CITY OF VESTAVIA HILLS

PLANNING AND ZONING COMMISSION

AGENDA

MARCH 11, 2021

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: February 11, 2021

Final Plats

Consent Agenda

- (1) P-0321-09 Liberty Park Joint Venture Is Requesting Final Plat Approval For Lot 4B Resurvey-Old Overton 3rd Sector. The Purpose for This Request Is to Combine Lots. The Property Is Owned By Liberty Park Joint Venture and Is Zoned Vestavia Hills PR-1.
- (2) P-0321-10 Lewis & Elizabeth Cheney Are Requesting Final Plat Approval For Lot 2B Resurvey-Old Overton 3rd Sector. The Purpose for This Request Is to Combine Lots. The Property Is Owned By Lewis & Elizabeth Cheney and Is Zoned Vestavia Hills PR-1.

Annexations/Compatible Rezoning

(3) P-1218-53 Overton Investments, LLC Is Requesting An Amendment To Ordinance 2818 To allow for the Construction Of Three Single Family Homes. The property is zoned Vestavia Hills R-9.

CITY OF VESTAVIA HILLS

PLANNING AND ZONING COMMISSION

MINUTES

FEBRUARY 11, 2021

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:	Mike Vercher, Acting Chairman* Jonathan Romeo* Ryan Ferrell* David Maluff* Rusty Weaver* Rick Honeycutt* Hasting Sykes*
MEMBERS ABSENT:	Erica Barnes, Chair Lyle Larson
OTHER OFFICIALS PRESENT:	Conrad Garrison, City Planner Christopher Brady, City Engineer* *Member present via Zoom

APPROVAL OF MINUTES

Ms. Barnes stated that the minutes of the meeting January 11, 2021 are presented for approval.

MOTION Motion to approve minutes was made by Mr. Maluff and second was by Mr. Sykes. Voice vote as follows:

Mr. Sykes– yes Mr. Ferrell – yes Mr. Maloof– yes Mr. Vercher – yes Motion carried. Mr. Romeo – yes Mr. Honeycutt– yes Mr. Weaver – yes

Final Plats

Consent Agenda

- (1) **P-0121-05** AVCC, LLC; Angela Hon & Kevin Hon Are Requesting Final Plat Approval For Resurvey Lot 1 Altadena Ridge. The Purpose for This Request Is to Combine Lots. The Property Is Owned By CRB Construction and Is Zoned Vestavia Hills R-9.
- (2) P-0121-06 AVCC, LLC; Jason & Ashley Murray; and Natalie Rudyshyn & Oleksandr Rudyshyn Are Requesting Final Plat Approval For Resurvey Lots 13 And 14 Altadena Ridge. The Purpose for This Request Is to Resurvey Lot Lines. The Property Is Owned By The AVCC, LLC; Jason & Ashley Murray; and Natalie Rudyshyn & Oleksandr Rudyshyn and Is Zoned Vestavia Hills R-9.
- (3) P-0221-07 Tyler & Will Watson Are Requesting Final Plat Approval For Watson's Resurvey Of Biltmore Estates. The Purpose for This Request Is to Combine Lots. The Property Is Owned By Tyler & Will Watson and Is Zoned Vestavia Hills R-2.
- (4) P-0221-08 Ross Neely & Kelly Petro Are Requesting Final Plat Approval For Neely's Resurvey Of Southwood Rd. The Purpose for This Request Is to resurvey lot lines. The Property Is Owned By Ross Neely & Kelly Petro and Is Zoned Vestavia Hills R-2.

Mr. Vercher opened the floor for a public hearing. There being no one to address the Commission concerning these request, Mr. Vercher closed the public hearing and opened the floor for a motion.

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

Mr. Sykes– yes Mr. Ferrell – yes Mr. Maloof– yes Mr. Vercher – yes Motion carried. Mr. Romeo – yes Mr. Honeycutt– yes Mr. Weaver – yes

Conrad Garrison, City Planner

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

Date: MARCH 11, 2021

- <u>CASE</u>: P-0321-09
- **<u>REQUESTED ACTION</u>**: Final Plat Approval For Lot 4B Resurvey-Old Overton 3rd Sector
- ADDRESS/LOCATION: Old Overton Club Dr.
- <u>APPLICANT/OWNER</u>: Liberty Park Joint Venture
- <u>GENERAL DISCUSSION</u>: Plat will combine unused common area with Lot 4A to create Lot 4B. An existing storm and sanitary sewer easement will remain.

• **<u>STAFF REVIEW AND RECOMMENDATION</u>**:

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

City Planner Recommendation: No recommendation

- 2. City Engineer Review: No problems noted.
- 3. City Fire Marshal Review: No problems noted
- 4. Building Safety Review: No problems noted

P&Z Application Final Plat Approval Page 3

CITY OF VESTAVIA HILLS PLANNING AND ZONING COMMISSION FINAL MAP APPLICATION

II. APP	LICANT INFORMATION: (owner of property)					
NAME:	Liberty Park Joint Venture					
ADDRESS:	1000 Urban Center Suite 235					
Vestavia Al	_ 35242					
BILLING AI	DDRESS (if different from above)					
PHONE :	770 367 9552jbonanno@libertypark.com					
NAME OF F	REPRESENTING ATTORNEY OR OTHER AGENT: John Bonanno					
PHONE :	770 367-9552 Email jbonanno@libertypark.com					
III. BILI	ING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)					
NAME:	Liberty Park Joint Venture					
ADDRESS:	1000 Urban Center Suite 235					
Vestavia, A	L 35242					
MAILING A	DDRESS (if different from above)					
PHONE:	770 367-9552 Email jbonanno@libertypark.com					

P0321-09//2700053000006.000 Lot 4A & Common Area Old Overton Final Map to adjust lot lines LPJV

IV. ACTION REQUESTED

Final Plat Approval: (reason must be provided)

Explain reason for the request: Combine Common Area Joint Driveways into Lot 44

Combine Lots 2A and 10 into 2B. No other lots were served by common area. **if additional information is needed, please attached full description of request**

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

Lot 4A & Common Area - Old Overton - Third Sector Map Book 184, Page 26

Lot 2A & Lot 10 - Old Overton - Third Sector Map Book 184, Page 26

Property size: ______ feet X _____ feet. Acres: 2.58

VI. ZONING/REZONING:

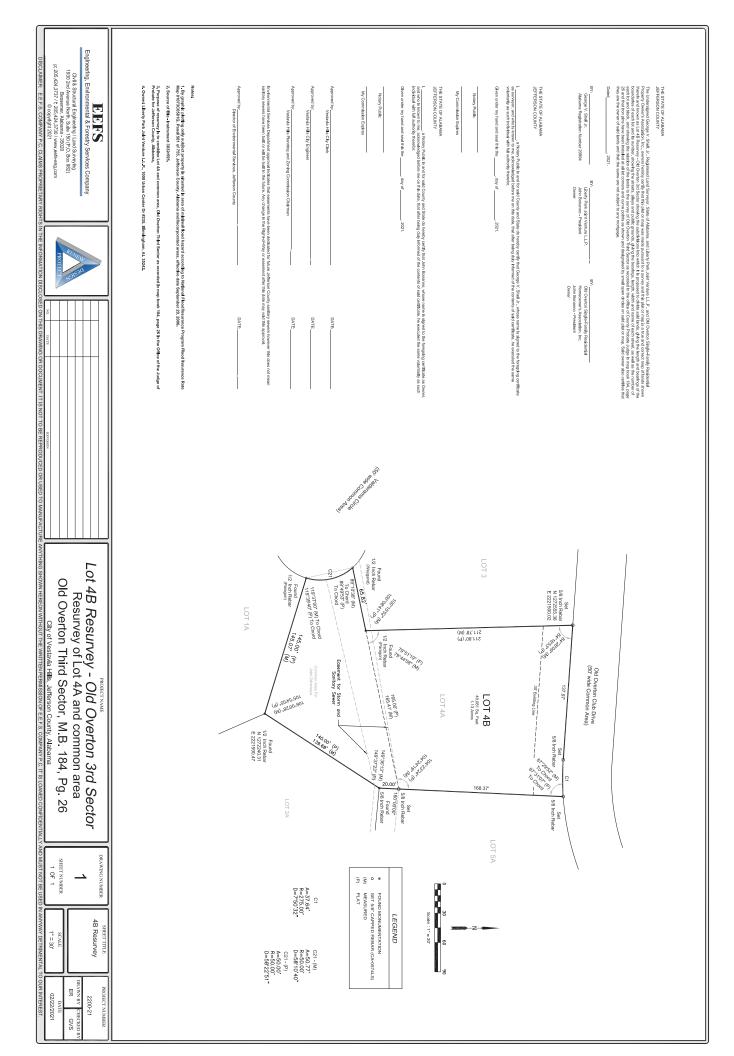
The above described property is presently zoned: ______

VII. OWNER AFFIDAVIT:

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. *Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted.*

	litter
Owner Signature/Date	Representing Agent (if any)/date 2.23.2023
Given under my hand and seal this 1/2 day of Free , 20 1/2.	VIER PLUSIDENT-LIDER PAR DANSIDE COMMONITION -
Kendall toward	AND ALL HOW TO THE REPORT OF T
My commission expires 7 day of <u>Septender</u> , 20 <u>22</u> .	A DIARY PUBLIC

P0321-09//2700053000006.000 Lot 4A & Common Area Old Overton Final Map to adjust lot lines LPJV



CITY OF VESTAVIA HILLS synopsis and staff recommendation concerning application before the planning and zoning commission

Date: MARCH 11, 2021

- <u>CASE</u>: P-0321-10
- **<u>REQUESTED ACTION</u>**: Final Plat Approval For Lot 2B Resurvey-Old Overton 3rd Sector
- ADDRESS/LOCATION: Ridgecrest Court Circle
- <u>APPLICANT/OWNER</u>: Lewis & Elizabeth Cheney
- **<u>GENERAL DISCUSSION</u>**: Plat will combine Lot 10 with Lot 2A to create Lot 2B.
- **STAFF REVIEW AND RECOMMENDATION:**
 - 1. City Planner Review: I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation

- 2. City Engineer Review: No problems noted.
- 3. City Fire Marshal Review: No problems noted
- 4. Building Safety Review: No problems noted

P&Z Application Final Plat Approval Page 3

CITY OF VESTAVIA HILLS PLANNING AND ZONING COMMISSION FINAL MAP APPLICATION

II. APP	LICANT INFORMATION: (owner of property)				
NAME:	Lewis & Elizabeth Cheney				
ADDRESS:	7386 Ridgecrest Court Drive				
Vestavia A	L 35242				
BILLING A	DDRESS (if different from above)				
PHONE :	205 914 3145 Email cheneylgm@gmail.com				
NAME OF I	REPRESENTING ATTORNEY OR OTHER AGENT:				
Vice-Prese	ent Liberty Park; Daniel Communities				
PHONE :	770 367-9552 Email jbonanno@libertypark.com				
III. BILI	LING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)				
NAME:	Liberty Park Joint Venture				
ADDRESS:	1000 Urban Center Suite 235				
Vestavia, A	AL 35242				
MAILING A	ADDRESS (if different from above)				
PHONE:	770 367-9552 Email jbonanno@libertypark.com				

P0321-10//2700053000015.000 Lots 2A & 10 Old Overton Final Map to combine lots Lewis & Elizabeth Cheney

IV. ACTION REQUESTED

Final Plat Approval: (reason must be provided)

Explain reason for the request:

Combine Lots 2A and 10 into 2B.

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

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

Lot 2A & Lot 10 - Old Overton - Third Sector Map Book 184, Page 26

Property size: _______ feet X ______ feet. Acres: 1.45

VI. ZONING/REZONING:

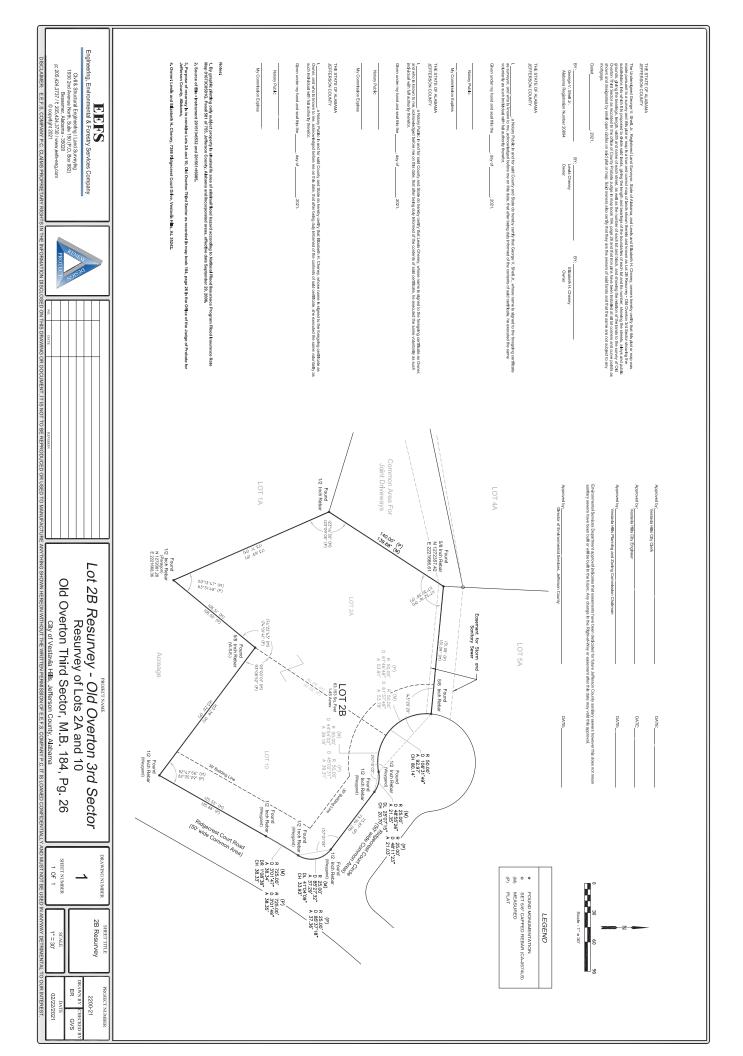
The above described property is presently zoned: PR-1

VII. OWNER AFFIDAVIT:

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. *Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted.*

Representing Agent (if any)/date **Owner** Signature/Date Given under my hand and seal annun mun day of February, 2021 ALS: NO this dy My commission expires 7+h day of May ,20,34

P0321-10//2700053000015.000 Lots 2A & 10 Old Overton Final Map to combine lots Lewis & Elizabeth Cheney



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

Date: MARCH 11, 2021

- <u>CASE</u>: P-1218-53
- **REOUESTED ACTION:** Amendment To Ordinance 2818 To allow for the Construction Of Three Single Family Homes
- ADDRESS/LOCATION: 3783 Fairhaven Drive
- <u>APPLICANT/OWNER</u>: Overton Investments, LLC
- **GENERAL DISCUSSION:** Applicant is seeking to amend Ordinance 2818, which rezoned property to Vestavia Hills R-9. The applicant was previously approved to build 3 new townhomes on 3771 Fairhaven Drive and also build 4 luxury townhomes on 3783 Fairhaven Drive. The three townhomes have been constructed at 3771 Fairhaven Dr. However, due to a changing market the applicants would like to exchange the remaining four townhomes at 3783 Fairhaven Dr. to three single family lots. The setbacks for the lots would be 20' in the front, 25' in the rear and 5' on the sides. All current easements will remain and the property would be re-platted at the conclusion of zoning. The amended site plan and original ordinance is attached.
- <u>CAHABA HEIGHTS COMMUNITY PLAN</u>: The Community Plan call for Institutional Uses for these two sites, however, this was written when the assisted care facility owned the lots.

• **<u>STAFF REVIEW AND RECOMMENDATION</u>**:

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

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

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

II. APPLICANT INFORMATION: (owner of property)

NAME:	Overton Insestments, LLC			
ADDRESS:	3505 Bant River Rd.			
	B'Lan, AL 35216			
MAILING AD	DDRESS (if different from above)			
PHONE NUM	BER: Home 205-985-7171 Office 205-319-5187			
EMAIL ADDRESS: JD Kerster 84 equail.com				
	EPRESENTING ATTORNEY/AGENT & CONTACT INFORMATION:			

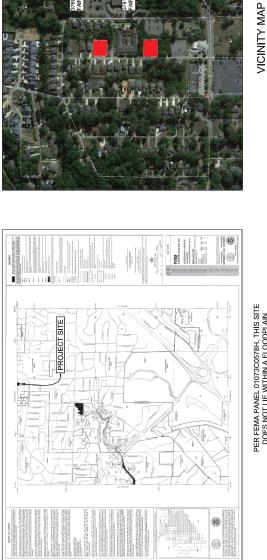
III. ACTION REQUESTED

Request that the above described property be zoned/rezoned
From: R9
To: RY
For the intended purpose of: 3 single family detached have
(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.)
Lots 31A-D Overton Investments Nersoney of Black. 2 New Markle, 3 - Fairhven Drive
Property size: 120 feet X 145 feet. Acres: 0,399
V. INFORMATION ATTACHED:
Attached Checklist complete with all required information.
Application fees submitted.
<u>VI.</u> I do hereby declare the above statements are true and that <u>I am the owner</u> and myself or my duly appointed representative will be at the scheduled hearing.
Jowner Signature/Date 1 2/3/21 Representing Agent (if any)/date
Given under my hand and seal this day of, 2021 UDITH JON NO, work of 2021 NO, work of 2021 NO, work of 2021 NO, work of 2021
Notary Public Notary Public 24 My commission expires 24 day of, 20_23.











SHEET INDEX

NS NOTES SHEET 10F1 BOUNDARY & TOPOGRAPHIC SURVEY C1.0 PRELIMINARY PLAT C2.0 SITE LANVOUT PLAN C3.0 EROSION CONTROL PLAN

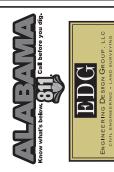
PROJECT CONTACTS

CITY OF VESTAVIA HILLS ENGINEERING CONTACT: CHRISTOPHER BRADY (205) 978-0100

CITY OF VESTAVIA HILLS PLANNING CONTACT: CONRAD GARRISON (205) 978-0179

BIRMINGHAM WATER WORKS BOARD CONTACT: DOUG STOCKHAM (205) 244-4186

JEFFERSON COUNTY ENVIRONMENAL SERVICES CONTACT: EMILY KEMP (206) 325-5231



SURVEYING BY ENGINEERING DESING ANDUP. LLC 120 BISHOP OFICLE, SUITE 300 PELHAM AI 35124 CONTACT: RODNEY CUNNINGHM, PLS.

ENGINEERING BY ENGINEERING DESIGN GROUP, LLC 120 BISHOP CIRCLE, SUITE 300 PELHAM, AL 35124 (205) 403-9158 CONTACT: WADE LOWERY, P.E.

OVERTON INVESTMENTS 3505 BENT RIVER ROAD BIRMINGHAM, AL 35216 (205) 985-7171 CONTACT: JASON KESSLER OWNER/DEVELOPER

FEMA FLOOD MAP N.T.S.

N.T.S.

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