park Pl., spoke in opposition due to traffic.

Lois Chaplin, 4016 Whit Oak Dr., spoke and was concerned about landscaping.

Mr. Larson stated that the Cahaba Heights Community Plan call for high density residential and he is unsure if the Commission should overrule that.

Mrs. Barnes stated that the lot is still viable if left residential.

Mrs. Barnes closed the public hearing and opened the floor for a motion.

MOTION Mr. Larson made a motion to recommend Rezoning from Vestavia Hills R-4, to Vestavia Hills B-2 for the property located At 3216 Green Valley Rd. Second was by Ms. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Vercher – no

Mr. Farrell – yes

Mr. Sykes – no

Mr. Larson – no

Mr. Weaver – no

Mrs. Barnes – no

Motion failed due to concerns about commercial creep and conflicts with the Cahaba Heights Community Plan.

Conrad Garrison, City Planner

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

Date: **JANUARY 9, 2020**

- **CASE: P-0120-01**
- **REQUESTED ACTION:** Rezoning JC E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2312 St. Joseph Rd.
- **APPLICANT/OWNER:** Vincent & Julie Harper Pappalardo
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on St. Joseph Dr. from JC E-1 to VH-E-2. Property was annexed overnight by Ordinance 2881 on 11/13/19.
- **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.

CITY OF VESTAVIA HILLS

2019 NOV 18 A 6:08 APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.
- (2) All materials and information relating to a zoning/rezoning request or conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than **25 working days prior to the scheduled meeting at which it shall be considered.** All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which is shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it is to be considered.
- (3) This application must be filled out in its entirety complete with zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. ***No permits will be issued until all fees have been paid.*
- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME:

Vincent + Julie Harper Pappalardo

ADDRESS:

2312 St. Joseph Rd, Vestavia Hills, AL
35243

MAILING ADDRESS (if different from above)



PHONE NUMBER:

Home (205) 253-3699

Office



NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:



III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: Jefferson County E-1

To: Vestavia Hills E-2

For the intended purpose of: Annexation

(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.)

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

V. INFORMATION ATTACHED:

Attached Checklist complete with all required information.

Application fees submitted.

VI. I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.

[Signature] 11/18/19
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 18th day of November, 2019.


[Signature]
Notary Public

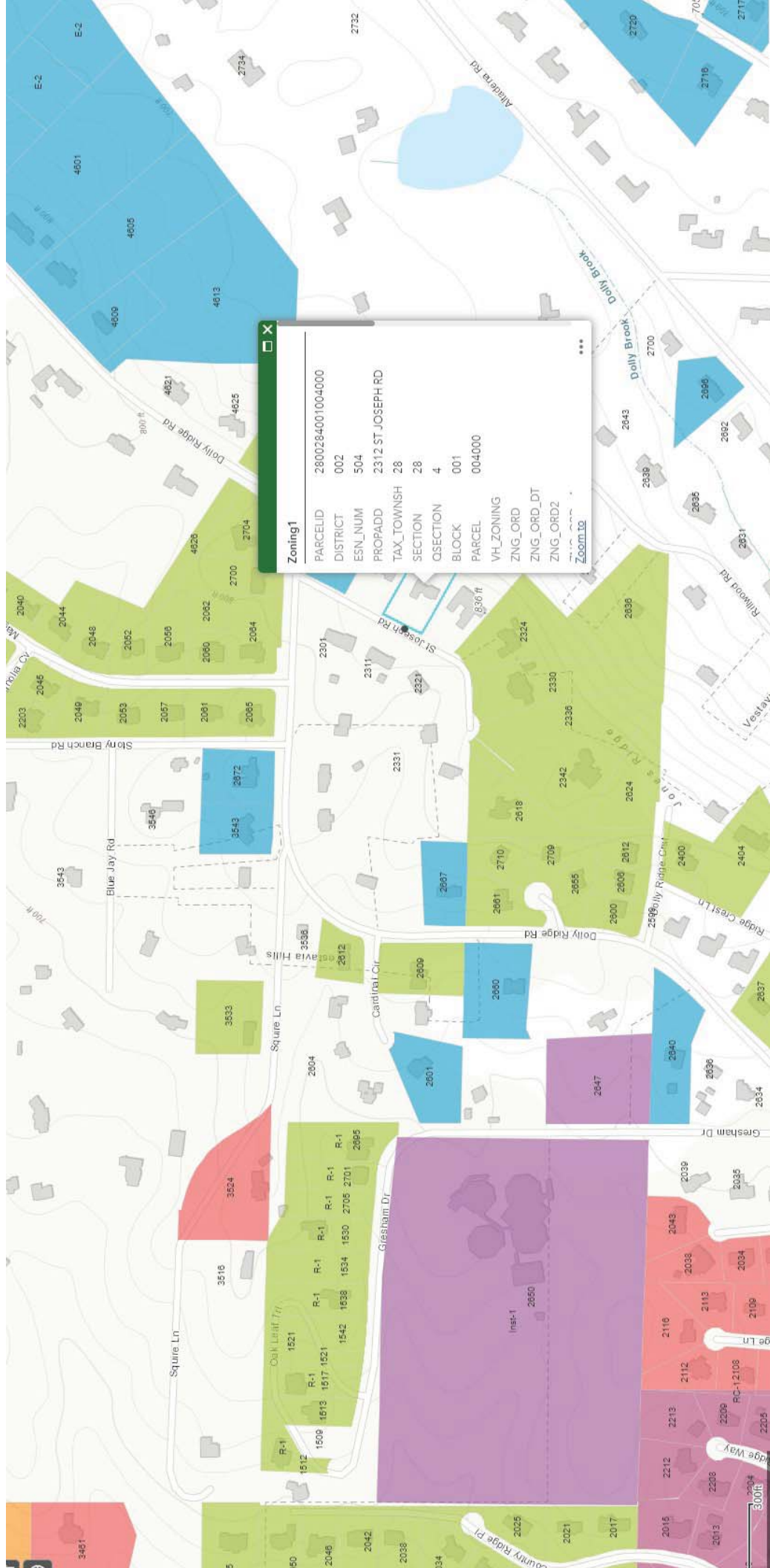
My commission expires _____ My Commission Expires
day of _____ November 8, 2020

2312 St. Joseph Rd



Legend

 Vestavia_Hills_City_Limits



Zoning1

PARCELID	2800284001004000
DISTRICT	002
ESN_NUM	504
PROPADD	2312 ST JOSEPH RD
TAX_TOWNSH	28
SECTION	28
CSECTIION	4
BLOCK	001
PARCEL	004000
VH_ZONING	
ZNG_ORD	
ZNG_ORD_DT	
ZNG_ORD2	

Zoom to

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

Date: **JANUARY 9, 2020**

- **CASE: P-0120-02**
- **REQUESTED ACTION:** Rezoning JC E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2637 Alta Glen Dr.
- **APPLICANT/OWNER:** Jimit Parekh & Pallavi Shah
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Alta Glen Dr. from JC E-1 to VH-E-2. Property was annexed overnight by Ordinance 2883 on 11/13/19.
- **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.

CITY OF VESTAVIA HILLS

APPLICATION

2019 NOV 25

A 8:03

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

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- (3) This application must be filled out in its entirety complete with zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. ***No permits will be issued until all fees have been paid.*
- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: Jimit K Parekh and Pallavi D Shah

ADDRESS: 2637 Alta Glenn Drive Vestavia Hills, Alabama 35243

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 205-978-9620 Office 205-790-2375

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: Jefferson County E-1

To: Vestavia Hills E-2

For the intended purpose of: Annexation

(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.)

2637 Alta Glenn Drive Birmingham Alabama 35243

Property size: _____ feet X _____ feet. Acres: 2

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.

J. Parekh 11/20/2019
Owner Signature/Date

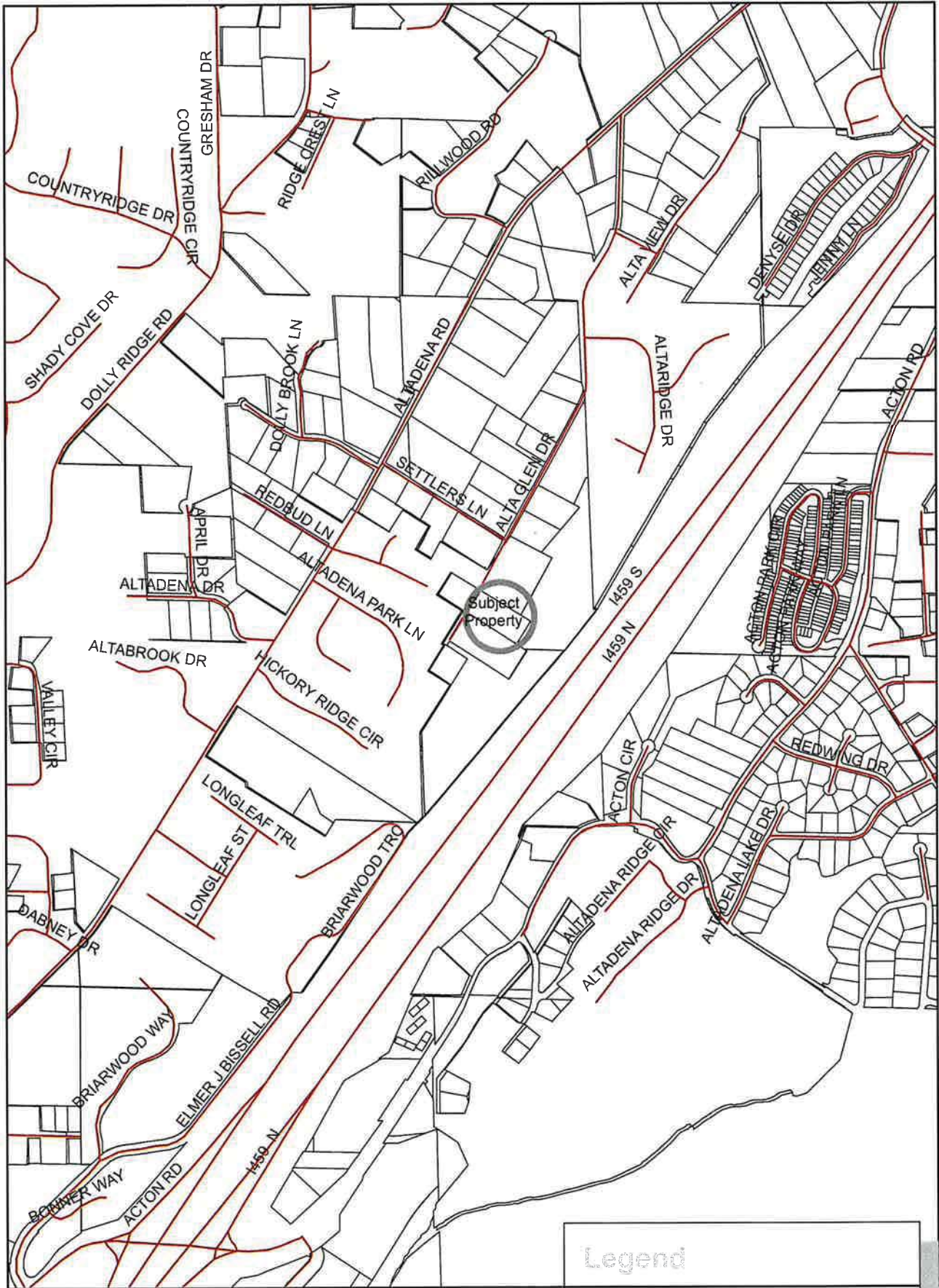
Representing Agent (if any)/date

Given under my hand and seal
this 20th day of November, 2019.

Elene Stovall
Notary Public
My commission expires 11-20-2022 20th
day of Nov, 2022

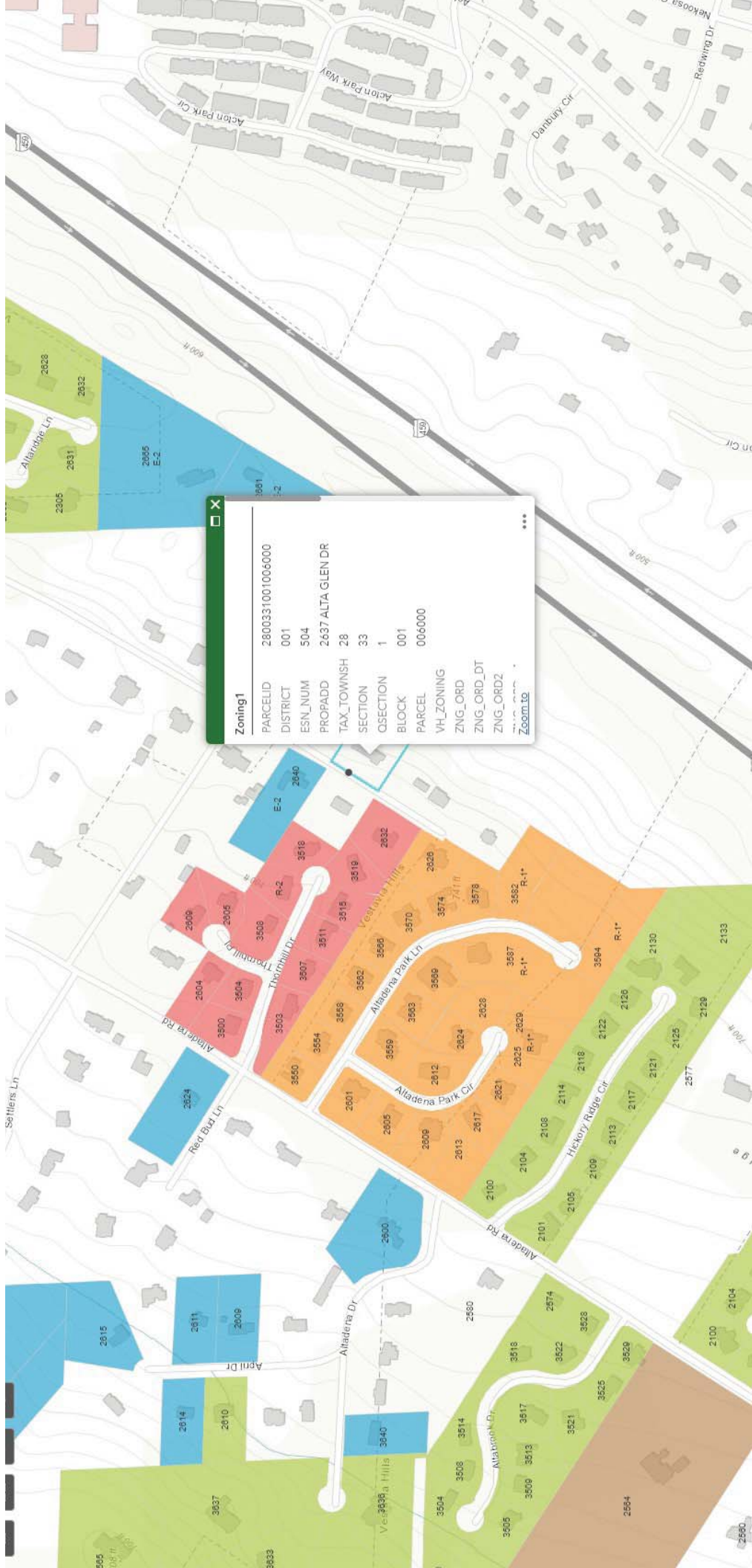


2637 Alta Glen Drive



Legend

 Vestavia_Hills_City_Limits



Zoning1	
PARCELID	2800331001006000
DISTRICT	001
ESN_NUM	504
PROPADD	2637 ALTA GLEN DR
TAX_TOWNSH	28
SECTION	33
OSECTION	1
BLOCK	001
PARCEL	006000
VH_ZONING	
ZNG_ORD	
ZNG_ORD_DT	
ZNG_ORD2	
Zoom In	
Zoom Out	

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

Date: **JANUARY 9, 2020**

- **CASE: P-0120-03**
- **REQUESTED ACTION:** Rezoning from Vestavia Hills O-1 & Vestavia Hills R-2 to Vestavia Hills B-1.2
- **ADDRESS/LOCATION:** 312 Montgomery Hwy. & 1990 Southwood Rd.
- **APPLICANT/OWNER:** Oksana Senyk
- **GENERAL DISCUSSION:** This is a rezoning of two lots on the northwest corner of Hwy. 31 and Southwood Rd. Applicants are requesting B-1.2 zoning for a two-story dental office. The proposed setback along Hwy 31 are 8', while maintaining the 30' rear setback adjacent to the insurance building. Unlit parking will be to side and rear of the building. 312 Montgomery Hwy. is currently zoned O-1 and 1990 Southwood Rd. is zoned R-2. The proposed plan meets all zoning requirements. Site plans and renderings are attached.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for Village Center/Professional Office.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: Rezoning not final until lots are combined
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

CITY OF VESTAVIA HILLS

2019 DEC -3 A 9:50 APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

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- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: OKSANA SENYK, MD, PhD

ADDRESS: 2012 Vestavia Drive
Vestavia Hills AL 35216

MAILING ADDRESS (if different from above) same as above

PHONE NUMBER: Home (205) 903-9747 Office (205) 903-9748

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Jonell Chew

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: O-1 Office Park and Unzoned R-2

To: B-1.2 Neighborhood Mixed Use District

For the intended purpose of: Dental Office

(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 49 according to the map of Beacon Hill, as recorded in Map Book 26, Page 34. See attached legal description.

Property size: 215 feet X 156 feet. Acres: +/-0.6

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


Representing Agent (if any)/date

Given under my hand and seal
this 22nd day of NOVEMBER, 2019.


Notary Public

My commission expires Oct
day of 23, 2023.



10 9 8 7 6 5 4 3 2 1

CONCEPTUAL LAYOUT PLAN
 VESTAVIA HILLS, AL
 MAXUS CONSTRUCTION

SCALE: 1" = 50'

DESIGNED BY: WEM
 DRAWN BY: WEM
 CHECKED BY: WEM

GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL ENGINEERING, TRANSPORTATION ENGINEERING
 LAND SURVEYING, LAND PLANNING, LANDSCAPE ARCHITECTURE
 1550 WOODS OF RIVERCHASE DRIVE, SUITE 200
 HOOPER, ALABAMA 35244

DATE: 12/2/2019
 PROJECT NO. 19-0655
 SHEET: CON-5



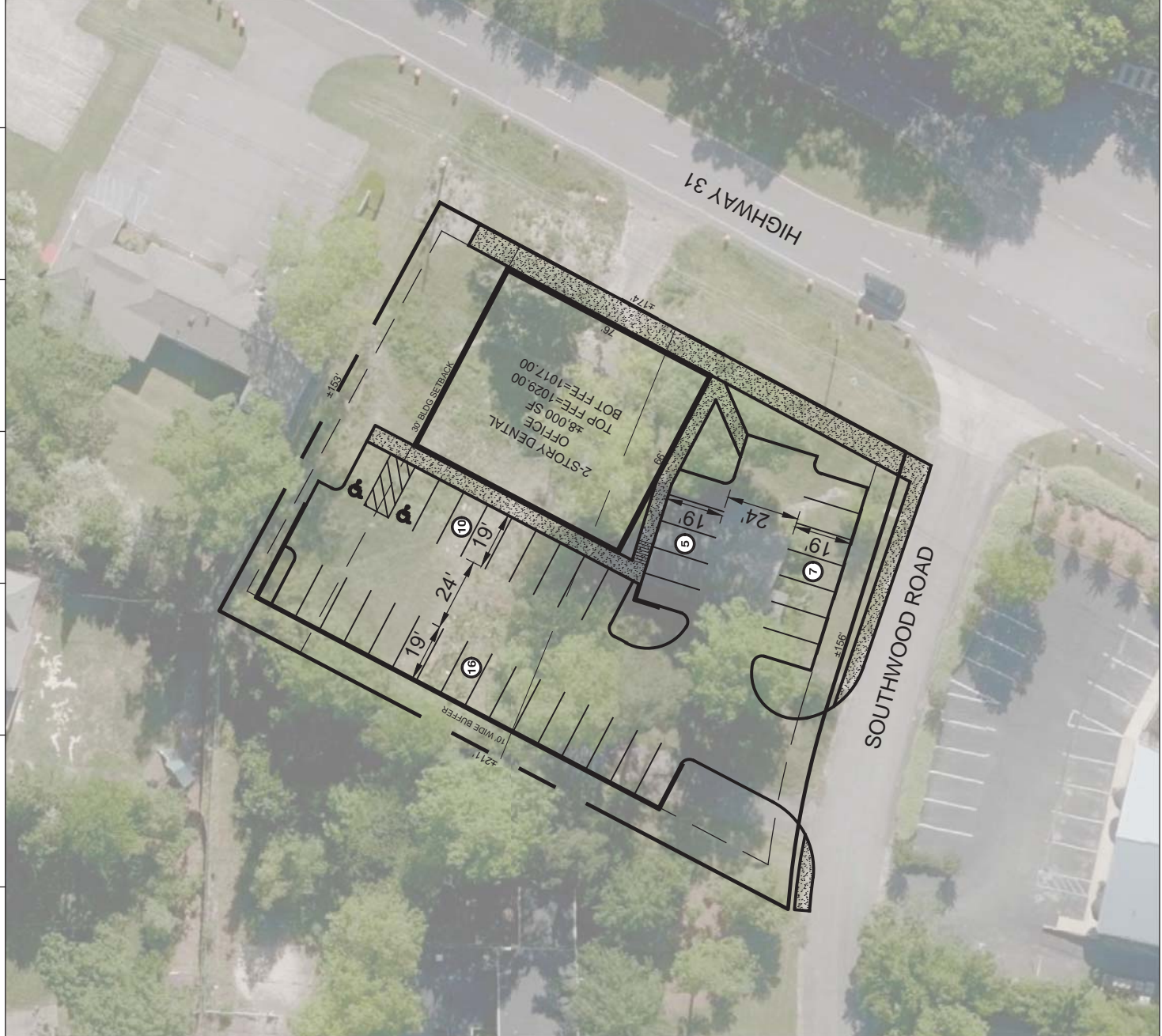
ACREAGE SUMMARY	
TOTAL	±0.66 AC.

SITE DATA	
LOCAL JURISDICTION	CITY OF VESTAVIA HILLS
CURRENT ZONING	O-1 - OFFICE PARK DISTRICT AND UNZONED

PROFESSIONAL OFFICE IS ALLOWED UNDER CURRENT ZONING.

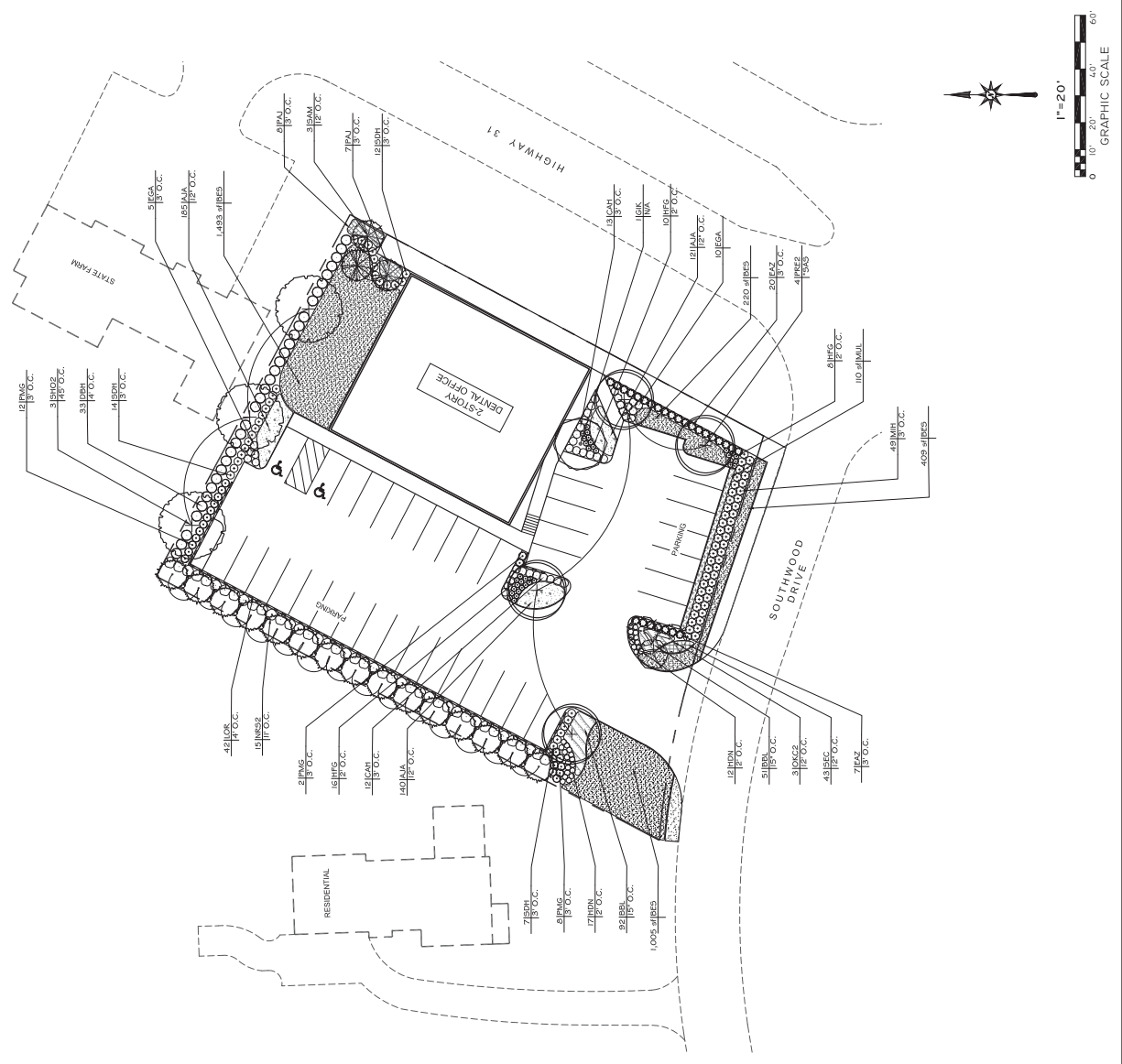
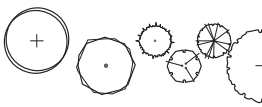
PARKING			
USE	S.F.	SPACES	RATIO
OFFICE	±8,000	38	4.8/1,000 SF

DENTAL OFFICE:
 4 SPACES PER DOCTOR PLUS 1.0 SPACES PER EMPLOYEE
 PARKING SPACE SIZE: 9' X 19'



PLANT SCHEDULE

TREES	CODE	QTY	COMMON / BOTANICAL NAME
	PREZ	4	American Elm / <i>Ulmus americana</i> 'Imperial'
	GK	1	Majesthai Tree / <i>Gingko biloba</i> Autumn Gold™
	NRSZ	15	Nellie Stevens Holly / <i>Ilex x Nellie Stevens</i>
	OKCZ	3	Ornamental Cherry / <i>Prunus x ceraso</i>
	SAM	3	Sauer Magnolia / <i>Magnolia x soulangeana</i>
	SHOZ	3	Shumard Red Oak / <i>Quercus shumardii</i>
	SHUBS		
SHUBS	CODE	QTY	COMMON / BOTANICAL NAME
	EAZ	27	Autumn Angel Azalea / <i>Azalea Encore</i> Autumn Angel™
	CAH	25	Carolina Holly / <i>Ilex cornuta</i> 'Cofficee'
	DBH	30	Dwarf Burford Holly / <i>Ilex cornuta</i> 'Burfordiana'
	HON	29	Dwarf Heavenly Bamboo / <i>Nandina domestica</i> 'Heavenly Dwarf'
	LCR	42	Ever Red Sunset Lycopodium / <i>Lycopodium obscurum</i> 'Ever Red Sunset'
	EGA	15	Glossy Abelia / <i>Abelia x grandiflora</i> 'Edward Goucher'
	HFG	34	Hannah Dwarf Fountain Grass / <i>Pennisetum alopecuroides</i> 'Hannah'
	MFI	49	Majestic Beauty Indian Hawthorn / <i>Rhododaphne indica</i> 'Majestic Beauty'™
	PMG	22	Phi Mu Ivy / <i>Mulleinbergia cordata</i> 'Phi Mu'
	SDH	30	Spilling Dwarf 'Napoli' / <i>Ilex vomitoria</i> 'Spilling'
GROUND COVERS	CODE	QTY	COMMON / BOTANICAL NAME
	MUL	110 sf	Mulch
	SEC	43	Seasonal Color
	AJA	448	Adiantum 'Jasminum' / <i>Trachypogon umbellatum</i> 'Adiantum'
	BES	5.17 sf	Bermuda Grass / <i>Cynodon dactylon</i> 419 Hybrid
	BBL	143	Big Blue Liriodendron / <i>Liriodendron chinense</i> 'Big Blue'
	PAJ	15	Parrot Juniper / <i>Juniperus chinensis</i> 'Parrot'



CONCEPTUAL LANDSCAPE PLAN

STONECREEK DENTAL

MAXUS CONSTRUCTION

DATE: 11/27/2018
SCALE: 1/8" = 1'-0"

DRAWN BY: R. BRENDA, P.L.A.
CHECKED BY: M. GREGORY, P.L.A.
PROJECT: ALABAMA 95124

GONZALEZ - STRENGTH & ASSOCIATES, INC.

CIVIL ENGINEERING, LAND SURVEYING, PLANNING & TRANSPORTATION

2776 PARKWAY LAKE DRIVE
HOOPER, ALABAMA 35244
PHONE: (205) 942-2488
FAX: (205) 942-2032
WWW.GONZALEZ-STRENGTH.COM

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NO. DATE REVISIONS

NO.	DATE	DESCRIPTION

PROJECT NO.: 18-05585

DATE: 11/27/2018















Zoning1

PARCELID	2800193005015000
DISTRICT	020
ESN_NUM	62
PROPADD	312 MONTGOMERY HWY
TAX_TOWNSH	28
SECTION	19
QSECTION	3
BLOCK	005
PARCEL	015000
VH_ZONING	O-1
ZNG_ORD	2428
ZNG_ORD_DT	01/28/2013
ZNG_ORD2	

[Zoom to](#)

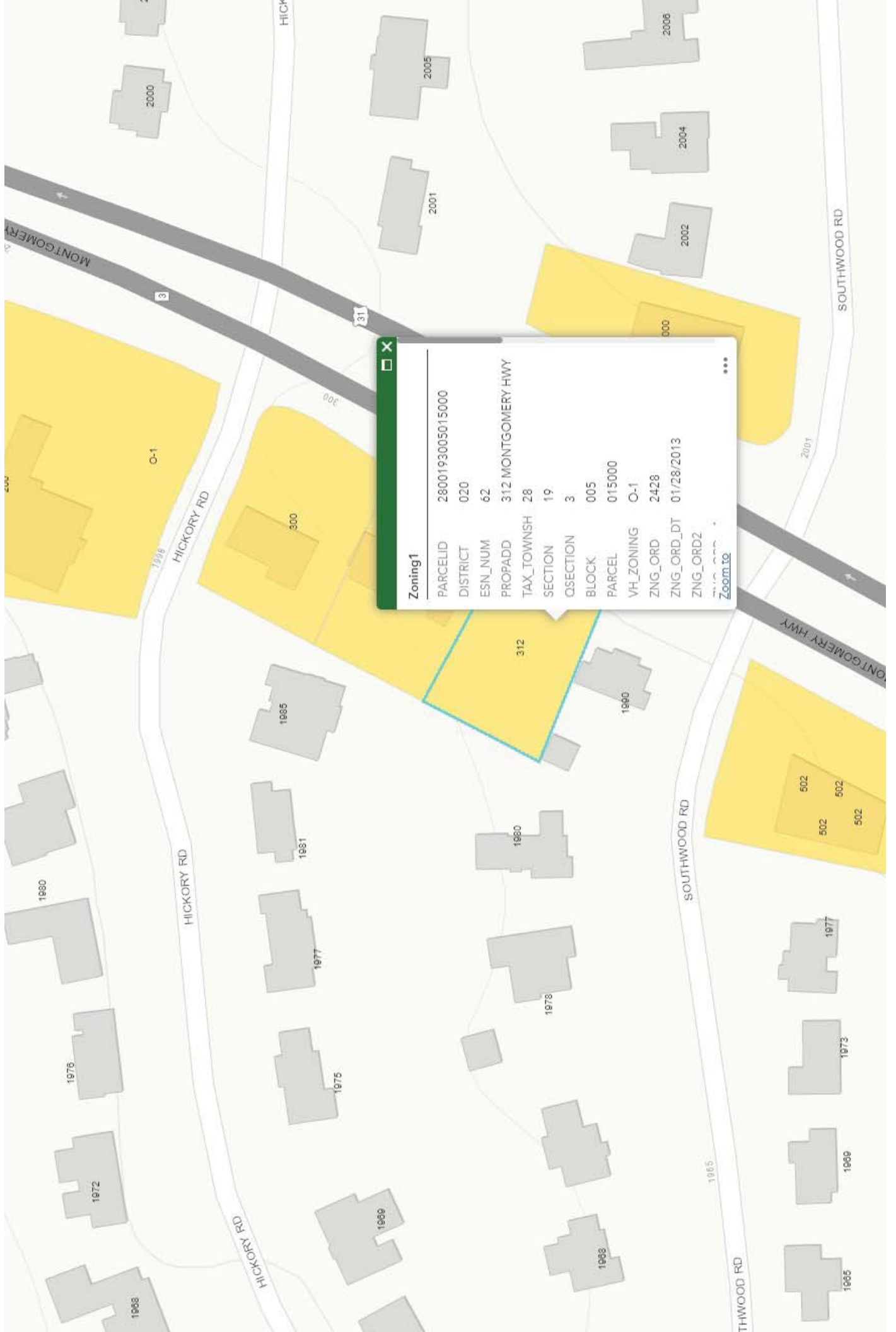




Figure 17: Highway 31 North
Land Use Analysis

<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> 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.
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