

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

DECEMBER 10, 2020

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: November 12, 2020

Rezoning/Conditional Use Recommendations

- (1) **P-1120-35** Scott Thomson Is Requesting **Rezoning** For **3412 Ridgedale Dr.** from **Vestavia Hills R-1 to Vestavia Hills R-9** For The Purpose Of Single Family Development.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES
NOVEMBER 12, 2020

6:00 P.M.

The Planning & Zoning Commission of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. Due to the COVID-19 pandemic, in coordination with a Proclamation from Governor Ivey and pursuant to orders from the Jefferson County Health Department Official requiring social distancing along with limits of attendees, this meeting was held with a portion of the Commission digitally attending the meeting via remote computer locations utilizing a Zoom.com application. Staff and general public/audience members also were invited to attend via Zoom.com following publication pursuant to Alabama law. Chairman Barnes called the meeting to order and the City Planner called the roll with the following:

MEMBERS PRESENT:

Erica Barnes, Chair
Lyle Larson*
Jonathan Romeo*
Hasting Sykes*
Cheryl Cobb*
Ryan Ferrell
Mike Vercher
David Maluff
Rusty Weaver*

MEMBERS ABSENT:

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer
Rebecca Leavings, City Clerk
**Member present via Zoom*

APPROVAL OF MINUTES

Ms. Barnes stated that the minutes of the meeting October 8, 2020 are presented for approval.

MOTION Motion to approve minutes as amended was by Mr. Vercher and second was by Mr. Ferrell. Voice vote as follows:

Mr. Vercher – yes
Mr. Larson – yes
Mr. Romeo – yes
Mr. Sykes – yes
Ms. Barnes – yes

Mr. Ferrell– yes
Ms. Cobb– yes
Mr. Maluff – yes
Mr. Weaver – abstained

Final Plats

Consent Agenda

- (1) **P-1120-37** Shannan Easter Is Requesting **Final Plat Approval** For **Easter Resurvey of Erwin Circle**. The Purpose for This Request Is to Combine Acreage With Platted Lot. The Property Is Owned By Shannan Easter and Is Zoned Vestavia Hills R-2.
- (2) **P-1120-38** Amelia Ousley Is Requesting **Final Plat Approval** For **Ousley’s Resurvey**. The Purpose for This Request Is to Subdivide One Lot Into Two. The Property Is Owned By Amelia Ousley and Is Zoned Vestavia Hills R-2.
- (3) **P-1120-41** Tray I. Teague Et Al. Are Requesting **Final Plat Approval** For **Resurvey Of Lot 6A And 6B Young’s Addition To Shades Cliff**. The Purpose for This Request Is to Subdivide One Lot Into Two. The Property Is Owned By Tray I. Teague Et Al. and Is Zoned Vestavia Hills R-4.
- (4) **P-1120-42** Judith Armstrong Is Requesting **Final Plat Approval** For **Armstrong’s Resurvey**. The Purpose for This Request Is to Resurvey Lot Lines. The Property Is Owned By Judith Armstrong and Is Zoned Vestavia Hills R-1.

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

MOTION Mr. Ferrell made a motion to approve items 1-4. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Vercher – yes
Mr. Larson – yes
Mr. Romeo – yes
Mr. Sykes – yes
Ms. Barnes – yes

Mr. Ferrell– yes
Ms. Cobb– yes
Mr. Maluff – yes
Mr. Weaver – yes

Preliminary Plats

- (5) **P-1120-40** Liberty Park Joint Venture, LLP Is Requesting **Preliminary Plat Approval** For **The Bray Townhomes**. The Purpose for This Request Is to Create a 46 Lot Townhome Development. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.

(6) **P-1120-39** Liberty Park Joint Venture, LLP Is Requesting **Preliminary Plat Approval For The Brayfield Residential Phase 1**. The Purpose for This Request Is to Create a 59 Lot Single Family Development. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.

Mr. Garrison explained the background of the request. He stated that the request falls under the umbrella approval for Liberty Park.

James Parsons was present to answer any questions.

MOTION Mr. Ferrell made a motion to approve Preliminary Plat For The Bray Townhomes. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Vercher – yes	Mr. Ferrell– yes
Mr. Larson – yes	Ms. Cobb– yes
Mr. Romeo – yes	Mr. Maluff – yes
Mr. Sykes – yes	Mr. Weaver – yes
Ms. Barnes – yes	

MOTION Mr. Ferrell made a motion to approve Preliminary Plat For The Brayfield Residential Phase 1. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Vercher – yes	Mr. Ferrell– yes
Mr. Larson – yes	Ms. Cobb– yes
Mr. Romeo – yes	Mr. Maluff – yes
Mr. Sykes – yes	Mr. Weaver – yes
Ms. Barnes – yes	

Rezoning/Conditional Use Recommendations

(7) **P-1120-35** Scott Thomson Is Requesting **Rezoning For 3412 Ridgedale Dr.** from **Vestavia Hills R-1 to Vestavia Hills R-9** For The Purpose Of Single Family Development.

Mr. Garrison explained the background of the request. He stated that the request is for four single family houses with a newly created street.

Jason Kessler was present to explain the request and answer any questions. He stated that the development would serve as a buffer between commercial property on Rocky Ridge Rd. and the already existing property on Ridgedale Dr.

Ms. Cobb asked Mr. Kessler if there would be sidewalks. Mr. Kessler stated there would be, that could potentially extend all the way to Rocky Ridge.

Ms. Barnes asked Mr. Kessler what the current buffer is next to the commercial property and how it would change. Mr. Kessler stated there was currently not much there and that the development would improve the buffer.

Mr. Ferrell asked Mr. Kessler how he would prevent overflow parking that could block the street. Mr. Kessler stated he would add signage to the development.

Ms. Barnes opened the floor for a public hearing.

Wade Parker, 3420 Ridgedale Dr. spoke in opposition due to traffic concerns.

Kelly Raynor, 3416 Ridgedale Dr. spoke in opposition due to density.

Randy Hancock, 3409 Ridgedale Dr. spoke in opposition due to drainage and road width.

Kent Howard, 2425 Ridgedale Dr. spoke in opposition.

Shaun Willen, 3435 Ridgedale Dr. spoke in opposition.

Ms. Barnes closed the public hearing.

Ms. Barnes and Mr. Larson agreed that the development could be considered transitional but it is hard to recommend approval when neighbors speak in opposition.

The Commission asked Mr. Kessler if he would like to postpone the vote to allow more time to consult with neighbors. He agreed.

Case postponed.

(8) **P-1120-36** Jordan Weaver Is Requesting **Conditional Use Approval For The Intended Purpose To Allow Five Unrelated Adults To Reside In A Single Family Dwelling Until June 2022** For The Address at **1733 Old Creek Trail (Zoned R-3)**.

Mr. Garrison stepped down from the dias and Ms. Leavings conducted the rest of the meeting.

Ms. Leavings stated the property and Mr. Weaver are currently in violation of the zoning code. The violation was discovered due to neighbors complaining about excess vehicles parking on the street.

Mr. Weaver was present to answer any questions the Commission had. He apologized for any harm he had done, as it was not his intention. He also stated he was not aware of the rule regarding single family housing.

Ms. Barnes opened the floor for a public hearing.

Conrad Garrison, 2309 Pine Crest Dr. spoke in opposition due to the applicant not meeting all ten requirements for approval.

Chris Preston, 2313 Pine Crest Dr. spoke in opposition due to the lack of parking and the increase in noise that has occurred at the house.

Ms. Barnes closed the public hearing.

MOTION Mr. Weaver made a motion to recommend Conditional Use Approval For The Intended Purpose To Allow Five Unrelated Adults To Reside In A Single Family Dwelling Until June 2022. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Vercher – no
Mr. Romeo – no
Mr. Larson – no
Mr. Sykes – no
Mrs. Barnes – no

Mr. Ferrell– no
Mr. Maloof – no
Ms. Cobb – no
Mr. Weaver – no

Motion failed due to the application not meeting all ten Conditional Use requirements (specifically 1-5, 9) as required in Section 13.3.4 in the Zoning Ordinance.

Conrad Garrison, City Planner

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

Date: NOVEMBER 12, 2020

- **CASE:** P-1120-35
- **REQUESTED ACTION:** Rezoning Vestavia Hills R-1 to Vestavia Hills R-9
- **ADDRESS/LOCATION:** 3412 Ridgedale Dr.
- **APPLICANT/OWNER:** Scott Thomson
- **REPRESENTING AGENT:** Jason Kessler
- **GENERAL DISCUSSION:** Applicant is seeking rezoning Ridgedale Dr. for a four lot single family development. This property is +/- 1.25 acres and is adjacent to El Poblano, Andy's Farmers Market, and a gas station. The request would remove any existing structures and plat four lots that back up to the commercial development. The lots would be serviced by a newly created public street. Proposed setbacks are 25' in the front, 20' un the rear, and 10' on each side.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The Comprehensive Plan designates this area for low/medium density. With lots just under a quarter of an acre this development could be considered medium density. The development could also be considered transitional due to the nature of uses next door.
- **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: Final plat must be recorded before rezoning is final.
 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

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: Scott Thomson

ADDRESS: 3412 Ridgedale Drive
Vestavia, AL 35243

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 205-369-1800 Office _____

EMAIL ADDRESS: _____

NAME OF REPRESENTING ATTORNEY/AGENT & CONTACT INFORMATION:

Jason Kessler
205-369-5187

2020 OCT -6
A 6:32

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R1

To: R9

For the intended purpose of: A 4 lot subdivision, residential

detached homes

(Example: From "VH R-1" to "VH O-1" for office building)

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

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

3412 Ridgedale Drive Vestavia 35243

Lot 6 Rocky Ridge Estates

Property size: 357' feet X 150' feet. Acres: 1.24

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 am the owner and myself or my duly appointed representative will be at the scheduled hearing.

[Signature] 11/5/20
Owner Signature/Date

[Signature] 11/30/20
Representing Agent (if any)/date

Given under my hand and seal
this 5th day of Oct, 2020.

[Signature]
Notary Public
My commission expires 24th
day of June, 2023.



PRELIMINARY
NOT FOR CONSTRUCTION

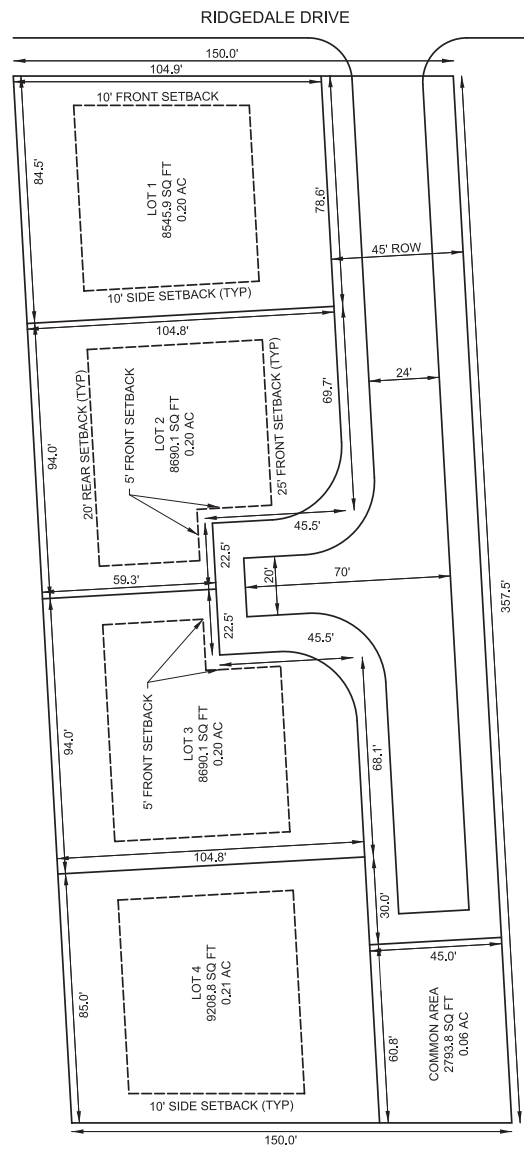
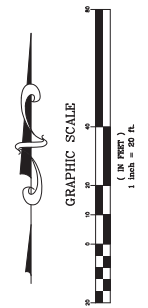
DATE:	OCTOBER 05, 2020
DRAWN BY:	SFL/ESS
CHECKED BY:	KES/XXX
PROJECT NO.:	WHL
DATE:	
DATE:	
DATE:	
DATE:	

PROJECT: RIDGEDALE DRIVE PROPERTY
ADDRESS: VESTAVIA HILLS, ALABAMA
TITLE: CONCEPTUAL SITE PLAN

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

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

EXB
SHEET NO. 1
PRINTED: 10/15/20



- R-2
- PUD-PR-1
- R-1
- R-4
- R-6
- R-9
- R-3
- R-8
- R-5
- R-9*
- RC-1
- B-3
- A
- E-2
- B-2
- Inst-1
- R-1*
- O-1
- PUD-PB
- R-8*
- R-6*
- B-1
- B-3*
- Inst-1*
- B-2*
- O-1*
- R-7
- R-4*



Zoning1

PARCELID	2800323003003000
DISTRICT	020
ESN_NUM	62
PROPADD	3412 RIDGEDALE DR
TAX_TOWNSH	28
SECTION	32
OSECTION	3
BLOCK	003
PARCEL	003000
VH_ZONING	R-1
ZNG_ORD	1203
ZNG_ORD_DT	05/06/1991
ZNG_ORD2	
Zoom to	

Subject Parcel

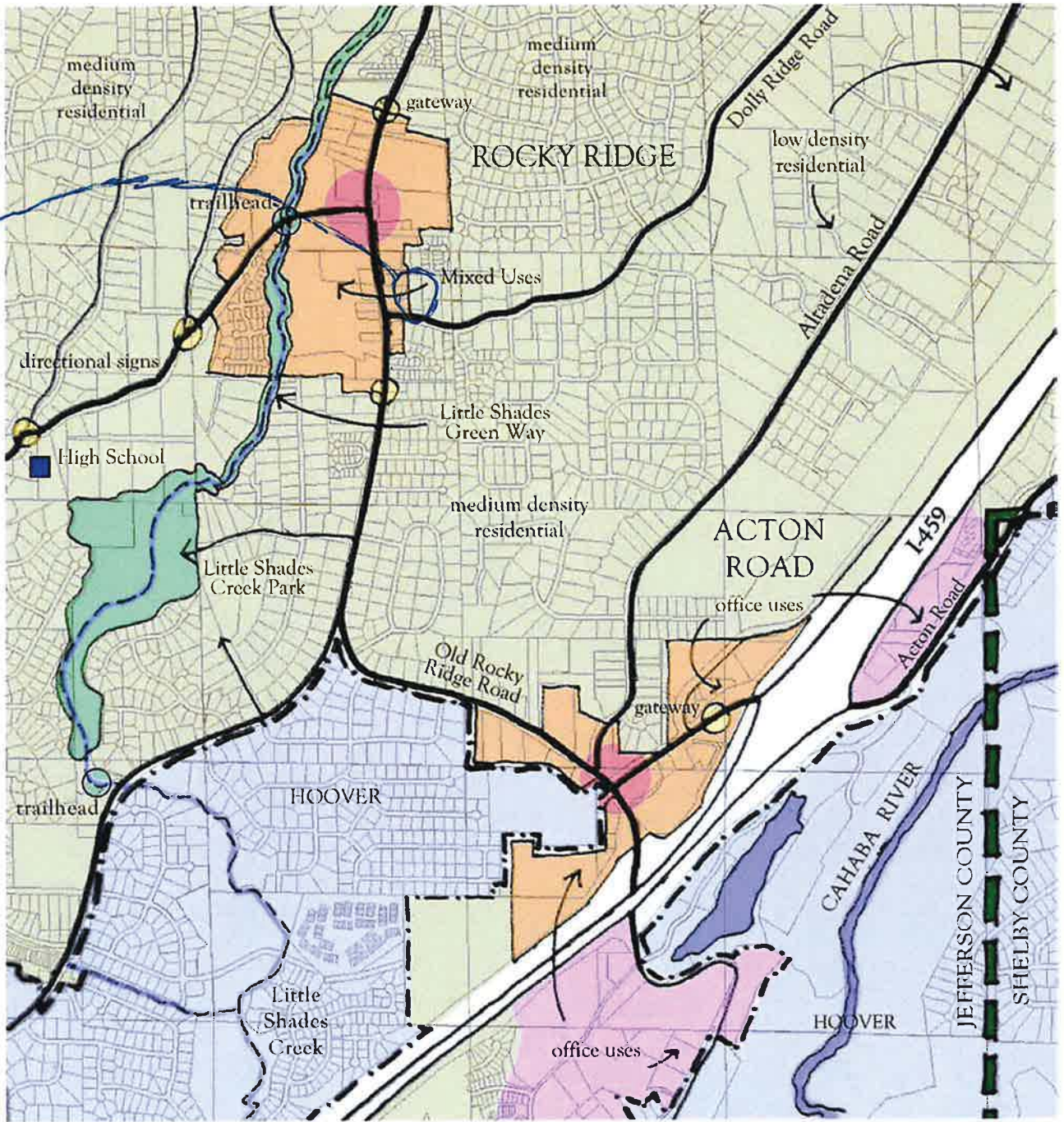


Figure 21: Rocky Ridge Road / Acton Road West
Land Use Analysis

- Neighborhood - primarily low / medium density single-family residential areas with higher densities near village 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.





3412 RIDGEDALE
DRIVE

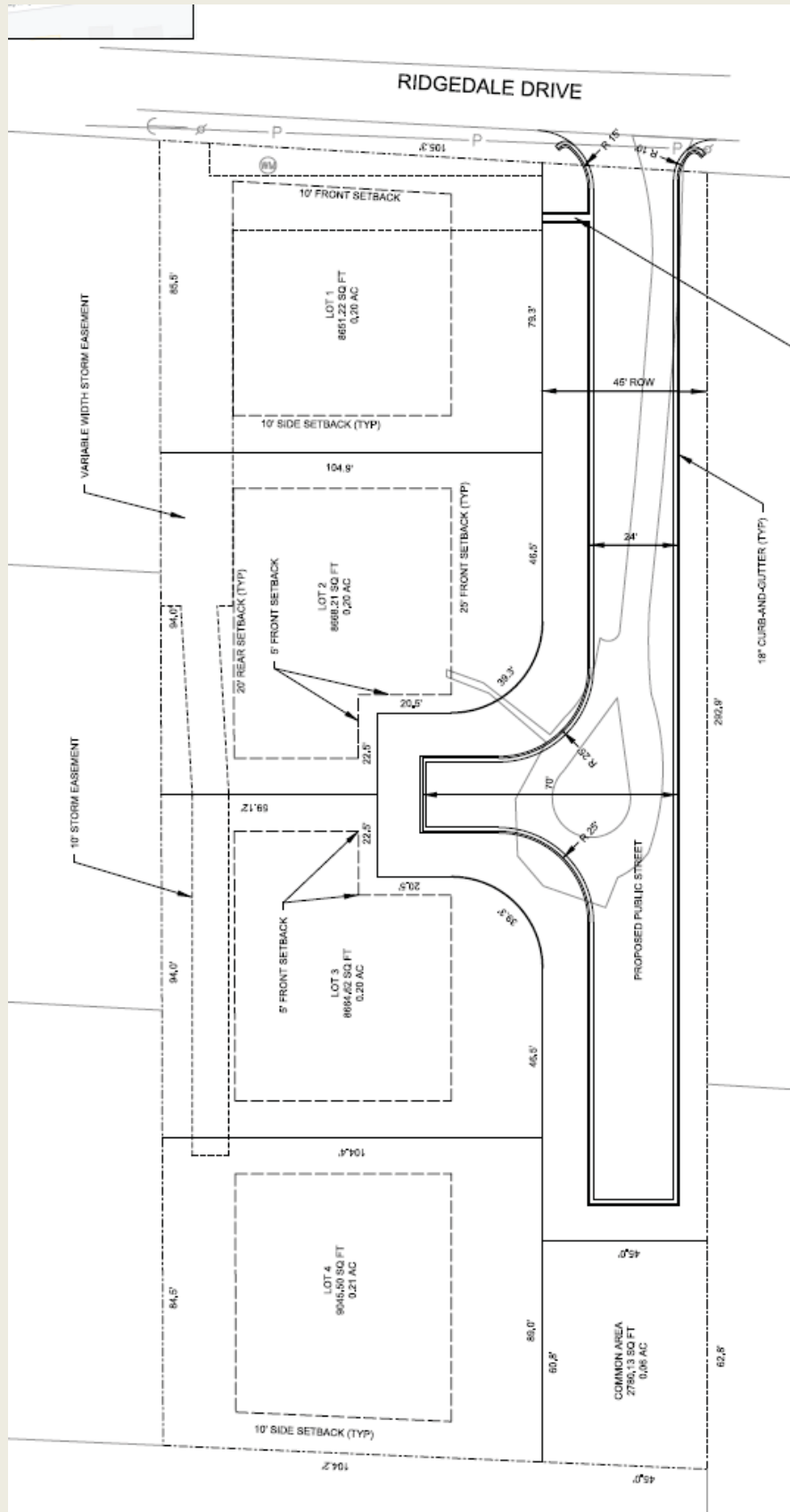
Vestavia Hills, Alabama



Existing Property



Proposed Layout



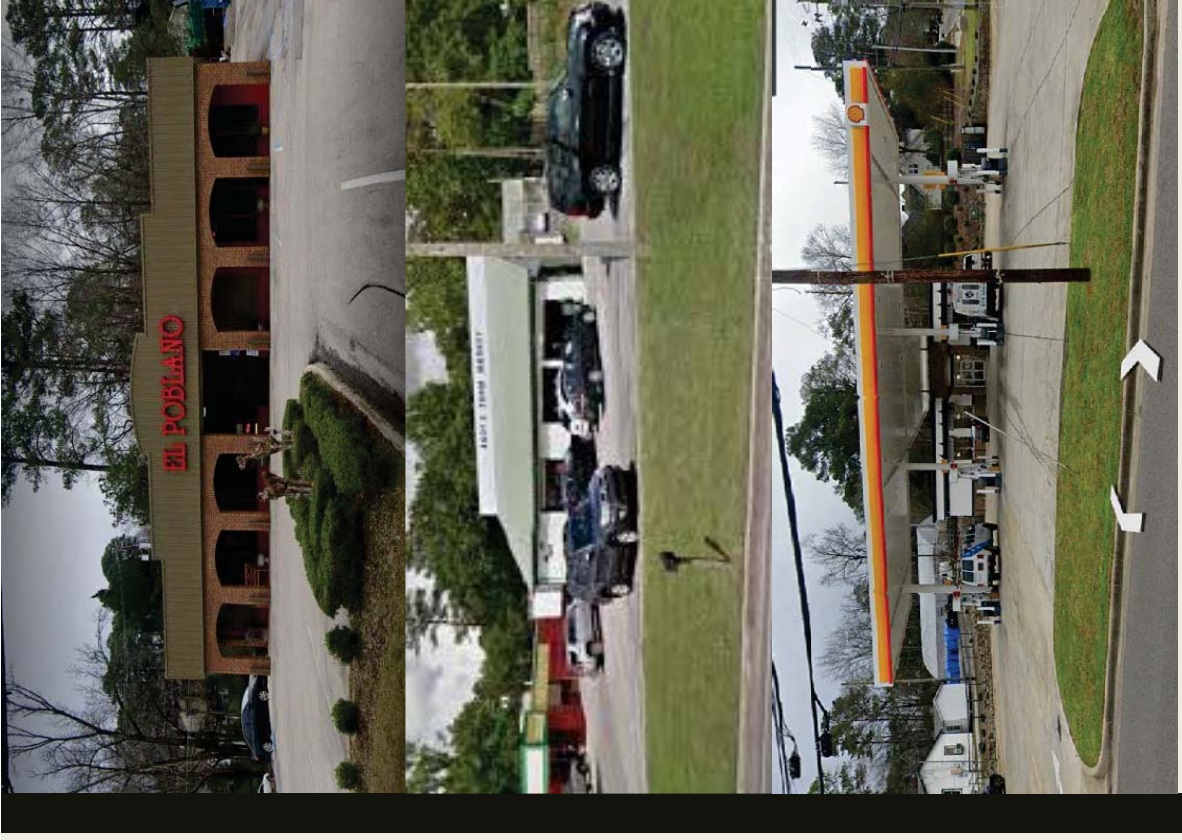
We do not believe that R1 is the ideal zoning for the subject property. It is contiguous to multiple commercial properties and is across the street from a densely populated garden home development. We believe a 4 lot subdivision would create the perfect transitional zoning from commercial and garden home lots, to medium sized lots, to larger lots.

In an effort to create the best and most sensible design, our homes have been placed away from the single family home to the East and closer to the commercial properties to the West. This helps create a buffer between the residential properties. Additionally, we plan to plant a landscape buffer between the home to the East and our newly constructed public road to provide privacy and an aesthetic appeal.

Lastly, the current zoning would allow for 2 homes to be built on the subject property without a rezone or variance. Ultimately, we are asking to increase the allowed density from 2 to 4 homes and with it will come substantial infrastructure improvements along with property value increases for the area.

Neighboring Property

Contiguous to the West of the subject property are three separate commercial properties. El Poblano restaurant, Andy's Farm Market, and Shell Gas Station all located on Rocky Ridge Road. Turning onto Ridgedale Drive from Rocky Ridge, the properties transition to single family residential.

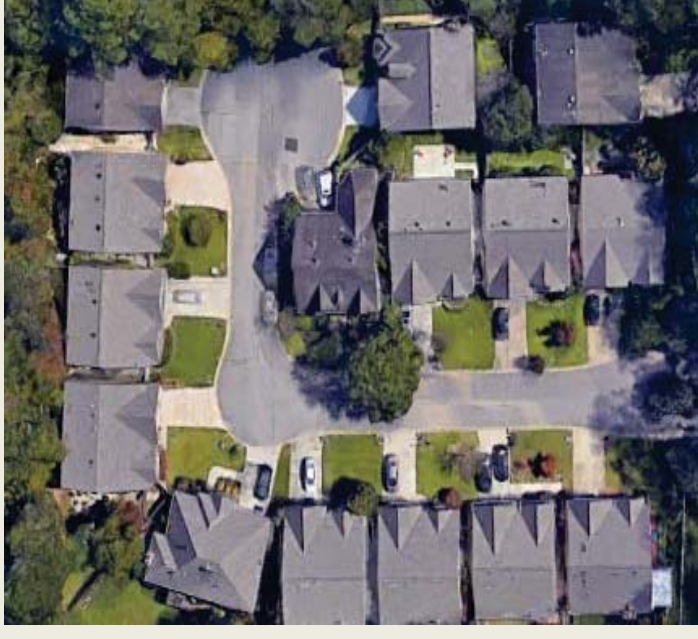


Neighboring Property

To the North of the subject property is the Country Wood Trace subdivision. This is a garden home development with the majority of lots being about .11 acres a piece. The homes are roughly 10 feet apart from one another.

Conversely, our proposed plan would offer lots that are almost twice that size at .20 acres a piece. The homes would also be a minimum of 20 feet apart.

Ridgedale Drive features homes on larger lots as well. It is our belief that our proposed subdivision is a good fit as medium sized lots interspersed with the garden home lots and larger lots.

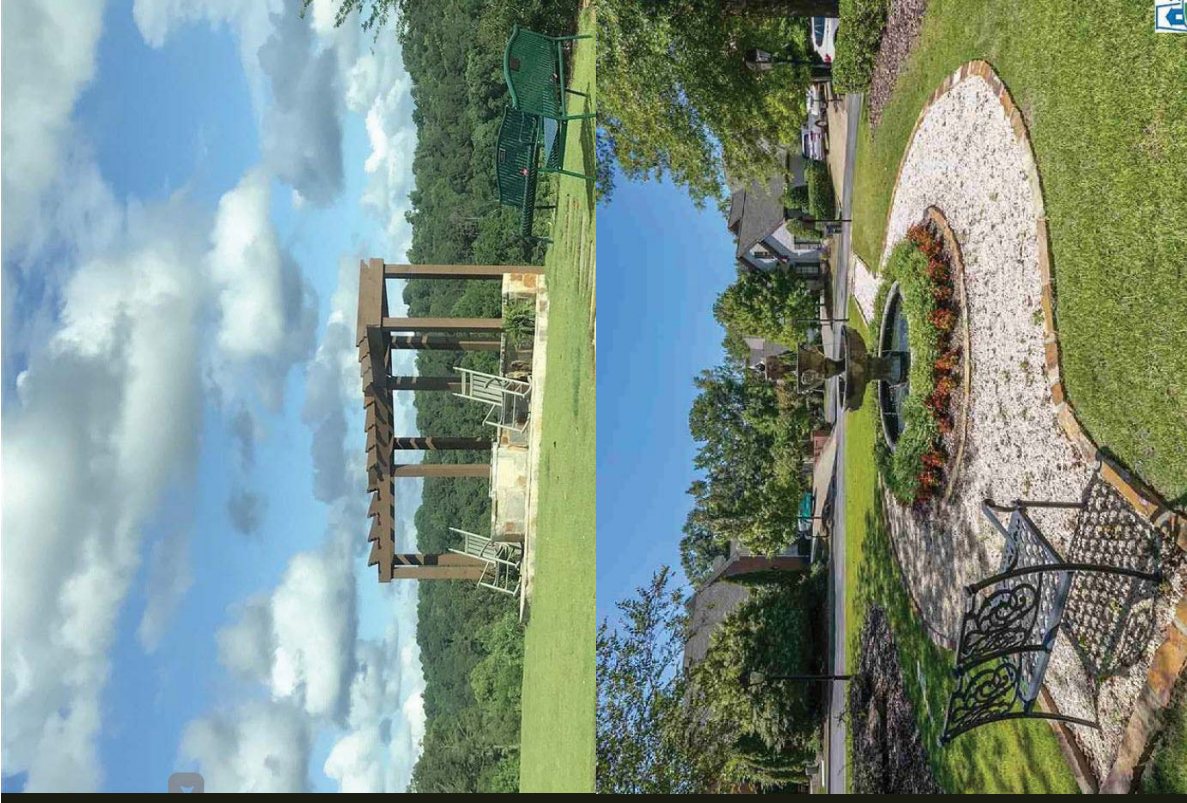


Common Area/Green Space

In addition to substantial infrastructure improvements including new sidewalks, a brand new public road, and storm water system, our plan incorporates a common area/green space into the design.

We believe a green space in which to congregate with neighbors and friends is a positive benefit to any neighborhood. That is even more true in a walkable area such as this one and it should only add to the village-like atmosphere we are all trying to responsibly add to surrounding Rocky Ridge.

These are a couple examples of small common areas we have designed in the past. One from our Westminster neighborhood in Vestavia and Lennox community in the Hoover area.



Previous Work - Pumpphouse Village

Vestavia Hills



Previous Work - The Cove at Edgewood Homewood



Previous Work - The Cove at Edgewood Homewood



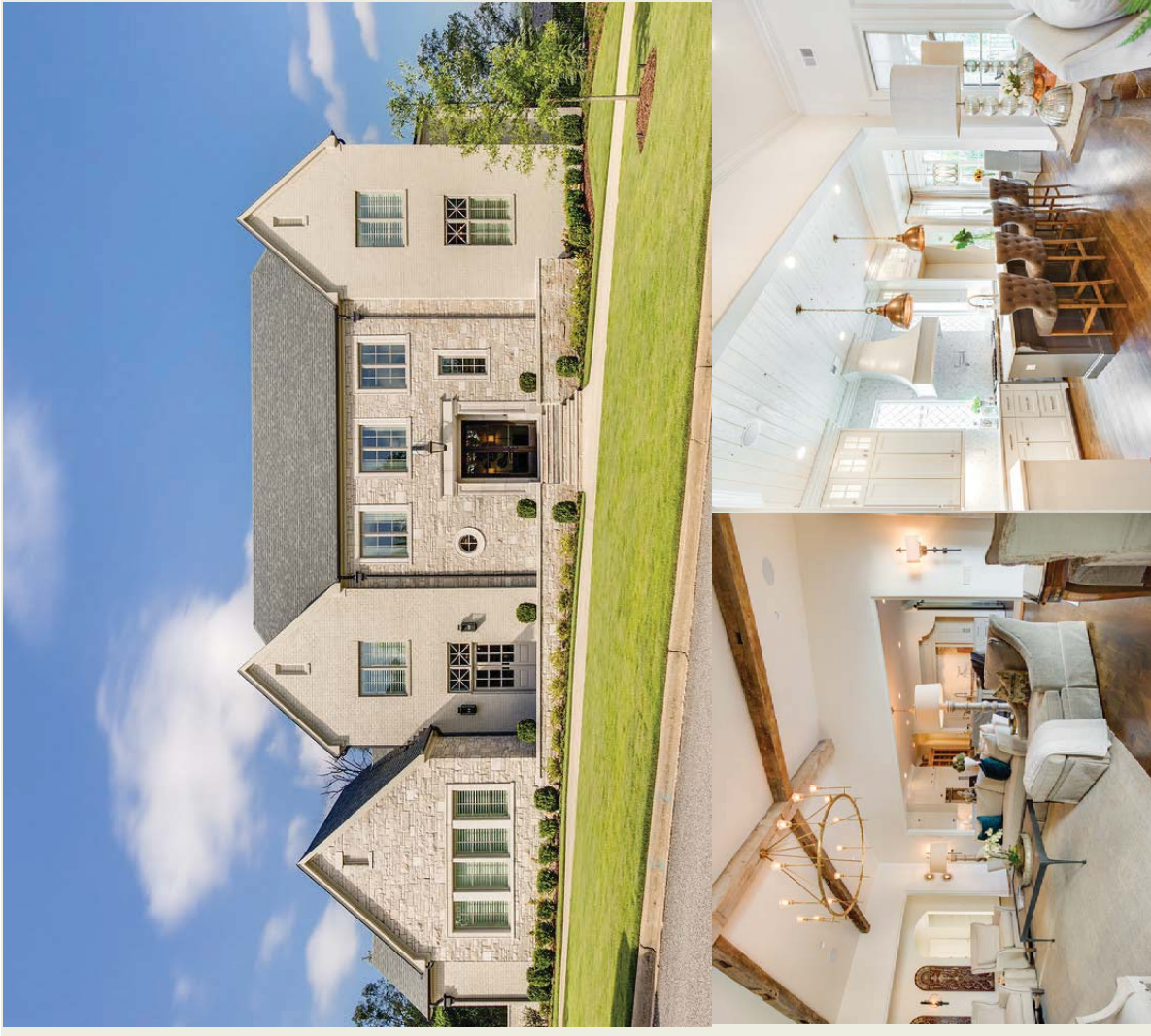
Previous Work - The Cove at Overton Vestavia Hills & Mountain Brook





About KADCO Homes

We have been in business here in Birmingham for over 35 years. With a strong and consistent focus on the Vestavia area market, we have helped create communities such as Wellington Park, Cambridge, Kensington, Panorama Brook, Crossbridge, Cobblestone, Westminster, The Cove at Overton, Pumphouse Village, & more.





About KADCO Homes

We are currently working on several communities in Vestavia such as Vestavia Terrace townhomes, Natchez Drive, Poe Drive at Overton Village, Fairhaven Manor, and Winward Lane. You can find out more about us by visiting kadcohomes.com



November 6, 2020

To: Rebecca Leavings
City Clerk, Vestavia Hills, AL

From: Pat Ragan
3425 Ridgedale Drive

Re: Re Zoning Hearing
3412 Ridgedale Drive
Lot 6, Rocky Ridge Estates

Thank you for the opportunity to share my reasons on why the Planning and Zoning Commission should not approve the submitted request to re-zone this property to R-9.

Ridgedale Drive appears to be originally designed to accommodate traffic for R-1 and R-2 homesites, which is consistent on the border streets (north and south) and neighborhoods. The density, of a R-9 development, will add additional traffic to already congested Rocky Ridge area that will negatively impact commutes and emergency response times.

While not knowing the history of the outlier R-9 Countrywood Trace development, I am sure it will be presented as a precedent in this request for approval. I am concerned that an R-9 approval, will only serve to strengthen this position and similar requests will follow. Which creeps us closer to a point, when we will no longer recognize this community as it looks and feels today and potentially jeopardize existing home values and amenities.