

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

FEBRUARY 10, 2022

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: December 9, 2021

Preliminary Plats

- (1) **P-0222-02** Liberty Park Joint Venture, LLP Is Requesting **Preliminary Plat Approval For Liberty Park The Bray Phase II Mass Grading And Infrastructure.** The Purpose for This Request Is To Approve Grading and Infrastructure Plans. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PB.

Final Plats

Consent Agenda

- (2) **P-0222-03** Mark Rogers Is Requesting **Final Plat Approval For Resurvey Of Lot 31-A, And 33-A Rosement Subdivision.** The Purpose for This Request Is To Combine Lots. The Property Is Owned By Mark Rogers and Is Zoned Vestavia Hills R-1.
- (3) **P-1121-45** KADCO Homes, LLC Is Requesting **Six Month Extension For Final Plat Approval For Oakview Lane Townhomes.** The Purpose for This Request Is to Create Seven Townhome Lots. The Property Is Owned By KADCO Homes, LLC and Is Zoned Vestavia Hills R-9.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES

JANUARY 13, 2022

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, Chairman
Lyle Larson
Hasting Sykes
Jonathan Romeo
Rick Honeycutt
Ryan Farrell
David Maluff

MEMBERS ABSENT:

Rusty Weaver
Erica Barnes

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer

APPROVAL OF MINUTES

Mr. Vercher stated that the minutes of the meeting December 9, 2021 are presented for approval.

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

Mr. Sykes – yes
Mr. Larson – yes
Ms. Ferrell – yes
Mr. Vercher – yes

Mr. Romeo– yes
Mr. Maloof – yes
Mr. Honeycutt – yes
Motion carried.

Final Plats

- (1) **P-0122-01** RW Development, LLC Is Requesting **Final Plat Approval For Forest Creek**. The Purpose for This Request Is To Create Nine Lots and Extend A Public Street. The Property Is Owned By RW Development, LLC and Is Zoned Vestavia Hills R-2.

Mr. Garrison explained the request and stated the item is ministerial.

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

MOTION Motion to approve item 1 was made by Mr. Romeo and second was by Mr. Sykes. Voice vote as follows:

Mr. Sykes – yes
Mr. Larson – yes
Ms. Ferrell – yes
Mr. Vercher – yes

Mr. Romeo– yes
Mr. Maloof – yes
Mr. Honeycutt – yes
Motion carried.

Conrad Garrison, City Planner

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Liberty Park Joint Venture, LLP

ADDRESS: 1000 Urban Center Drive, Suite 235

Vestavia Hills, AL 35242

MAILING ADDRESS *(if different from above)* _____

PHONE: 770-367-9552 Email jbonanno@libertypark.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: James Parsons, P.E.

Principal & Director of Engineering, Schoel, 1001 22nd Street S, Birmingham, AL 35205

PHONE: 205-313-1134 Email jparsons@schoel.com

III. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: Schoel

ADDRESS: 1001 22nd Street South, Birmingham, AL 35205

MAILING ADDRESS *(if different from above)* _____

PHONE: _____ Email _____

P0222-02//28-00-13-1-000-001.002
1121 South Liberty Rd.
Prelim. Map for road infrastructure
construction
LPJV, LLP

IV. ACTION REQUESTED

Preliminary Plat Approval (reason must be provided)

Explain reason for the request: Approval of the preliminary plat for the grading of
land for development

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

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

Jefferson County, AL Parcel ID 28 00 13 1 000 001.002; S/T/R NE 1/4 S13 T18S
R2W. 1121 South Liberty Road


Property size: _____ feet X _____ feet. Acres: +/- 58

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**



Owner Signature/Date

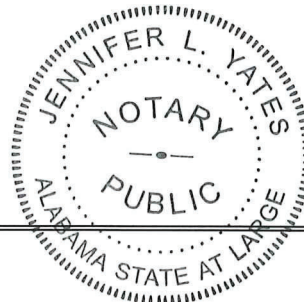
Representing Agent (if any)/date

Given under my hand and seal
this 20th day of January, 2022.



Notary Public

My commission expires 7th
day of May, 2024.



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

Date: **FEBRUARY 10, 2022**

- **CASE:** P-0222-02
- **REQUESTED ACTION:** Preliminary Plat Approval For Liberty Park The Bray Phase II Mass Grading And Infrastructure
- **ADDRESS/LOCATION:** South Liberty Rd.
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Preliminary plat will allow for the mass grading and infrastructure (water, sewer, utilities, etc.) improvements along S. Liberty Rd in the Bray development. No additional lots will be created with this plan. The request is consistent and in accordance with the original annexation and zoning agreement and can be done by right.
- **LIBERTY PARK MASTER PLAN:** This request is consistent with the plan for Phase II.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Liberty Park Joint Venture, LLP

ADDRESS: 1000 Urban Center Drive, Suite 235

Vestavia Hills, AL 35242

MAILING ADDRESS *(if different from above)* _____

PHONE: 770-367-9552 Email jbonanno@libertypark.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: James Parsons, P.E.

Principal & Director of Engineering, Schoel, 1001 22nd Street S, Birmingham, AL 35205

PHONE: 205-313-1134 Email jparsons@schoel.com

III. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: Schoel

ADDRESS: 1001 22nd Street South, Birmingham, AL 35205

MAILING ADDRESS *(if different from above)* _____

PHONE: _____ Email _____

P0222-02//28-00-13-1-000-001.002
1121 South Liberty Rd.
Prelim. Map for road infrastructure
construction
LPJV, LLP

IV. ACTION REQUESTED

Preliminary Plat Approval (reason must be provided)

Explain reason for the request: Approval of the preliminary plat for the grading of
land for development

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

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

Jefferson County, AL Parcel ID 28 00 13 1 000 001.002; S/T/R NE 1/4 S13 T18S
R2W. 1121 South Liberty Road


Property size: _____ feet X _____ feet. Acres: +/- 58

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**



Owner Signature/Date

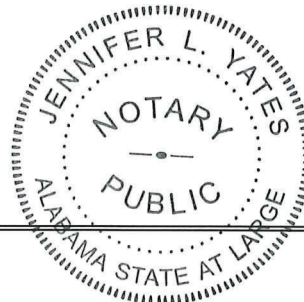
Representing Agent (if any)/date

Given under my hand and seal
this 20th day of January, 2022.



Notary Public

My commission expires 7th
day of May, 2024.



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

Date: **FEBRUARY 10, 2022**

- **CASE:** P-0222-03
- **REQUESTED ACTION:** Resurvey Of Lot 31-A, And 33-A Rosemont Subdivision
- **ADDRESS/LOCATION:** Rosemont Pl.
- **APPLICANT/OWNER:** Mark Rogers
- **GENERAL DISCUSSION:** Plat will combine lots 31-A and 33-A to create lot 33-B. Plat will also remove 145' setback previously made exclusively for Lot 33-A. All other existing easements and setbacks will remain. New lot meets the minimum requirement for R-1.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Mark Rogers

ADDRESS: 1548 PUMPHOUSE COURT
VESTAVIA, AL 35243

BILLING ADDRESS (if different from above) _____

PHONE : (706) 766-2306 Email MARKEDWARDROGERS@GMAIL.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: EDG

120 Bishop Circle, Suite 300, Pelham, Alabama 35124

PHONE : 205-403-9158 Email cunningham@edgalabama.com

III. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: EDG

ADDRESS: 120 Bishop Circle, Suite 300, Pelham, Alabama 35124

MAILING ADDRESS (if different from above) _____

PHONE: 205-403-9158 Email cunningham@edgalabama.com

P0222-03//28-00-20-4-001-085.000
1977 & 1981 Rosemont PL
Final Map to combine lots
Mark Rogers

IV. ACTION REQUESTED

Final Plat Approval: (reason must be provided)

Explain reason for the request: Resurvey is to combine Lot 31A and 33A

Rosemont into 1 Lot

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

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

Lot 31 and 33, Rosemont Subdivision

MB 241, Pg. 72

Property size: _____ feet X _____ feet. Acres: 2.94

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.**

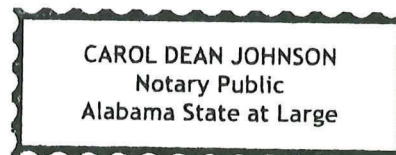
[Signature]
Owner Signature/Date

[Signature]
Representing Agent (if any)/date

Given under my hand and seal
this 25 day of January, 2022

[Signature]
Notary Public

My commission expires 12
day of December, 2023.



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

Date: NOVEMBER 9, 2021

- **CASE:** P-1121-45
- **REQUESTED ACTION:** Final Plat Approval For Oakview Lane Townhomes
- **ADDRESS/LOCATION:** 4224 & 4228 Oakview Ln.
- **APPLICANT/OWNER:** KADCO Homes, LLC
- **GENERAL DISCUSSION:** Plat will subdivide Lots 30 & 31 into Lots 1-7 to complete previously approved townhome rezoning. All lots are zoned R-9.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

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

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

II. APPLICANT INFORMATION: (owner of property)

NAME: KADCO Homes, LLC

ADDRESS: 3505 Bent River Rd.

Birmingham, AL 35216

BILLING ADDRESS (if different from above) _____

PHONE: 205-369-5787 Email JKessler84@gmail.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Jason Kessler

PHONE: ↑ Email ↑

III. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: Same as above

ADDRESS: _____

MAILING ADDRESS (if different from above) _____

PHONE: _____ Email _____

IV. ACTION REQUESTED

Final Plat Approval: (reason must be provided)

Explain reason for the request: To record approved R9 map

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

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

4224 & 4228 Oakview Lane Vestavia, AL 35243

Lots 30 & 31 Block 2 New Merkle Heights

Property size: 181' feet X 165' feet. Acres: 0.67

VI. ZONING/REZONING:

The above described property is presently zoned: R9

VII. OWNER AFFIDAVIT:

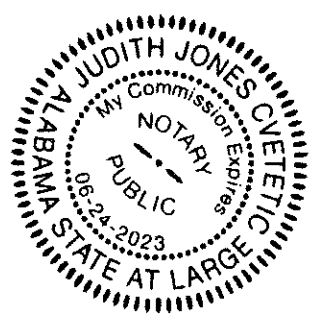
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. **Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted.**

[Signature] 10/20/21
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 20th day of October, 2021.

[Signature]
Notary Public



My commission expires 24th
day of June, 2023.

OAKVIEW LANE TOWNHOMES

BEING A RESURVEY OF LOTS 30, AND 31, BLOCK 2, ACCORDING TO THE SURVEY OF NEW MERKLE HEIGHTS, AS RECORDED IN MAP BOOK 19, PAGE 92, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

PURPOSE OF THIS RESURVEY IS TO SUBDIVIDE LOTS 30, AND 31, BLOCK 2 INTO 7 TOWNHOUSE LOTS AND DEDICATE RIGHT OF WAY TO CITY.

SITUATED IN THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 18 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA

DATE

REVISIONS

DRAWN BY: MBA
CHECKED BY: RKC
PROJECT NO.: KESS0100
DATE: October 12, 2021
SCALE: 1" = 20'

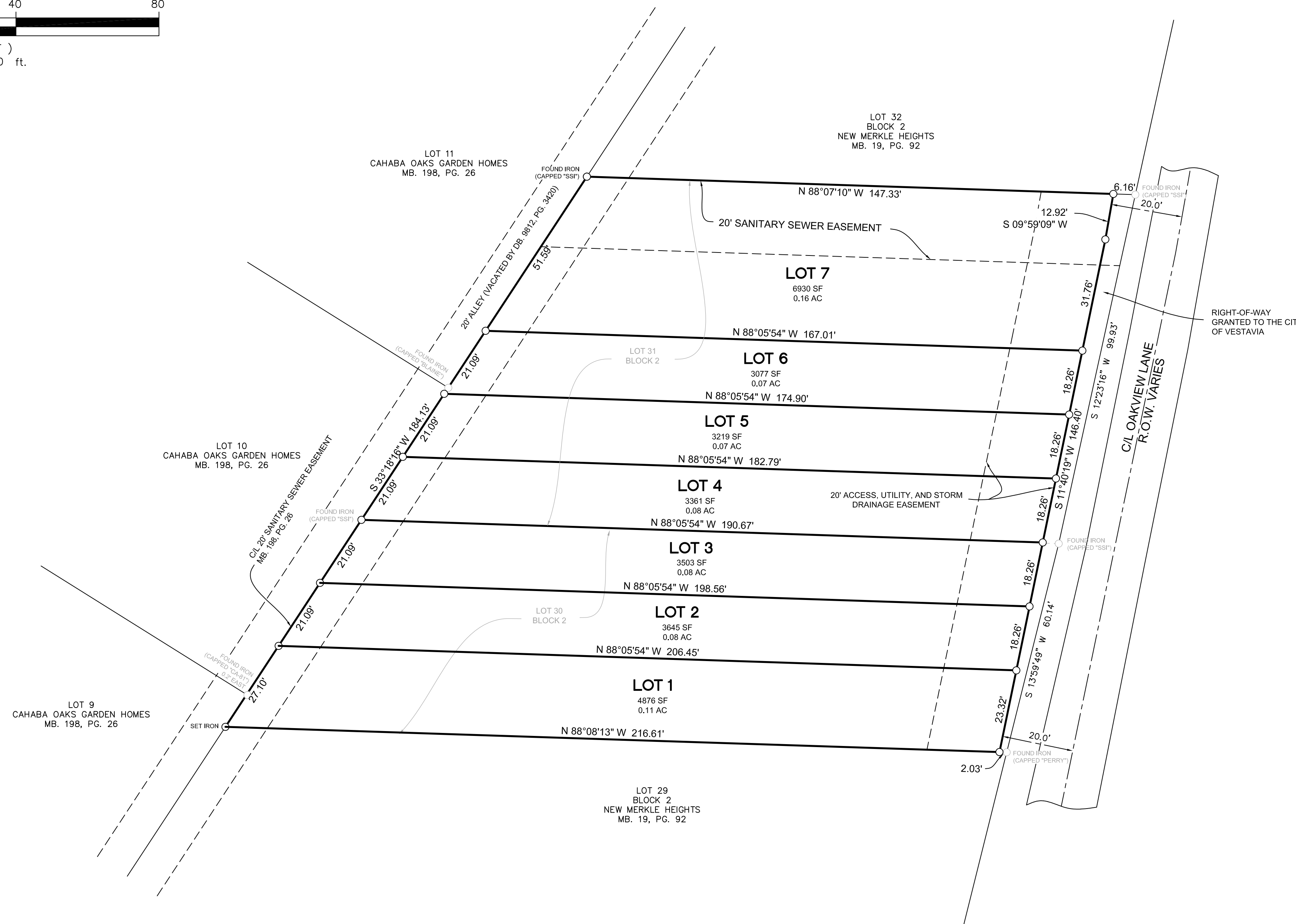
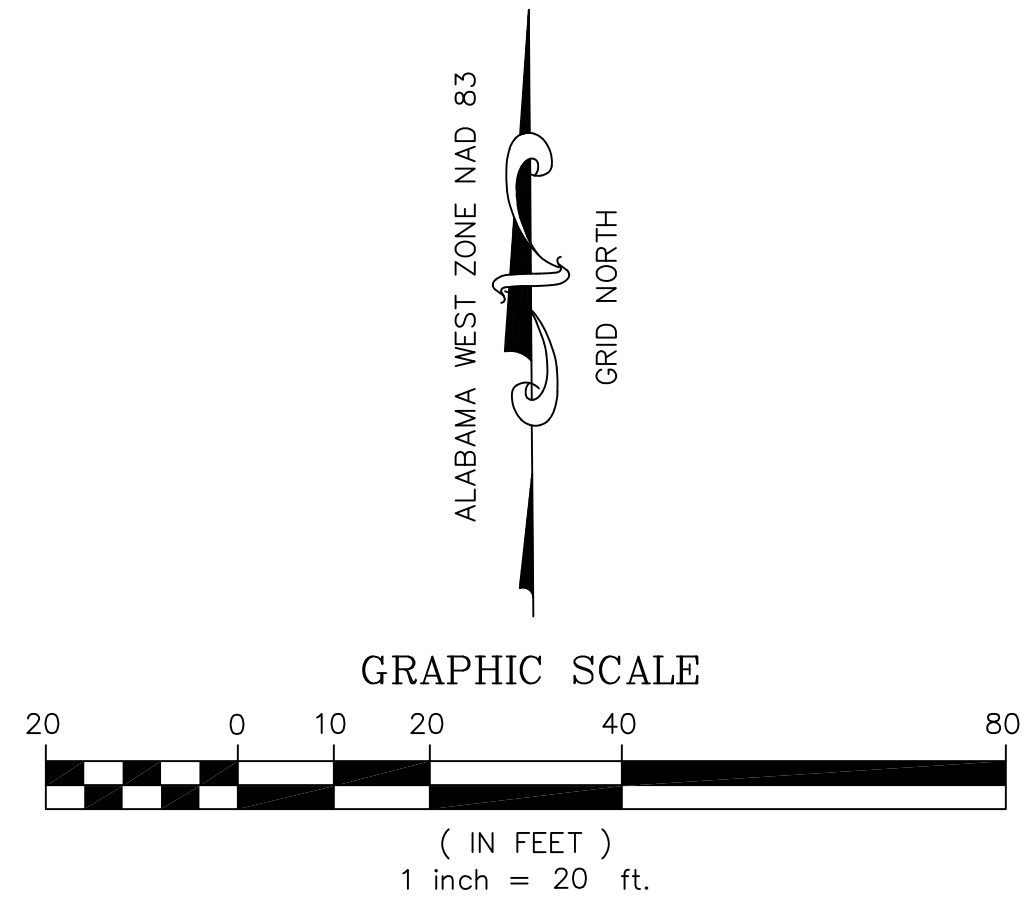
PROJECT: OAKVIEW LANE TOWNHOMES

TITLE: FINAL PLAT

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

SHEET NO.
1 OF 1



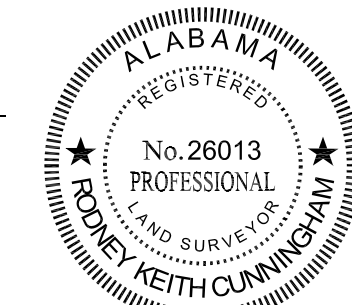
STATE OF ALABAMA
COUNTY OF JEFFERSON

THE UNDERSIGNED, RODNEY K. CUNNINGHAM, A REGISTERED LAND SURVEYOR, STATE OF ALABAMA, AND KADCO HOMES, LLC, OWNER, HEREBY CERTIFY THAT THIS PLAT OR MAP WAS MADE PURSUANT TO A SURVEY MADE BY SAID SURVEYOR AND THAT SAID SURVEY AND THIS PLAT OR MAP WERE MADE AT THE INSTANCE OF SAID OWNER; THAT THIS PLAT OR MAP IS A TRUE AND CORRECT MAP OF LANDS SHOWN THEREIN AND KNOWN AS 'OAKVIEW LANE TOWNHOMES' SHOWING THE SUBDIVISIONS INTO WHICH IT IS PROPOSED TO DIVIDE SAID LANDS, GIVING THE LENGTH, WIDTH AND ANGLES OF THE BOUNDARIES OF EACH LOT AND ITS NUMBER, SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS, GIVING THE LENGTH, WIDTH AND NAME OF EACH STREET, AS WELL AS THE NUMBER OF EACH LOT AND BLOCK, SHOWING THE RELATIONS OF THE LANDS TO THE SURVEY OF NEW MERKLE HEIGHTS, AS RECORDED IN MAP BOOK 19, PAGE 92, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA; AND THAT IRON PINS HAVE BEEN FOUND IRON OR SET AT ALL LOT CORNERS AND CURVE POINTS AS SHOWN AND DESIGNATED BY SMALL SOLID CIRCLES ON SAID PLAT OR MAP. SAID OWNER ALSO CERTIFIES THAT IT IS THE OWNER OF SAID LANDS AND THAT THE SAME IS NOT SUBJECT TO A MORTGAGE.

I HEREBY STATE 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.

SURVEYOR:

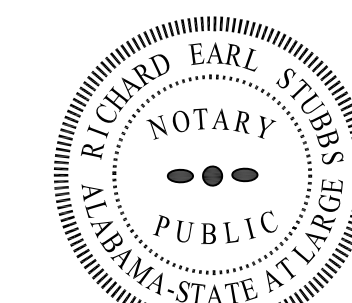
RODNEY K. CUNNINGHAM
ALABAMA LIC. NO. 26013



STATE OF ALABAMA
COUNTY OF SHELBY

I, RICHARD EARL STUBBS, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT RODNEY K. CUNNINGHAM, WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS SURVEYOR, AND WHO IS KNOWN TO ME, ACKNOWLEDGE BEFORE ME ON THIS DATE THAT BEING DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED THE SAME VOLUNTARILY, FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, 2021.



NOTARY PUBLIC MY COMMISSION EXPIRES DEC. 13, 2021

OWNER: KADCO HOMES, LLC

BY: JASON KESSLER: MANAGING MEMBER

STATE OF ALABAMA
COUNTY OF _____

I, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT JASON KESSLER, WHOSE NAMES ARE SIGNED TO THE FOREGOING CERTIFICATE AS MANAGING MEMBER OF KADCO HOMES, LLC, OWNER, AND WHO IS KNOWN TO ME, ACKNOWLEDGE BEFORE ME ON THIS DATE THAT BEING DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY, FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, 2021.

NOTARY PUBLIC MY COMMISSION EXPIRES _____

APPROVED BY: _____ DATE: _____
CITY ENGINEER

APPROVED BY: _____ DATE: _____
VESTAVIA HILLS PLANNING & ZONING COMMISSION

APPROVED BY: _____ DATE: _____
MANAGER AND CITY CLERK

APPROVED IN FORMAT ONLY:

DIRECTOR OF ENVIRONMENTAL SERVICES DATE
ENVIRONMENTAL SERVICES DEPARTMENT APPROVAL INDICATES THAT THIS DOCUMENT HAS BEEN REVIEWED FOR PROVISIONS OF FUTURE OR EXISTING SANITARY SEWERS; HOWEVER THIS DOES NOT MEAN SANITARY SEWERS HAVE BEEN BUILT OR WILL BE BUILT IN THE FUTURE. ANY CHANGE IN THE RIGHT-OF-WAY OR EASEMENT BOUNDARIES AFTER THIS DATE MAY VOID THIS APPROVAL.

- NOTES:**
- ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HERON.
 - BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE) (NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
 - CONTRACTOR* AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING BUILDING SITES FREE OF DRAINAGE PROBLEM.
 - NO FURTHER SUBDIVISION OF ANY PARCEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE CITY OF VESTAVIA PLANNING COMMISSION.

ZONING
ZONED: R-9
SETBACKS:
FRONT: 20'
REAR: 20'
SIDE: NONE

