

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

FEBRUARY 9, 2023

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: January 12, 2023

Rezoning, Annexation Non-Compatible

- (1) **RZ-22-11** Alan N. Foster Is Requesting **Rezoning (Annexation)** For **2594 Acton Rd.** from **Jefferson County A to Vestavia Hills R-2** For Annexation.

Rezoning, Annexations Compatible

- (2) **RZ-23-1** Andy Davis Is Requesting **Compatible Rezoning** For **2608 Rillwood Rd.** from **Jefferson County E-1 to Vestavia Hills E-2** For The Purpose Of Annexation.
- (3) **RZ-23-2** Charles Kessler Is Requesting **Compatible Rezoning** For **2401 Rocky Ridge Rd.** from **Jefferson County E-2 to Vestavia Hills R-1** For The Purpose Of Annexation.
- (4) **RZ-23-3** Leon R. Gorman, Jr. Is Requesting **Compatible Rezoning** For **1420 Branchwater Cir.** from **Jefferson County E-2 to Vestavia Hills R-1** For The Purpose Of Annexation.
- (5) **RZ-23-4** Grace Covenant Baptist Church Is Requesting **Compatible Rezoning** For **2565 Rocky Ridge Rd.** from **Jefferson County Inst-1 to Vestavia Hills Institutional** For The Purpose Of Annexation.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES

JANUARY 12, 2023

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 Vercher called the meeting to order and the City Planner called the roll with the following:

MEMBERS PRESENT:

Mike Vercher, Chairman
Lyle Larson
Jonathan Romeo
Erica Barnes
Hasting Sykes
Ryan Farrell
Rusty Weaver
Rick Honeycutt
David Maluff

MEMBERS ABSENT:

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer

**Appeared via Zoom*

APPROVAL OF MINUTES

Mr. Vercher stated that the minutes of the meeting December 8, 2022 are presented for approval.

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

Mr. Farrell – yes	Mr. Sykes – yes
Ms. Barnes – yes	Mr. Larson – yes
Mr. Romeo – yes	Mr. Weaver– yes
Mr. Honeycutt – yes	Mr. Maluff– yes
Mr. Vercher– yes	
Motion carried.	

Final Plats

Consent Agenda

- (1) **FP-22-13** Jerome Williams Is Requesting **Final Plat Approval For Resurvey Of Monroes Add To Vestavia Hills**. The Purpose for This Request Is to Amend A Lot Line. The Property Is Owned By Jerome Williams & Ben Henderson and Is Zoned Vestavia Hills R-2.
- (2) **FP-22-14** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For Bray Town Center Phase I**. The Purpose for This Request Is To Amend Lot Lines. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PB.
- (3) **FP-22-15** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For The Bray Townhomes At Liberty Park Resurvey No. 1**. The Purpose for This Request Is To Resurvey Lot Lines. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.
- (4) **FP-22-16** Drew Gunnells Is Requesting **Final Plat Approval For A Resurvey Of ½ Lot 15 And Lot 16, Block 8, Biltmore Estates**. The Purpose for This Request Is To Resurvey Lot Lines. The Property Is Owned By Drew Gunnells and Is Zoned Vestavia Hills R-2.

Mr. Garrison explained the request and stated the items 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 items 1-4 was made by Mr. Weaver and second was by Mr. Sykes. Voice vote as follows:

Mr. Farrell – yes
Ms. Barnes – yes
Mr. Romeo – yes
Mr. Honeycutt – yes
Mr. Vercher– yes
Motion carried.

Mr. Sykes – yes
Mr. Larson – yes
Mr. Weaver– yes
Mr. Maluff– yes

Rezoning

(5) **RZ-22-10** Jeff Lett Is Requesting **Rezoning** for **3951 Wall St.** from **Vestavia Hills R-4 To Vestavia Hills B-2** For A Swim School.

Mr. Garrison explained that the request was for a private swim school on a lot between Chick-fil-a and Zaxbys.

Frank Skidmore was present to represent the applicants and answer and questions the Commission had.

Mr. Maluff asked if meets would be held at this location. Mr. Skidmore stated that facility would only hold classes, with an average of 4-5 students.

Mr. Vercher opened the floor for a public hearing.

Leelee Hughes spoke in opposition and stated the lot could be used for a park.

Benard Soroto spoke in opposition due to construction noise.

Molly James spoke in support.

Morris Newman spoke in opposition and stated any residential product would be preferred.

Ken Hickman submitted a petition in opposition and spoke to that affect.

Joan Kindle spoke in opposition due to traffic.

Corey Miller spoke in support.

Paula Hickman spoke in opposition.

Sheryl Aldridge spoke in support.

Anita Estelle spoke in support.

Veronica Upchurch spoke in support.

Karen Heard spoke in support.

Heather Joiner spoke in support.

Katie Wall spoke in support.

Anastasia Nelson spoke in support.

Mr. Vercher closed the public hearing.

Mr. Maluff asked what infrastructure improvements would be required. Mr. Brady stated there would be improvements to Bearden Ct. if the project moves forward.

Mr. Larson discussed previous failed rezoning's on Wall St. and stated it failed due to the same concerns raised tonight.

Mr. Weaver stated the lot is not viable as a residential lot due to it being surrounded by fast food restaurants. Additionally, the City just recently spent millions of dollars on the Cahaba Heights Park.

Mr. Garrison agreed with Mr. Weaver and stated that even if a park was considered parking would still be required and would not eliminate traffic concerns. Additionally, the Cahaba Heights Plan calls for this lot to be high density residential, which isn't appropriate at this location.

Mr. Vercher opened the floor for a motion.

MOTION Mrs. Barnes made a motion to recommend Rezoning for 3951 Wall St. from Vestavia Hills R-4 to Vestavia Hills B-2 conditioned on all materials presented; including site plans, renderings, business plans, and all other ancillary documents. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes	Mr. Sykes – yes
Ms. Barnes – yes	Mr. Larson – no
Mr. Romeo – yes	Mr. Weaver– yes
Mr. Honeycutt – yes	Mr. Maloof– yes
Mr. Vercher– yes	




Motion carried.

Conrad Garrison, City Planner

Rezoning Application**RZ-22-11**

Submitted On: Dec 24, 2022

Applicant

 Alan Foster
 205-807-3904
 altriciafoster@gmail.com

Primary Location

2594 ACTON RD
 Vestavia Hills, AL 35243

Property Information**Subject Property Address**

2594 Acton Rd

Tax Parcel ID Number

--

Legal Description

--

Existing Parking Spaces

--

Proposed Parking Spaces

--

Submission Date

12/24/2022

Type of Project

Annexation of a Single-Family Home

Action Requested:**From Existing Zoning Classification**

JC A-1

To Requested Zoning Classification

VH R-2

For the Intended Purpose of:

annexation of single family residence

Acreage of Subject Property

1.36

Acreage of Property to be Disturbed

0

Setbacks**Front**

--

Back

--

Side

--

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

Alan N Foster

Company Name

--

Owner Address City State Zip

2594 Acton Rd

Owner's Phone Number

205-807-7872

Email Address of Owner

altriciafoster@gmail.com

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

Owner Representative/Responsible Party

--

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

--

Project Engineer Information (if applicable)

Name

--

Company

--

Mailing Address

--

Phone Number

--

Email

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City of Vestavia Hills, AL

Feb 1, 2023

RZ-22-11

Planning Review

Rezoning Application

Status: Complete**Assignee:** Conrad Garrison**Became Active:** Dec 27, 2022**Completed:** Dec 27, 2022

Applicant

Alan Foster
altriciafoster@gmail.com
2594 Acton Road
Birmingham, AL 35243
205-807-3904

Primary Location

2594 ACTON RD
Vestavia Hills, AL 35243

Owner:

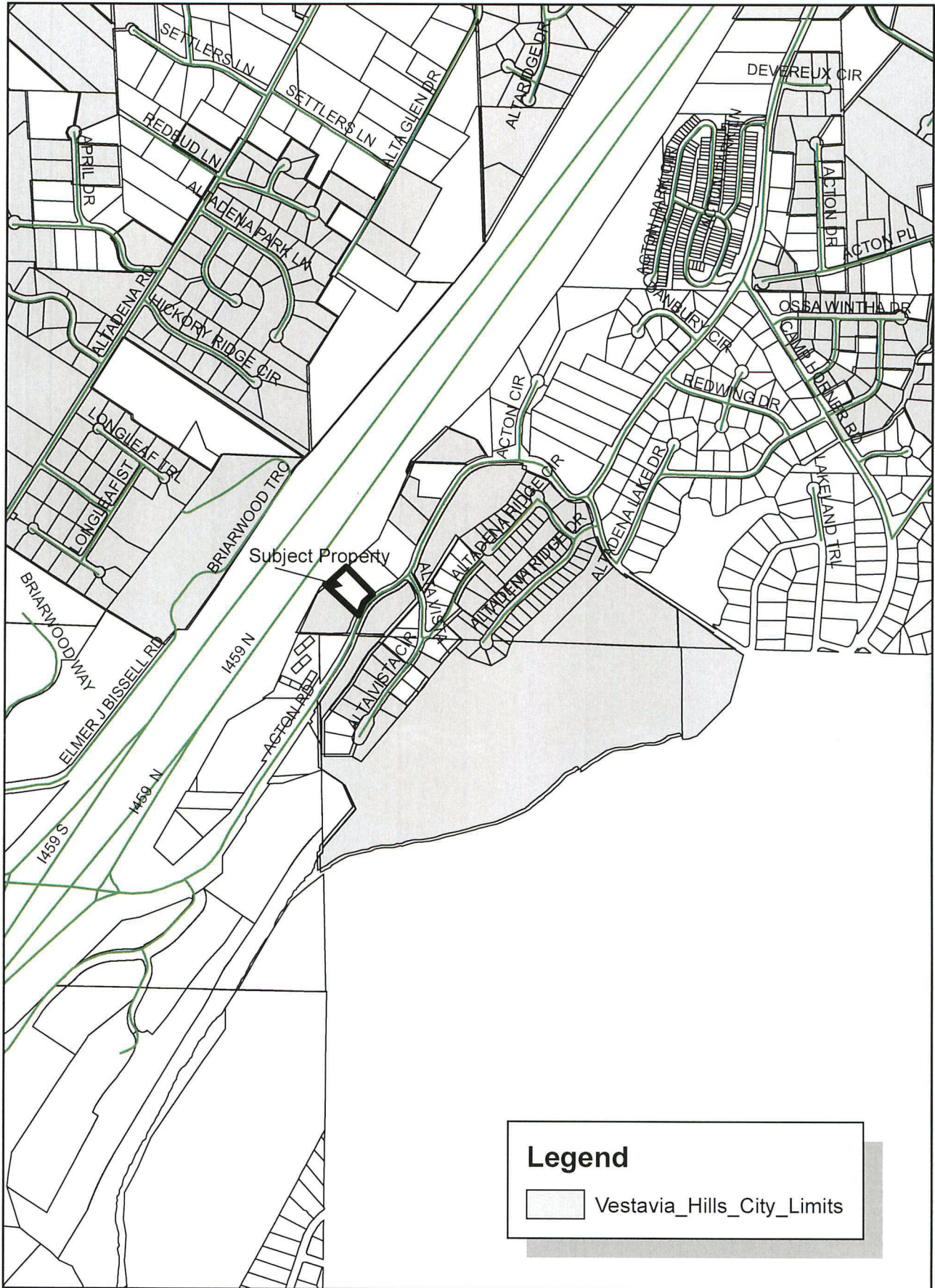
Alan N Foster
2594 Acton Rd Vestavia Hills, AL 35243

Comments

Conrad Garrison, Jan 31, 2023

Property was annexed by City Council on 12/19/22 (Ord. 3141). Applicant is not seeking compatible rezoning from the Jefferson County Agriculture to VH Agriculture but, instead, to R-2 to restrict uses to single family.

2594 Acton Road






Rezoning Application

Applicant

Primary Location

RZ-23-1

 Andrew Davis
 205-790-5778
 andy.ironcity@gmail.com

2608 RILLWOOD RD
VESTAVIA HILLS, AL 35243

Submitted On: Jan 4, 2023

Property Information

Subject Property Address

2608 Rillwood Rd

Tax Parcel ID Number

280028001014000

Legal Description

Altadena Pk 2nd S 28-28-4

Existing Parking Spaces

2

Proposed Parking Spaces

2

Submission Date

01/04/2023

Type of Project

Annexation of a Single-Family Home

Action Requested:

From Existing Zoning Classification

JC E-1

To Requested Zoning Classification

VH E-2

For the Intended Purpose of:

Annexation

Acreage of Subject Property

2

Acreage of Property to be Disturbed

0

Setbacks

Front

0

Back

0

Side

0

Open Space

0

Lot Coverage Percentage

0

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

Andy Davis

Company Name

--

Owner Address City State Zip

2608 Rillwood Rd Vestavia AL 35243

Owner's Phone Number

2057905778

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

Email Address of Owner

andy.ironcity@gmail.com

Owner Representative/Responsible Party

Andy Davis

Company Name

--

Contact Email of Responsible Party

andy.ironcity@gmail.com

Mailing Address of Responsible Party

2608 Rillwood Rd Vestavia AL 35243

Phone No. of Responsible Party

2057905778

Email Address of Responsible Party

andy.ironcity@gmail.com

Project Engineer Information (if applicable)

Name

--

Company

--

Mailing Address

--

Phone Number

--

Email

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City of Vestavia Hills, AL

Feb 1, 2023

RZ-23-1

Planning Review

Rezoning Application

Status: Complete

Became Active: Jan 10, 2023

Assignee: Conrad Garrison

Completed: Jan 10, 2023

Applicant

Andrew Davis
andy.ironcity@gmail.com
2608 Rillwood Road
Vestavia Hills, AL 35243
205-790-5778

Primary Location

2608 RILLWOOD RD
VESTAVIA HILLS, AL 35243

Owner:

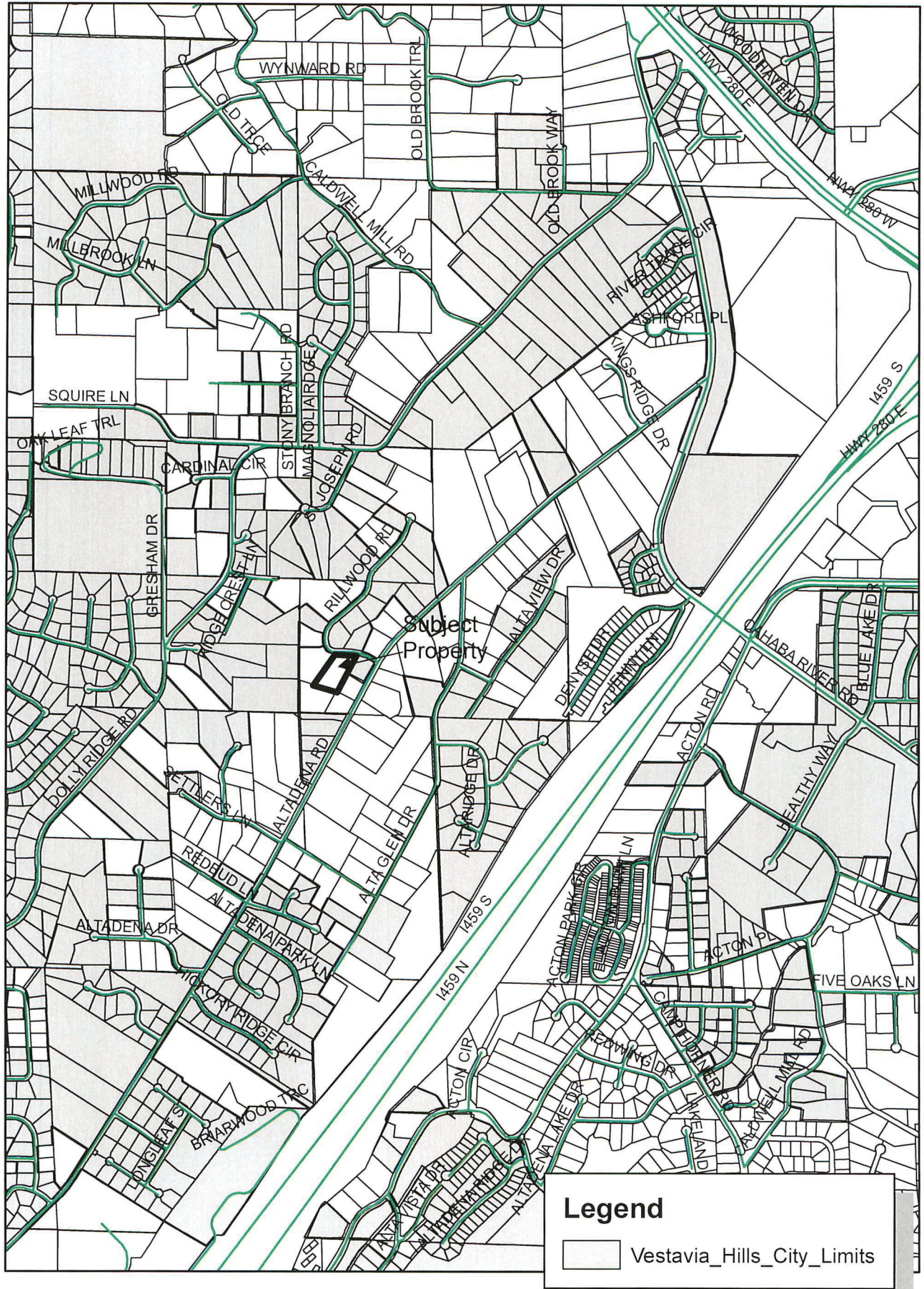
Andy Davis
2608 Rillwood Rd Vestavia, AL 35243

Comments

Conrad Garrison, Jan 31, 2023

This is a compatible rezoning of annexed property on Rillwood Rd. from JC E-1 to VH E-2. Property was annexed overnight by Ordinance 3140 on 12/19/22.




2608 Rillwood Road



Rezoning Application**RZ-23-2**

Submitted On: Jan 4, 2023

Applicant

 Judy Cvetetic
 205-985-7171
 judy@kadcohomes.com

Primary Location

2401 ROCKY RIDGE RD
 VESTAVIA HILLS, AL 35243

Property Information**Subject Property Address**

2401 ROCKY RIDGE ROAD

Tax Parcel ID Number

40 00 05 2 007 007.000

Legal Description

--

Existing Parking Spaces

--

Proposed Parking Spaces

--

Submission Date

12/21/2022

Type of Project

Annexation of a Single-Family Home

Action Requested:**From Existing Zoning Classification**

JC E-2

To Requested Zoning Classification

VH R-1

For the Intended Purpose of:

annexation

Acreage of Subject Property

.75 ac

Acreage of Property to be Disturbed

zero

Setbacks**Front**

60

Back

30

Side

17

Open Space

--

Lot Coverage Percentage

2500

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

CHARLES G KESSLER JR

Company Name

CGKJR LLC

Owner Address City State Zip

3505 BENT RIVER RD

Owner's Phone Number

205-985-7171

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

Email Address of Owner

CKESSLER1@BELLSOUTH.NET

Owner Representative/Responsible Party

--

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

--

Project Engineer Information (if applicable)

Name

--

Company

--

Mailing Address

--

Phone Number

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Email

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City of Vestavia Hills, AL

Feb 1, 2023

RZ-23-2

Planning Review

Rezoning Application

Status: Complete

Became Active: Jan 5, 2023

Assignee: Conrad Garrison

Completed: Jan 10, 2023

Applicant

Judy Cvetetic
judy@kadcohomes.com
3505 Bent River Rd
Vestavia Hills, AL 35216
205-985-7171

Primary Location

2401 ROCKY RIDGE RD
VESTAVIA HILLS, AL 35243

Owner:

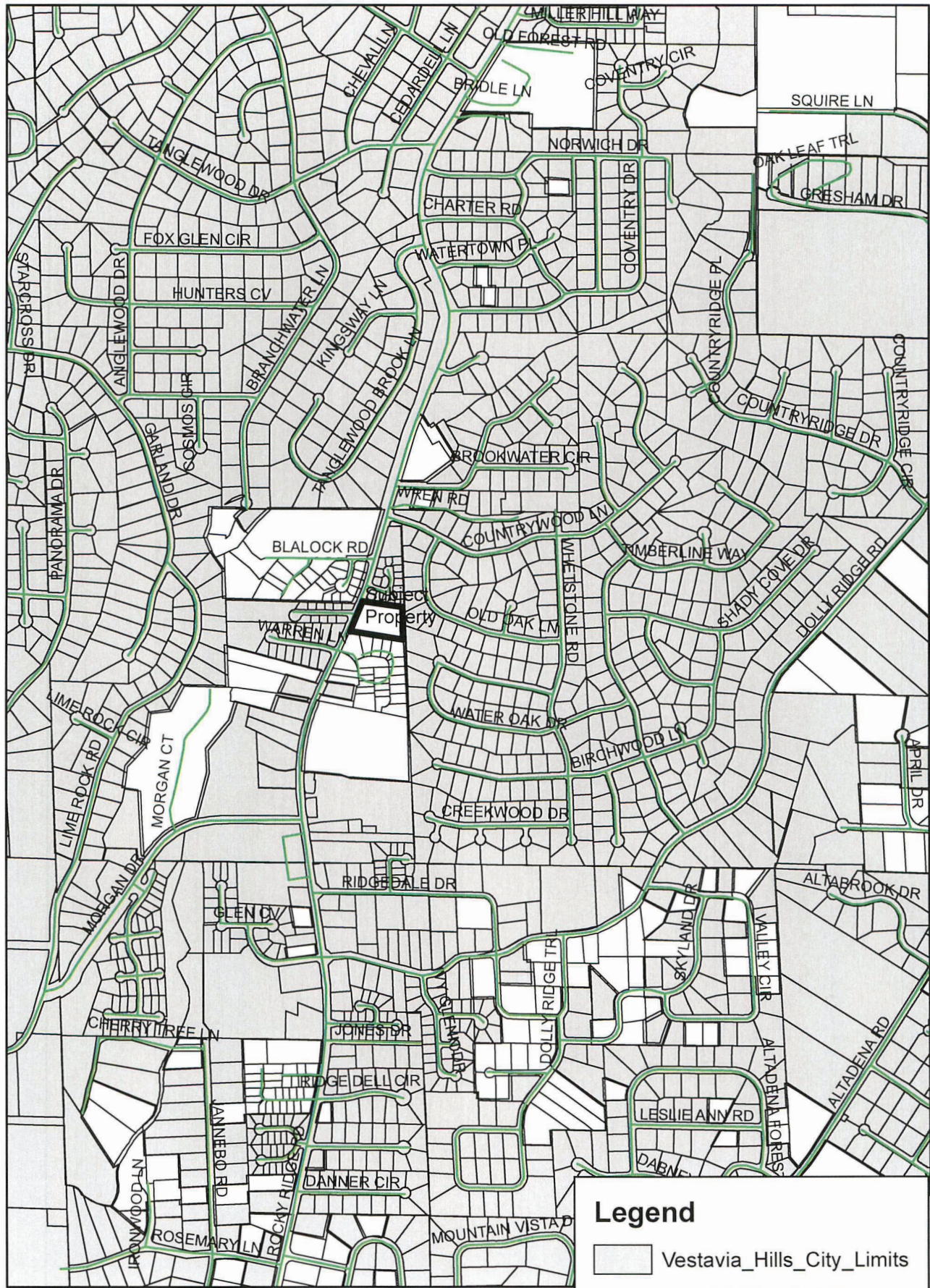
CGKJR LLC
3505 Bent River Rd Vestavia Hills, AL 35216

Comments

Conrad Garrison, Feb 1, 2023

This is a compatible rezoning of annexed property on Rocky Ridge Rd. from JC E-2 to VH R-1. Property was annexed overnight by Ordinance 3142 on 12/19/22.

2565 Rocky Ridge Road






Rezoning Application

RZ-23-3

Submitted On: Jan 6, 2023

Applicant

 Mike Wald
 2055410940
 mikewald@realtysouth.com

Primary Location

1420 BRANCHWATER CIR
VESTAVIA HILLS, AL 35216

Property Information

Subject Property Address

1420 BRANCHWATER CIR

Tax Parcel ID Number

28-00-32-2-002-001.002

Legal Description

BEG NW COR NE 1/4 NW 1/4 TH E 187.6 FT TH SLY 4.7 FT TH WLY 14.3 FT TH SW 20 FT TH SW 17 FT TH SWLY 57 FT TH SW 26.9 FT TH SWLY 112.7 FT TH SW 37.2 FT TH N 22.4 FT TH NW 136.3 FT TH NE 61.7 FT TH N 121.9 FT TH E 84.2 FT TO POB SECT 32 TWSP 18S RANGE 2W

Existing Parking Spaces

2

Proposed Parking Spaces

2

Submission Date

01/06/2023

Type of Project

Annexation of a Single-Family Home

Action Requested:

From Existing Zoning Classification

JC E-2

To Requested Zoning Classification

VH R-1

For the Intended Purpose of:

Existing single family home

Acreage of Subject Property

.82

Acreage of Property to be Disturbed

0

Setbacks

Front

--

Back

--

Side

--

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

Leon R Gorman, Jr

Company Name

--

Owner Address City State Zip

1420 Branchwater Circle

Owner's Phone Number

2055311291

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

Email Address of Owner

kentgorman10@gmail.com

Owner Representative/Responsible Party

Mike Wald

Company Name

Realty South

Contact Email of Responsible Party

mikewald@realtysouth.com

Mailing Address of Responsible Party

2409 Acton Road, Vestavia, AL 35243

Phone No. of Responsible Party

2055410940

Email Address of Responsible Party

mikewald@realtysouth.com

Project Engineer Information (if applicable)

Name

--

Company

--

Mailing Address

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Phone Number

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Email

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City of Vestavia Hills, AL

Feb 1, 2023

RZ-23-3

Planning Review

Rezoning Application

Status: Complete

Became Active: Jan 6, 2023

Assignee: Conrad Garrison

Completed: Jan 10, 2023

Applicant

Mike Wald
mikewald@realtysouth.com
2409 Acton Road
Vestavia, AL 35242
2055410940

Primary Location

1420 BRANCHWATER CIR
VESTAVIA HILLS, AL 35216

Owner:

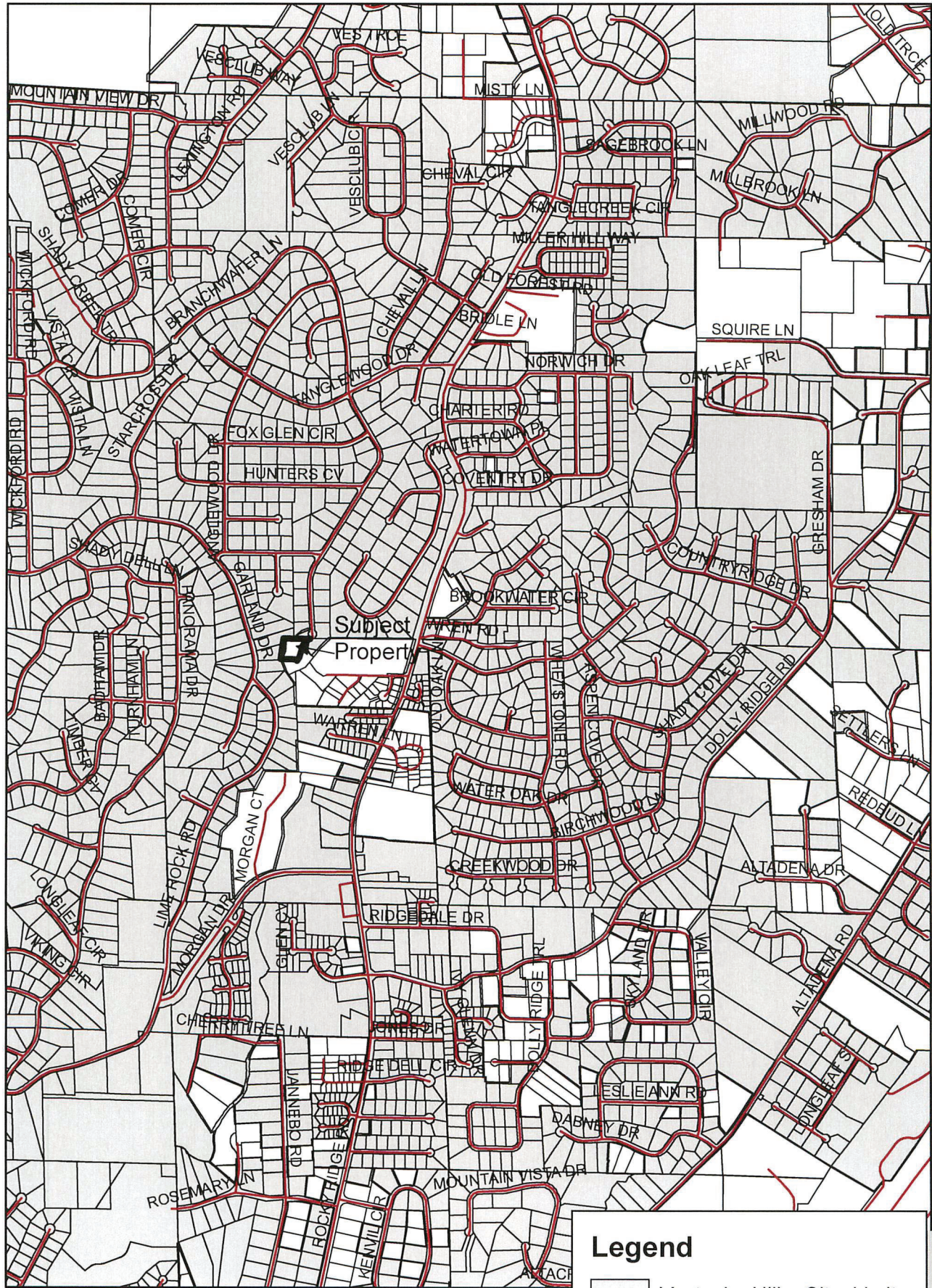
Leon R Gorman, Jr
1420 Branchwater Circle Vestavia, AL 34216

Comments


Conrad Garrison, Feb 1, 2023

This is a compatible rezoning of annexed property on Branchwater Cir. from JC E-2 to VH R-1. Property was annexed overnight by Ordinance 3144 on 12/19/22.

1420 Branchwater Circle






Legend

 Vestavia_Hills_City_Limits

Rezoning Application**RZ-23-4**

Submitted On: Jan 9, 2023

Applicant

 Richard Hughes
 205-586-0730
 rohughes@charter.net

Primary Location

2565 ROCKY RIDGE RD
 VESTAVIA HILLS, AL 35243

Property Information**Subject Property Address**

2565 Rocky Ridge Road

Tax Parcel ID Number

--

Legal Description

Two tracts of property in the Northwest Quarter of Section 32, Township 18 South, Range 2 West, Jefferson County, Alabama, more particularly described as follows:

Parcel 1:

Begin at a point 354 feet North of the Southeast corner of the Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Section 32, Township 18 South, Range 2 West; thence North 234 feet; thence with an angle of 79 degrees 52 minutes to the left 335 feet to the center line of public road (now known as Rocky Ridge Road); thence with an angle of 72 degrees 45 minutes to the left and along and including to the center line of said road 239 feet; thence with an angle of 107 degrees 15 minutes to the left 465 feet to point of beginning.

Less and except that part of subject property included in deed to Mary Eugenia DeGroat, as recorded in Real Volume 1091, Page 152 in the Office of the Judge of Probate of Jefferson County, Alabama.

Parcel 2:

Commence at the Southeast corner of said $\frac{1}{4}$ Section and thence run North 02 degrees 18 minutes 14 seconds West along the East line of said $\frac{1}{4}$ Section for 1,627.48 feet to the point of beginning of the tract of land herein described; thence run North 02 degrees 17 minutes 42 seconds West for 20.32 feet; thence run North 82 degrees 02 minutes 09 seconds West for 407.92 feet to a point on the Easterly right-of-way line of Rocky Ridge Road; thence run South 25 degrees 12 minutes 08 seconds West along said road right-of-way for 20.94 feet; thence run South 82 degrees 02 minutes 09 seconds East for 417.75 feet to the point of beginning.

Existing Parking Spaces

0

Proposed Parking Spaces

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Submission Date

01/09/2023

Type of Project

New Non-Residential Development/use

Action Requested:**From Existing Zoning Classification**

Jefferson County Inst-1

To Requested Zoning Classification

Vestavia Hills - Institutional

For the Intended Purpose of:

No change in purpose. Currently a church and it will remain the same.

Acreage of Subject Property

N/A

Acreage of Property to be Disturbed

N/A

Setbacks**Front**

0

Back

--

Side

Open Space

--

--

Lot Coverage Percentage

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

--

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

Grace Covenant Baptist Church

Company Name

--

Owner Address City State Zip

2565 Rocky Ridge Road, Vestavia Hills, AL 35243

Owner's Phone Number

205-586-0730

Email Address of Owner

rohughes@charter.net

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

Owner Representative/Responsible Party

Richard Hughes

Company Name

--

true

Contact Email of Responsible Party

rohughes@charter.net

Mailing Address of Responsible Party

3785 Carisbrooke Drive, Hoover, AL 35226

Phone No. of Responsible Party

205-586-0730

Email Address of Responsible Party

rohughes@charter.net

Project Engineer Information (if applicable)

Name

Company

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Mailing Address

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Phone Number

Email

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City of Vestavia Hills, AL

Feb 1, 2023

RZ-23-4

Planning Review

Rezoning Application

Status: Complete

Became Active: Jan 9, 2023

Assignee: Conrad Garrison

Completed: Feb 1, 2023

Applicant

Richard Hughes
rohughes@charter.net
2565 Rocky Ridge Road
Vestavia Hills , AL 35243
205-586-0730

Primary Location

2565 ROCKY RIDGE RD
VESTAVIA HILLS, AL 35243

Owner:

Grace Covenant Baptist Church
2565 Rocky Ridge Road Vestavia Hills, AL 35243

Comments

Conrad Garrison, Feb 1, 2023

This is a compatible rezoning of annexed property on Rocky Ridge Rd. from Inst-1 to Vestavia Hills Institutional. Property was annexed overnight by Ordinance 3143 on 12/19/22.

2565 Rocky Ridge Road

